

REPUBLIC OF RWANDA



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REPORT ON THE STATE OF THE MEDIA IN RWANDA-2007

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ABSTRACT

This report, "The State on the Media in Rwanda-2007", highlights developments in the country's media industry that took place during the year 2007. Right from the beginning till the end of the year, Rwanda progressively witnessed an upward trend in media development such as Media infrastructure, an increased number of media houses and level of professionalism and freedom of the press among other areas. Despite this positive trend however, allegations of violations of press freedom continued to appear albeit as isolated incidents both in local media and reports of international human rights or media rights advocacy groups. Among improvement still to be made, there is a need to abide much more on journalism ethics so as to diminish unprofessional practices.

Regarding media infrastructure a modern Printery was established by the Government through the Office for National Information and Broadcasting (ORINFOR). The Web machine has capacities to print large volumes of newspapers thus making it possible for Rwanda to have more dailies once its installation is complete in early 2008. It is also an opportunity for the print media to improve on their regularity in publication, reduced printing costs and for fostering further investments in the media industry in Rwanda.

The emergence of the first ever daily newspaper in Rwanda. The New Times and its sister Kinyarwanda version called *Izuba Rirashye* published three times a week/ Tri weekly, bears a clear testimony of the media development in Rwanda in the last one year. In electronic media, the country witnessed an increase of the number of audiovisual media houses from 16 to 17. Of those, 11 Radio stations are privately owned. The country remained with only one Television Station (RTV) despite government having licensed a private commercial television the same year. Light House Television is yet to start its operations in the country.

At a professional level, a Media training centre was established to offer basic skills and improve the capacities of practicing Rwandan Journalists whose professional levels remain highly lacking. The Great Lakes Media Centre whose intake is now 30 students per year is an important development in the efforts to improve professionalism in the country. In addition, a series of seminars and training workshops were organized by the High Council of the Press, Ministry of Information and other public and civil society organizations to provide journalists with basic skills in professional practice as well as improve their understanding on important policies to inform their professional analyses.

As for press freedom, like in many other countries in the World, press freedom was very much in the limelight bordering tremendous criticisms by various international media watch dog organizations. According to Reporters without borders Rwanda ranked 147th in 2007. The accuracy and objectiveness of this ranking, however, remains to be clarified as it lacks both in substance and fact about the realities on the ground and as will be seen in this report RSF tends to close its eyes on the press freedom supporting developments in Rwanda. In fact HCP investigations show that some cases reported by these organizations as violation of journalists' rights are incidents that happened to journalists not in their line of duty and/or that are not linked to their publications. That notwithstanding, however, a few cases of arrests and detention of "The New Times" journalists albeit for a few hours were reported during the year 2007. One newspaper remained closed on the orders of the Minister in the Prime Minister's office in charge of Information for unclear procedural reasons. Although the publishers sued government for the act, the HCP requests for speedy court process as justice delayed is justice denied.

The High Council of the Press' media monitoring reports show a high level of unethical and unprofessional publications especially in the print media. Cases of defamation, unfounded accusations, unbalanced stories, interference in privacy of individuals, inability to differentiate/intention presentation of opinions as news and many other unprofessional practices characterized the print media as this report will highlight. Most of the audio media were by and large unable to quote sources of their news stories. However, to avoid overgeneralization of the published findings herein, readers are advised to consult comprehensive monitoring reports available at the High Council of the Press' premises in Kigali.

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PREAMBLE

The High Council of the Press is an independent public institution whose primary responsibility is to promote and protect media freedom and regulate the media by ensuring respect of the law and professional code of ethics in Rwanda. It was established by the Constitution of the Republic of Rwanda of 2003 article 34 and its functions are detailed in the law No 18/2002 of 05/11/2002 governing the Press as well as the Presidential decree N° 99/01 of 11/12/2002 determining the Structure, organisation and functioning of the High Council of the Press. The High Council of the Press has the following attributions:

- guarantee and ensure protection of the press freedom and other means of mass communication
- ensure respect of the media law and ethics;
 - check whether political parties and associations enjoy equal access to official means of information and communication;
- give advice on authorizations to set up private audio-visual press enterprises ;
 - give advice on the decision to suspend or ban a publication a newspaper or periodical or close down a radio, or TV station or a news agency) ;
- Issue a press card

Every year, The High Council of the Press compiles a report on the state of the media in Rwanda to show an over all picture of the Media in the country as part of its commitment to fulfill its mission of promoting and protecting press freedom in Rwanda. This report is the first of its kind and will always enable the High Council of the, government, media and other stakeholders know the progress made in the media sector, the challenges encountered and the appropriate measures to be taken to enable it develop and effectively play its role as the fourth estate. In this Endeavour, the present report gives a more or less thorough view on the state of the media during the year 2007. It shows the High Council of the Press media monitoring findings on the number of media houses operating in Rwanda, media related complaints and resolutions, training workshops organized to the benefit of journalists and media freedom related cases.

SECTION I: MEDIA HOUSES AND ASSOCIATIONS

From 2002 when the Press Law n° 18/2002 was enacted to liberalize the Press in Rwanda, Media houses have been steadily increasing. However, this increase has been constrained by different factors leading to irregularities in publication. Among these factors, an inadequate financial capability is the most prominent. Lack of planning on the part of those trying to set up media houses to the effect that no market survey is conducted and barely can any media house boast of a business plan. Apart from the irregular publications, others have even closed down as a result only to reopen after sometime yet others disappeared altogether.

The table below shows an updated list of registered newspapers that were functioning during the year 2007 in Rwanda. It indicates their regularity/irregularity. Nevertheless the year 2007 witnessed the establishment of three new Newspapers¹ including Weekly Post, Inyenyeri and Izuba Rirashe.

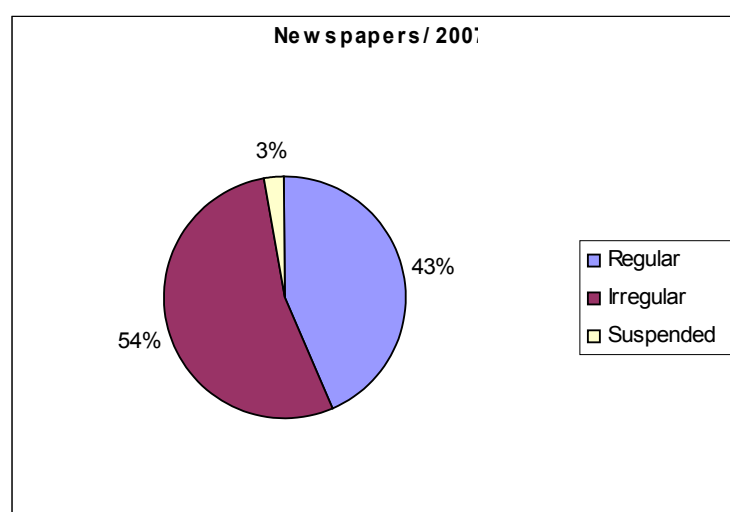
1.1. NEWSPAPERS

No	Name	Frequency of Publication	Language of publication	Regular	Irregular
1	Amani	Monthly	Kinyarwanda, English, French	√	
2	Business Daily	Weekly	English		√
3	Focus	Weekly	English	√	
4	Gasabo	Bi- Monthly	Kinyarwanda		√
5	Grands Lacs Hebdo	Bi- monthly	French	√	
6	Hobe	Monthly	Kinyarwanda	√	
7	Huguka	Bi- Monthly	Kinyarwanda	√	
8	Impamo	Bi –Monthly	Kinyarwanda		√
9	Imvaho Nshya	Bi- Weekly	Kinyarwanda	√	
10	Ingabo Magazine	Bi –Monthly	Kinyarwanda, English, French	√	
11	Inyenyeri	Bi – monthly	Kinyarwanda		√
12	Isimbi	Bi - monthly	Kinyarwanda		√
13	Izuba Rirashe	Bi - Weekly	Kinyarwanda	√	
14	Kinyamateka	Bi –Monthly	Kinyarwanda, French	√	
15	La Nouvelle Relève	Weekly	French	√	
16	Le Réveil	Bi - monthly	French		√
17	Les Points Focaux	Monthly	French	√	
18	Rugari	Weekly	Kinyarwanda	√	
19	Rushyashya	Bi- Monthly	Kinyarwanda		√
20	Rwanda Champion	Not well known	Kinyarwanda		√
21	The New Times	Daily	English	√	
22	The News Line	Weekly	English		√
23	The Weekly Post	Weekly	English		Suspended
24	Ubumwe	Bi –Monthly	Kinyarwanda		√
25	Ukuri	Weekly	Kinyarwanda		√
26	Umuco	Bi- Monthly	Kinyarwanda		√
27	Umukindo	Monthly	Kinyarwanda	√	
28	Umurabyo	Bi - monthly	Kinyarwanda		√
29	Umurinzi	Weekly	Kinyarwanda		√

¹ The Weekly Post, Inyenyeri and Izuba Rirashe

30	Umusanzu	Bi-Monthly	Kinyarwanda		√
31	Umuseke	Bi –Monthly	Kinyarwanda		√
32	Umuseso	Weekly	Kinyarwanda		√
33	Umusingi	Bi- Monthly	Kinyarwanda		√
34	Umuvugizi	Bi –Monthly	Kinyarwanda		√
35	Umwezi	Bi- Monthly	Kinyarwanda	√	
36	Urubuga rw'Abagore	Bi –Monthly	Kinyarwanda	√	
37	Urumuli	Weekly	Kinyarwanda		√

Among the 57 newspapers registered by the Ministry of Information in the year 2007, only 37 managed to run at least a single issue in that year. The above table indicates that, of the 37 newspapers, the print media in Rwanda has only one daily newspaper, two Bi-weeklies, 8 weeklies, 20 bi-monthlies and a couple of monthly newspapers. The year 2007 witnessed the introduction of a daily newspaper (the Newtimes) in Rwanda for the first time in its history.



As shown in the above chart, of the 37 newspapers published in 2007, only 43% tried to respect their periodicity and were regular in publication while 54% of them were regularly irregular. The irregularity primarily can be attributed to financial constraints, poor planning and weak managerial capacities on the part of the media owners. One journalist Yassin Tusingwire of RIMEG once retorted to the HCP that *most of the private print media houses are established to tap the seemingly free adverts other than practice journalism per se*. Some of the irregular newspapers as “Umuseke”, “Le Réveil” and the Weekly Post managed to run at least one issue within the entire year 2007. The latter, however, was suspended by the Ministry of Information and its currently pursuing a case in the courts of law against the government. 3% represented by the Weekly Post was as said above suspended. (Details may be found in the next chapters).

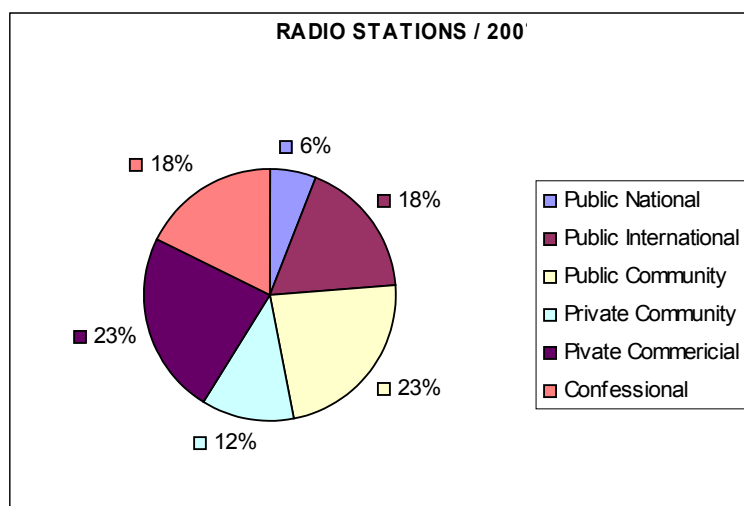
The table below shows the list of registered newspapers that did not run even a single issue in the year 2007.

No	Newspaper	Periodicity
1.	Umurage	Bi-monthly
2.	Ingenzi	Bi-monthly
3.	Isangano	Bi-monthly
4.	DEVT	Bi-monthly

5.	Football Imanzi	-
6.	Iriba	Bi-monthly
7.	Media plus	Monthly
8.	Tribune sport	Bi-monthly
9.	Viva Magazine	Monthly
10.	Objectif	Monthly
11.	Ukuri Gacaca	-
12.	Ibanga	Bi-monthly
13.	Itwararike	Bi-monthly
14.	Buracyeye	Weekly
15.	Umuganda	-
16.	Education Forum	Monthly
17.	Imbarutso	Monthly
18.	L'Entrepreneur	Bi-monthly
19.	Regards Croisés	Bi-monthly
20.	Impanda	-

1.2. RADIO STATIONS BROADCASTING IN RWANDA IN FM

N°	INSTITUTION	NATURE	PUBLIC / PRIVATE	FREQUENCY
1	RADIO 10	Commercial	Private	87.60 MHz/ 90.20 MHz
2	RADIO FLASH	Commercial	Private	89.20 MHz
3	RADIO CONTACT FM	Commercial	Private	89.70 MHz
4	RADIO IJWI RY'IBYIRINGIRO	Confessional	Private	106.40 MHz
5	CITY RADIO	Commercial	Private	88.30 MHz
6	RADIO UMUCYO	Community	Private	102.80 MHz
7	RADIO IZUBA	Community	Private	100.00 MHz
8	RADIO MARIYA RWANDA	Confessional	Private	88.60 MHz / 97.30 MHz/ 99.80 MHz
9	RADIO SALUS	Community	Public	101.90 MHz
10	RADIO RWANDA	Governmental	Public	99.30 MHz / 100.70 MHz / 103.20 MHz
11	HUYE Community Radio	Governmental	Public	98.30 MHz / 100.40 MHz
12	RUBAVU Community Radio	Governmental	Public	104.70 MHz
13	RUSIZI Community Radio	Governmental	Public	92.90 MHz / 108.00 MHz
14	RADIO RESTORE (SANA)	Confessional	Private	98.00 MHz
15	BBC	International	Public	93.90 MHz
16	VOA	International	Public	104.35 MHz
17	Deutsch Welle	International	Public	



1.3. TELEVISION STATIONS

N°	INSTITUTION	NATURE	PUBLIC / PRIVATE
1	Rwanda Television	Governmental	Public

Tables 1.2 and 1.3, show that audiovisual media consists of 17 radio stations and only one television station. Only one radio station (*Isango Stars*) and one television station (*Light House Ltd*) were authorized by the High Council of the press to start broadcasting in Rwanda. The owners were cleared to apply for frequencies at the Rwanda Utilities Regulatory Agency (RURA) as the law requires. This increases the number of audiovisual media authorized by the HCP to operate in the country but which are yet to commence to nine (9) radios and one (1) TV.

1.4. MEDIA ASSOCIATIONS

1.4.1. JOURNALISTS' ASSOCIATIONS

N°	ASSOCIATIONS	MISSION
1	Association Rwandaise des Journalistes (ARJ)	To advocate for journalists' rights and professional advancement
2	ARFEM	To promote women journalists
3	ABASIRWA	To fight against HIV/AIDS
4	AGESPOR	To promote sports
5	AMI DU PEUPLE	To fight against HIV/AIDS
6	MAISON DE LA PRESSE	The umbrella association of journalists associations and media houses

1.4.2. RWANDA MEDIA ETHICS COMMISSION

On March 11, 2007, a Media Ethics Commission (a self-regulatory body) was set up by the Rwandese Journalists Association to deal with professional ethics related issues. The Commission is comprised of 10 members known in Kinyarwanda as "Abahwituzi", whose mission is to arbitrate and mediate and advise on media ethics related problems. It is intended to promote observance of the

code of professional ethics by media practitioners thus contributing towards the promotion of a credible media sector in Rwanda. Note that the association is still young and needs to be reinforced with the involvement of all journalists and media stakeholders. It is a peer review

SECTION II: MEDIA PROFESSIONALISM AND RESPONSIBILITY

According to the HCP report published in 2006 on the state of the media in Rwanda after 1994, media professionalism and competence remains highly below standard. The report states that despite the creation of the School of Journalism and Communication towards the end of 1990s, the number of practitioners with skills and capacities is substantially low as most the graduates join other sectors where they can get greener pastures. As such unverified, biased information, offensive tones, insults, mixture of journalistic genres, rumours, etc ranked and were still evident in 2007 as this report will show.

The High Council of the Press is devoted to improving the level of professionalism in the Rwandan media. As part of its mandate, the HCP makes various interventions when and where necessary to ensure that diversified information is transmitted, in a manner that is balanced, informative and educative consistent with the law and that the media practitioners adhere to the prescribed professional ethics. Short term media training programmes were organised by the HCP and her partners to the benefit of media practitioners in a bid to equip them with basic skills in journalistic practice. Of particular importance was the establishment of the Great Lakes Media Centre (GLMC), to impart skills and know how in a sustainable and orderly manner to media practitioners. Also constant HCP media content monitoring culminating into reports that were later forwarded to media houses helped the media work towards a fairer, balanced, accurate, objective and more responsible media. This section brings most of these facts forth as they unfolded in the year 2007.

2.1: TRAININGS OFFERED TO JOURNALISTS

The plan of action of the High Council of the Press always identifies needs and designs training programs, such as seminars and workshops for journalists with a view to bridge the skills gap and improve as well as develop capacities of the media in Rwanda. These programs are very important in that they help promote a more professional and credible media sector in the country. Apart from the HCP, other public private and civil society institutions conduct similar workshops in that line but in their particular areas of interest. For instance, the Ministry in the Prime Minister's office in charge of Information, the office of the Ombudsman, National Unity and Reconciliation Commission, LDGR, etc organized training workshops on government policies and programmes, corruption, Conflict Management and reporting human rights respectively as the table below will show. It should be noted however, that there is still a gap in the way these training programmes are designed and developed as well as the way they are conducted and as such, their effectiveness and contribution to solving the professionalism gap is yet to be realized. The table below gives a picture of some of the training programs organized for the benefit of journalists throughout the year 2007.

ORGANISING INSTITUTION	THEME OF TRAINING	PERIOD	BENEFICIARIES
High Council of the Press	The Social Responsibility of a Journalist and Need for Media Regulation and Self-regulation	August 20–24 2007	- Managing directors, chief editors, Rwanda Media Ethics Commission, journalists' association representatives and some institutions working hand in hand with the media. - The total number of trainees was 60 (from media houses and associations).
Ministry in the Prime Minister's office in charge of Information	General Government Policy	9-11/07/2007 and 27-29/08/2007	Journalists from all media houses (print and audio-visual)
	ICT Training (Photoshop)	26/11/-01/12/2007	34 journalists were trained including 26 from print media and 8 from television
Ombudsman's office	«Techniques de l'investigation et de reportage en métiers de justice et de corruption »		
National Unity and Reconciliation Commission	Conflict Management	21-23/11/2007	
Association Rwandaise des Journalistes	Gestion et protection de l'environnement	20-21/12/2007	36 journalists from media houses Operating in Rwanda were trained
LDGL	- "Réseau parlementaire" - "Réseau judiciaire"	26/03-18/05/2007	100 journalists from all media houses

It should be again noted that, since there is no single institution mandated with the duty of coordinating training programmes in Rwanda, many other training programmes of journalists might have been organized without HCP awareness. Such trainings are therefore not subject of this report. Whatever the case, the need for increased journalism training remains if professionalism is to be attained.

2.2. MEDIA TRAINING INSTITUTIONS

In addition to the School of journalism and Communication in the National University of Rwanda and the Catholic University of Kabgayi, the year 2007 saw the establishment of the Great Lakes Media Center (GLCM) in Kigali. This media training center is a branch of the School of Journalism at Butare and is aimed at offering on job training to practicing journalists with no background and skills in journalism. In December 2007, 30 media practitioners enrolled in the GLMC for a 12 months certificate training in journalism with a hope of increasing the number of trainees and improving the level of training from certificate to diploma as financial resources progressively become available.

2.3. RESPECT FOR PROFESSIONAL ETHICS AND MEDIA LAW

The High Council of the Press impresses upon itself to re-enforce the existing media law and media code of conduct through media monitoring, whose reports are useful for both regulatory and self-regulatory purposes. This exercise is part of many programmes undertaken by the Council and is tailored to improve professional standards among media practitioners in Rwanda. Furthermore, media monitoring

can be perceived as one of the ways to advocate for human rights and media freedom as seen in the next section of this report. It helps the High Council of the Press take appropriate decisions in the promotion of a free and responsible media. It also enlightens media practitioners in the betterment of their professional practices. Thus this section gives an overview on media monitoring findings in terms of respect of the press laws and media code of professional conduct. Below are some of the most frequent professional pitfalls in the Rwandan media. Note, however, that the areas highlighted hereunder are not exhaustive but are rather random extracts from the wider list.

2.3.1. NEWS SOURCING

Source identification is a basic journalistic requirement that must be satisfied at all times except where exceptional circumstances demand otherwise. These include dealing with rape victims, child sources, national security and such related matters of greater public good. Both the law governing the press in its article 68(4) which states thus: *“only publishes verified information or otherwise adds the necessary reserve. A rumour cannot be published”*. The media code of conduct in its article 11 stresses a similar point and advises journalists to; *“Always question the motive of and identity the sources of news. The only exception to this rule shall be in relation to information given in confidence. Before making any promises, always clarify any conditions that may be attached. Whenever such a pledge is made, keep the promise”*)

Contrary to the above-stated principle, a sizeable number of media houses run several news items without proper sourcing. The use of anonymous sources remained high especially among the private print media. Below are some of the identified cases:

2.3.1. UNSOURCED NEWS ITEMS

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Umuseso	293	«Mitari yaba yarahawe misiyo yo gusenyerera PL muri FPR » (“Mitari might have been given a mission of destructing PL into RPF »)	«Mitari yaba yarahawe misiyo yo gusenyerera PL muri FPR » (Mitari might have been given a mission of destructing PL into RPF »)	Article 68(4) Article 70	Article 2 Article 5 Article 11
Gasabo	58	“FPR niyo ikenesha abaturage cyangwa n’abo yahaye imbehe batarahaga » («Is it the FPR that makes people poorer or its big wigs are not yet satisfied »)	“Iyo urebye abayobozi ba FPR usanga baratorewe gukandamiza no gutindahaza rubanda,dore ko abenshi baba bazi ko bashyizweho batatowe“- (“A look at the RPF leadership leads to the conclusion that they were elected to oppress and impoverish the population after all the majority know they were appointed not elected “)	Article 68(4) Article 70	Article 2 Article 5 Article 11
Gasabo	59	“Haravugwa ubujura mu ishyirahamwe ry’abarwayi ba Sida URUNANA Gikristu- Gikondo” («There is said to be wide spread theft in the HIV/Aids association URUNANA Gikristu- GIKONDO »)	“Ubwo buriganya ngo bukorwa n’Umuyobozi w’iryo shyirahamwe madamu Umurisa Joy, abifashijwemo na bamwe mu bakozi ba PAM“ – (“Such malpractices are committed by the Association’s Director Miss Umurisa Joy with the help of some WFP staff“)	Article 68(4) Article 70	Article 2 Article 5 Article 11
Umuvugizi	35	“Umuyobozi muri Perezidansi nawe yarahafashe »-(«A leader in	‘Amakuru agera ku kinyamakuru Umuvugizi aremeza ko...’ («Information	Article 68(4)	Article 2 Article 5

the President's Office fled too»)

reaching Umuvugizi news paper confirms that...»)

Article 11

2.3.2. PICTURES WITHOUT SOURCES AND LEGEND

Article 19(2), of the Press law n° 18/2002 states that: “*Photographs published in a separate edition must bear the names or the sign/signature of their makers or the transferee of the reproduction right*”. On the contrary, practice shows that this article is rarely respected among most print media outlets. As a matter of fact, the 13th genocide commemoration report (published by HCP on April 3, 2008) shows that 101 of the 243 photographs published in the month of April 2007 were unsigned and their sources not indicated. No doubt many of them could have been published without prior authorisation of the owners as will be highlighted among the complaints received by the HCP.

2.3.3. DISCRIMINATION, DEFAMATION, SLANDER, ABUSE AND UNFOUNDED ACCUSATIONS

In professional media practice, defamation, slander, abuse, unsubstantiated allegations and unfounded accusations are prohibited. Besides professionalism, it is a moral duty for journalists not to publish defamatory, slanderous, abusive or unfounded accusations. Unfortunately, some of the articles as analysed by the HCP media monitoring team indicate gross breach of this legal and ethical provision. Article 70 states that: “*Every journalist is not allowed to make plagiarism, slander, abuse, defamation and unfounded accusations. He shall receive no advantage for publishing or cancelling any piece of information*”. As can be seen below and in various HCP monitoring reports, some print press publications either knowingly or unknowingly broke this legal provision.

2.3.3.1. CASES OF ETHNIC DISCRIMINATION

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Umurabyo	11	“Ibaruwa ifunguye yandikiwe ibinyamakuru bikorerera mu Rwanda” (An open letter addressed to all newspapers operating in Rwanda)	« “...kuko bumva ko abahutu bapfuye atari abantu” (... because they feel that the Hutus who died were not human beings)	Article 70	Article 2 Article 5 Article 10 Article 17

2.3.3.2. CASES OF DEFAMATION

Medium	Issue no.	Title	Statement / quotation	Press law article contravened	Contravened article of the media code of conduct
Umuseso	292	“Amakosa 10 Perezida akora kenshi” (10 mistakes President Kagame regularly Commits”)	“Gusimbura inkiko n’amategeko” (“Replacing courts of law and justice”)	Article 70 Article 84(2)	Article 2
Umuseso	293	« Mitari yaba yarahawe misiyo yo gusenyerera PL muri FPR » (Mitari might have been given a mission of breaking PL into RPF »	“Ubu rero nabwo biravugwa ko ariwo mutwe FPR yize wo guca ibice muri PL, kuko itinya ko iri shyaka rishobora kuyibangamira mu gihe cy’amatora” “It is also said to day that RPF has devised a strategy of dividing PL because it fears this party might be a threat in the forthcoming elections“	Article 70 Article 68(4)	Article 2 Article 5 Article 11
Umusingi	003	« Urutonde rw’Abayobozi bananiwe »- (The list of tired Cabinet Ministers»)	« Minisitiri w’Itangazamakuru mu Rwanda, usanga ntacyo amariye abanyamakuru, usibye gutegurira abanyamakuru amahugurwa y’urudaca na za ‘Cocktail’ mu mahoteli akomeye muri Kigali » (The Minister of information in Rwanda is of no importance to the journalists rather than organizing journalists’ trainings in high class hotels in Kigali»)	Article 70	Article 2
Umuco	42	« Mu bihe by’amatora inzego zose za Leta zihinduka FPR, uciye	“Bimaze kumenyerwa ko iyo amatora yegereje abahanga bo muri	Article 68(4) Article 70	Article 2

		kuruhande agahinduka umwanzi» («During election periods, all public institutions become RPF, those that take another path become enemy»)	FPR bagomba kugira abo bireza muri politiki bagamije kubikiza» («It has now been familiar that when elections near, the wise among RPF cadres eliminate those they consider as threat »)		
Umurabyo	11	“Ibaruwa ifunguye yandikiwe ibinyamakuru bikorera mu Rwanda” (<i>An open letter addressed to all newspapers operating in Rwanda</i>)	« “Nibyo abishe abahutu baridegembya ,aridegembya Ibingira, Kayonga, Kabarebe Bigabiro, arabyinira ku rukoma Gatsinzi Marcel, Mukezamfura, Hon. Gasana Alfred, Iyamuremye Augustin (<i>Its true those who killed Hutus are free and enjoying life, as Ibingira, Kayonga, Kabarebe, Bigabiro and Gatsinzi Marcel, Mukezamfura, Hon. Gasana Alfred, Iyamuremye Augustin are having fun....</i>)	Ingingo ya 70	Article 2 Article 5 Article 10 Article 13
Umurabyo	11	“Ibaruwa ifunguye yandikiye ibinyamakuru bikorera mu Rwanda” (<i>An open letter addressed to all newspapers operating in Rwanda</i>)	“Ntimugatinye abadashaka ukuri, ntimugaterwe ubwoba n’ibisahiranda n’ibinywa maraso byo muri FPR ni abagome bambaye imigoma, n’abagambanye kubo basangiye umuruho n’amaraso y’abana b’u Rwanda....” (<i>Do not fear those who do not want the truth do not be threatened by the hungry “blood drinkers” of RPF, they are dangerous hyners dressed in sheep’s skin, they are traiters of those they shared suffering and blood of the sons and daughters of Rwanda...</i>)	Article 70	Article 2

2.3.3.3. CASES OF SLANDER

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Rushyashya	66	«Umwihereho w'abanyamakuru na Kagame: Abanyamakuru babaye nk'imbwa zirwaniye mu mayezi » (The President's retreat with journalists: Journalists were like dogs fighting in a butchery")	« Abanyamakuru babaye nk'imbwa zirwaniye mu mayezi » ("The President's retreat with journalists: Journalists were like dogs fighting in a butchery")	Article 70	Article 1 Article 2 Article 29 Article 30
Rushyashya	66	«Umwihereho w'abanyamakuru na Kagame: Abanyamakuru babaye nk'imbwa zirwaniye mu mayezi » (“The President's retreat with journalists: Journalists were like dogs fighting in a butchery")	“...mu banyamakuru b'abajenosideri bihishe mu itangazamakuru, inkomamashyi n'imburamukoro mu mwuga , bareze abanyamakuru bagenzi babo cyane cyane umuseso gufatanya n'abarwanya igihugu na Perezida Kagame akaba yarabishimangiye“ <i>“(Among the genocidiare journalists hiding in the media, sycophants and jobless bandwagonists, accused their colleagues especially “Umuseso” of working with the state and President Kagame's enemies“)</i>	Article 70	Article 1 Article 2 Article 22 Article 29 Article 30
Umuvugizi	23	«Umwe mu bari bahitanye umunyamakuru Gasasira yamanuwe muri 1930 » («One of Gasasira's attempted assassins sent to 1930 prison»)	-« ...nkuko byatangajwe n'abanyamakuru badakorera Leta, batari abamotsi nka Willy Rukundo » <i>(«As remarked by non government journalists, who are not “Abamotsi”² like Willy Rukundo »)</i>	Article 68(4) Article 70	Article 2 Article 30

² “Abamotsi” is a kinyarwanda word that comes from the word kumoka meaning to buck. So a person or people who buck are called Abamotsi. It may also partly mean propagandists or sycophants or both. Note, however, that in Rwandese culture this word is abusive and undermines the credibility of one reported or identified as such as opposed to propagandists.

Umuvugizi	23	« Umwe mu bari bahitanye umunyamakuru Gasasira yamanuwe muri 1930 (<i>One of Gasasira's attempted assassins sent to 1930 prison</i>) »	« Umwe yahoze ari Umuyanja, urangwa n'inda yamusumbye, ari we Kanuma, uhagarariye ikinyamakuru cya FPR, cyitwa Focus. Uyu munyamakuru akaba ari igikoresho mu rwego rwo kwandagaza bagenzi be , bikaba ari bimwe mu bigaragaza ubuswa bwe » (<i>"One was a former 'Umuyanja', characterised by a big stomach, Shyaka Kanuma is running an RPF newspaper called the Focus. This journalist is a tool in defaming and bulldozing his colleagues, one of the signs of his dullness"</i>).	Article 68(4) Article 70	Article 2 Article 30
Umurabyo	11	"Ibaruwa ifunguye yandikiye ibinyamakuru bikorera mu Rwanda" (<i>An open letter addressed to all newspapers operating in Rwanda</i>)	"Ntimugatinye abadashaka ukuri, ntimugaterwe ubwoba n'ibisahiranda n'ibinywa maraso byo muri FPR ni abagome bambaye imigoma, n'abagambanye kubo basangiye umuruho n'amaraso y'abana b'u Rwanda...." (<i>Do not fear those who do not want the truth do not be threatened by the hungry "blood drinkers" of RPF, they are dangerous hyners dressed in sheep's skin, they are traiters of those they shared suffering and blood of the sons and daughters of Rwanda...</i>)	Article 70	Article 2

2.3.3.4. CASES OF UNFOUNDED ACCUSATIONS

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Umucyo	40	«Aho imbaraga z'ubutegetsu bwa Kagame zishingiye ni ku rwikwe rwo guhirikwa kw'ubutegetsu- - Ibishyamba by'ingoma ntibishyigurwa" («The strength of	"...twarasanze guseniyuka kw'i shyamba FPR kwaratangiye bitewe ahanini no kwisenya kw'ishyamba" (...we found out that, the fall of RPF began in the party itself")	Article 70 Article 84(2)	Article 2

		Kagame's administration is based on the suspicion of the Coup d' Etat – The residues of administration are not buried »)			
Umuco	40	« Igitugu cya Fideli Castro Kagame » - (« The dictatorship of both Kagame and Fidel Castro »)	« Kagame Paul ni umunyagitugu wahisemo umurongo wa politiki yihimbiye » « Pual Kagame is a dictator who chose unknown administrative line »	Article 70 Article 84(2)	Article 2
Rushyashya	66	“Procureur General Ngoga natabare Mukezamfura” (« Prosecutor General Martin Ngoga should help Mukezamfura »)	« Perezida w'Umutwe w'abadebite Alfred Mukezamfura aherutse kongera kwikubita hasi avugishwa cyane ngo 'Domitira, Gacaca, Ngirabakunzi, Rushyashya » - (The President of the chamber of deputies has some time back instantly fallen down shouting that Gacaca, Domitira, Ngirabakunzi, rushyashya »)	Article 70	Article 2
Gasabo	58	« Bizimungu yahunze ingoma MRND agaruka ayoboye FPR imukubita mu kagozi” (« Bizimungu fled MRND administration, on his return, he was tied in a knot by RPF »)	« Gen. Kayumba Nyamwasa yakurikiranirwa hafi kuko atizewe”- (« Gen. Kayumba Nyamwasa is closely followed up because of not trusted »)	Article 68(4)	Article 2
Imvaho Nshya	1729	« Undi mwicanyi yatatiwe mu bufaransa » (« Another killer was arrested in France »)	« Undi mwicanyi yatatiwe mu Bufaransa »- « Another killer was arrested in France »	-	Article 22

Rushyashya	63	“Amarembere y’ingoma ya FPR- gufunga ba General n’abacuruzi bakomeye” (The last days of the RPF regime- Imprisoning Generals and prominent businessmen »)	“...yambuwe immunité na Mukezafura w’umujenosideri”. He was stripped off his Parliamentary immunity by a Genocider Mukezafura »	Article 70	Article 22
Umurabyo	11	“Ibaruwa ifunguye yandikiwe ibinyamakuru bikorera mu Rwanda” (<i>An open letter addressed to all newspapers operating in Rwanda</i>)	« “Nibyo abishe abahutu baridegembya ,aridegembya Ibingira, Kayonga, Kabarebe Bigabiro, arabyinira ku rukoma Gatsinzi Marcel, Mukezafura, Hon. Gasana Alfred, Iyamuremye Augustin (<i>Its true those who killed Hutus are free and enjoying life, as Ibingira, Kayonga, Kabarebe, Bigabiro and Gatsinzi Marcel, Mukezafura, Hon. Gasana Alfred, Iyamuremye Augustin are having fun....</i>)	Ingingo ya 70	Article 2 Article 5 Article 10 Article 13

2.4. BALANCE AND FAIRNESS

Balance as an ethical principle requires that the views of all parties to an issue be represented as fairly and as accurately as they are presented, taking into account considerations of space and prominence. Stories which lack balance tend to be unfair to the side that is not represented. In Rwanda, through the media code of conduct (article 3), journalists are encouraged to always “*ensure that news is balanced, impartial and fair by giving all sides to an issue and all efforts be made to give an opportunity to subjects of news and information to respond to allegations or accusations made against them*”.

However, several media monitoring reports by the High Council of the Press have shown that the aforesaid principle is not respected by some media practitioners. Very often, patterns of bias appear in published stories both in print as well as broadcast as gross generalisation, exaggeration, omission, and sometimes trivialised news. To highlight this point, some examples are given in the following tables.

2.4.1. GENERALISATION

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Rushyashya	66	“Umwiherero w’abanyamakuru na Perezida: Abanyamakuru babaye nk’imbwa zirwaniye mu mayezi” – (“The Presidential retreat with journalists was like that of dogs fighting for left overs meat in a butchery”)	“Abanyamakuru babaye nk’imbwa zirwaniye mu mayezi”- (“The journalists became like dogs fighting for meat-left overs in a butchery”)	Article 70	Article 1 Article 2 Article 22 Article 29 Article 30
Gasabo	58	FPR niyo ikinesha abaturage cyangwa n’abo yahaye imbehe batarahaga » («Is it the FPR that makes people poorer or is it the beneficiaries political bigwigs who are not yet satisfied »)	“Iyo urebye abayobozi ba FPR usanga baratorewe gukandamiza no gutindahaza rubanda,dore ko abenshi baba bazi ko bashyizweho batatowe“- (“When you observe some of the RPF leaders, you find that it is as if they were appointed to undermine mass population since most of them know that they were not popularly elected“)	Article 70	Article 2 Article 5

2.4.2. EXAGGERATION

Medium	Issue no.	Title	Statement/ quotation	Press law article contravened	Contravened article of the media code of conduct
Umuseso	292	“Amakosa 10 Perezida Kagame akora kenshi”- (“The 10 mistakes President Kagame makes often times”)	“Gutegeka kinyeshyamba”- (“ Ruling like a Bush war General”)	Article 70	Article 1 Article 2
Umuvugizi	32	« Muri FPR ubusambo no gusebanya byasimbuye ubutwari n’urukundo” (« In RPF, Greedness/selfishness, slander and defamation replaced heroism and love »)	« Muri FPR ubusambo no gusebanya byasimbuye ubutwari n’urukundo” (« In RPF, Greedness/selfishness, slander and defamation replaced heroism and love »)	Article 70	Article 1 Article 2
Rushyashya	63	“Amarembera y’ingoma ya FPR- Gufunga ba General n’Abacuruzi bakomeye” (The last days of RPF- Imprisoning Generals and prominent businessmen »)	“Ubu rero nta kindi kivugwa i Kigali kitari ‘Operation’ Kibuye, hasatswe abanya Kibuye aho bava bakagera » (« There is no any other news stories in Kigali other than “operation” Kibuye, all people from Kibuye were searched and ransacked»).	-	Article 15

2.5. MISLEADING HEADLINES

Although not so frequent, cases of news stories with misleading headlines have been noticed especially in print kinyarwanda media. In such cases, authors sensationalized their stories by phrasing titles perhaps to attract more readers. Others did so perhaps to serve political and or personal ends or “pulling their opponents down!” as reported in the HCP report on the “State of the Rwandan Media after 1994” published in 2006. Some of such stories actually were capable of misleading readers instead thus leading to awkward interpretations. Moreover, most of such headlines did not entirely reflect the content of the story. Sometimes the content is different from what the title implies. The following table indicates some cases selected by the Council’s monitoring team.

Medium	Issue number	Page	Story title	Comments
Imvaho Nshya	1729	1	“Undi mwicanyi yafatiwe mu Bufaransa” <i>(Another killer arrested France)</i>	The title of the story qualifies one Augustin Ngirabatware as a “genocidaire” while he is still a suspect; thus violating article 22 of the media professional code of conduct
Rushyashya	63	1	“Amarembere y’Ingoma ya FPR- Gufunga ba general n’abacuruzi bakomeye” <i>(the last days of the RPF regime-imprisoning Generals and strong businessmen)</i>	From the introduction part of the story up to the end, the author does not relate title to content. It leaves the reader in some kind of dilemma such that s/he can interpret it out of context.

SECTION III: PRESS FREEDOM

Press freedom may sound to be a straight forward concept but defies easy definition, even within countries that proclaim to enjoy it. The free encyclopedia Wikipedia defines “press freedom” or “freedom of the Press as “the guarantee by a *government of free public press for its citizens and their associations, extended to members of news gathering organizations, and their published reporting. It also extends to news gathering, and processes involved in obtaining information for public distribution*”³. This concept constitutes a controversial issue among media stakeholders and sympathizers because not all countries are protected by a bill of rights or the constitutional provision pertaining to freedom of the Press.

Like in many countries, the Rwandan government has set up constitutional and legal provisions guaranteeing freedom of the press. In its article 34, the Rwandan Constitution of 2003 stipulates that “*Freedom of the press and freedom of information are recognized and guaranteed by the State. Freedom of speech and freedom of information shall not prejudice public order and good morals, the right of every citizen to honor, good reputation and the privacy of personal and family life. It is also guaranteed so long as it does not prejudice the protection of the youth and minors. The conditions for exercising such freedoms are determined by law*”. It further adds that “*There is hereby established an independent institution known as the “High Council of the Press». The law shall determine its functions, organization and operation*”. It is under such background that the HCP was established.

Although press freedom might be seen differently across societies depending on their peculiarity, various tenets including a favorable legal framework, absence of restrictions on access to information, absence of censorship, seizure of newspapers before they get to the streets, arrests and detention of journalists without charge and limitations on right to express opinions through the media among others are agreed upon as basic.

As the above Constitutional citations indicate and as practice revealed, Rwanda’s level of respect and guaranteeing of press freedom in the year 2007 could be judged high although pitfalls that undermine these efforts and requiring further attention remain.

Such challenges require the attention and action of media practitioners themselves, government and/or private officials, as well as the civil society among others if satisfactory levels are to be attained. This section highlights alleged cases of press freedom violation and media related complaints that were reported to the HCP in 2007.

3.1. THE LEGAL FRAMEWORK

As seen above, the Constitution of the Republic of Rwanda guarantees state support to press freedom and freedom of opinion and expression. The creation of the High Council of the Press as a media regulatory and press freedom promotion institution attests to that fact. The press law of 2002 in its articles 10 and 11 provides that the press is free and that censorship of the press is not allowed in Rwanda. These important legal provisions are also supported by the articles 60 to 66 of the press law which state that on presentation of a press card for local journalists and accreditation card for foreign journalists, the bearer shall have access to all areas where he/she hopes to get information for publication. Such places include airport transits and other highly protected areas. As the constitution says, however, these freedoms shall be exercised in accordance with the law.

³ <http://en.wikipedia.org>

In the year 2007, however, a few hindrances to press freedom were noted including the fact that the Gacaca jurisdictions set up an additional legal requirement for the media to access Gacaca proceedings. Such a document is only issued by the National Secretariat of Gacaca Jurisdictions found in Kigali. However, at the end of 2007, the HCP was assured that that certification would be removed for journalists in possession of a press card.

Also, the press law seemed a little punitive to a journalist convicted for defamation in that a judge is compelled to attribute the highest sentence ignoring the letter's right to exercise discretion depending on the gravity of offence. The HCP has proposed an amendment to this effect and a bill passed by government. The bill is yet to be voted into by parliament.

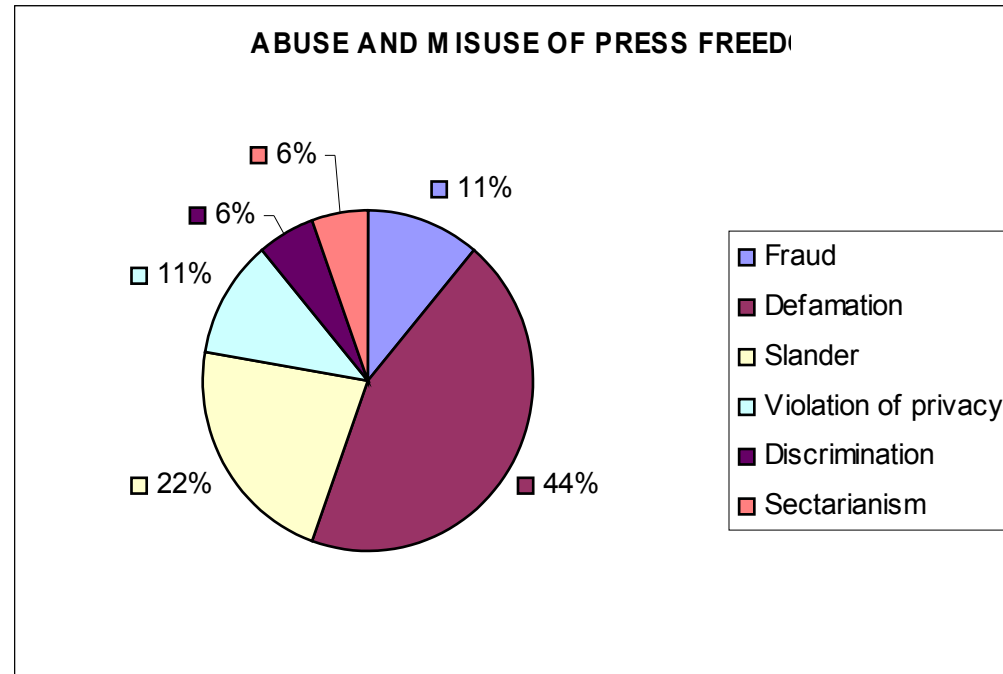
3.2. CASES OF ABUSE OR MISUSE OF PRESS FREEDOM BY THE MEDIA

The High Council of the Press, as a media regulatory organ, receives media related complaints and handles them according to the law. It also follows closely all allegations of press freedom violations. The following table indicates complaints against misuse of press freedom addressed to HCP and resolutions adopted.

Date	Complaints	Case qualification	Complainants	Resolution by HCP
19/01/2007	<ul style="list-style-type: none"> - HCP initiated a complaint itself and summoned the Management of Umurabyo newspaper for a public hearing. HCP accused the paper of discrimination and defamatory publications. - Besides, Nkusi Uwimana Agnes was accused by the prosecution of publishing stories that are defamatory and discriminatory. She was also accused of issuing a bounced cheque worth Frw 1,500,000. 	<ul style="list-style-type: none"> -Defamation -Discrimination and sectarianism 	<ul style="list-style-type: none"> - HCP - The Public prosecution office 	<ul style="list-style-type: none"> - HCP advised government through the Ministry of Information to indefinitely suspend the newspaper. - She pleaded guilty to all counts in the Kigali court of 1st instance on 3/04/2007 and was sentenced to a one year jail term. After serving her sentence, Nkusi was released in January 2008 and has since resumed her publication called Umurabyo.
26/01/07	Karim Faith deposited a complaint over the malpractices of one Umuseso journalist by the names of Agaba, in which the latter extorted 500,000 Frw with the promise to report favorably on the case of Faith's mother that was in courts of law,	Fraud	Mr. Karim Faith	The complainant was advised to have recourse to the courts of law as the case was not a press offence.

	but the journalist did not report anything.			
16/02/07	The National Insurance Commission deposited a complaint against Focus newspaper. Focus was accused of defaming the institution and refusal of right to reply through the same medium (Ref. Focus n° 19, 20, 22).	-Defamation -Refusal of right to Reply	National Insurance Commission	HCP wrote to FOCUS asking its management to respect the laws and make corrections as well as apologize via its next publication.
23/03/07	Jury members of the 2007 Gold Pen Award complained against Mr Asimwe Arthur (Reuters) and Mr Safari Gaspard (ARJ President) for having defamed them through a press release.	Defamation	Mr Kayumba Christophe, Rwabuneza Anastase and Uwimana Albertine	After listening to all parties involved, the HCP found the case outside its competence as it was a purely business affair that could be addressed by relevant organs not HCP.
05/04/07	Mr. Nsengiyaremye Vital complained against The New Times for defamation	Defamation	Mr Nsengiyaremye Vital	According to HCP reported findings, the complaint was unfounded given that the story was based on verified facts.
29/06/07	Byukusenge Marie Chantal accused The New Times for publishing her photograph without her consent (Ref. The New Times n° 1193, page 8)	Violation of privacy	Ms Byukusenge Marie Chantal	HCP found such an act in violation of the Press law and asked The New Times to apologize to the complainant through and to refrain from such illegal actions.
28/08/07	Mr. Mugenga Joseph complained against Gasabo newspaper for publishing a defamatory and slanderous story against him. (Ref. "Mugenga Joseph arashinjwa urufu rw'umugore we", Gasabo n° 57)	Defamation and Slander	Mr Mugenga Joseph	HCP examined the case and asked the Managing Editor of Gasabo newspaper to recognize his errors and apologize to the complainant in the next edition of the same newspaper.
29/10/07	Uwase Marie Chantal complained against Gasabo newspaper for publishing her photograph without personal consent (Ref. Gasabo n° 59, page 6)	Violation of privacy	Mr Uwase Marie Chantal	The Gasabo was asked to run an apology to MS Uwase in the next issue of the same medium and to refrain from ever using the same picture without the owner's consent.

30/10/07	NTIRUHUNGWA Jean de Dieu complained Against Gasabo newspaper for publishing defamatory and slanderous accusations (Ref. "Ntiruhungwa ati ndongeye ndariye ga mwa!", Gasabo n° 59, page 13)	Defamation and Slander	Ntiruhungwa Jean de Dieu	The journalist recognized the fault and was asked to run an apology in the next issue of Gasabo newspaper
25/11/07	Umulisa Joy accused Gasabo newspaper for publishing a defamatory and slanderous story against her (Ref. "Haravugwa ubujura mu ishyirahamwe ry'abarwayi ba Sida URUNANA Gikristu-Gikondo", Gasabo n° 59, page 5)	Defamation and Slander	Ms Umulisa Joy	<p>After investigation of the case and listening to both parties in a public hearing, the HCP asked the journalist to accept his mistakes and apologize to Ms. Umurisa Joy in the paper's next issue.</p> <p>The Managing Editor of Gasabo newspaper was also ordered to respect the complainant's right to reply and rectifications in his newspaper.</p>
03/12/07	Rwanda Media Ethics Commission complained against Rushyashya director for defaming and slandering his fellow journalists (Ref. "Umwihereho w'Abanyamakuru na Kagame", Rushyashya 66, page 3)	Defamation and Slander	Members of the media ethics commission	<p>After investigation of the case by the HCP, the journalist was found to be use an un coming language but which did not amount to defamation or slander to his fellow journalists. The journalist was however, guilty of taking the law in his hands and passing judgment before the courts of law.</p>



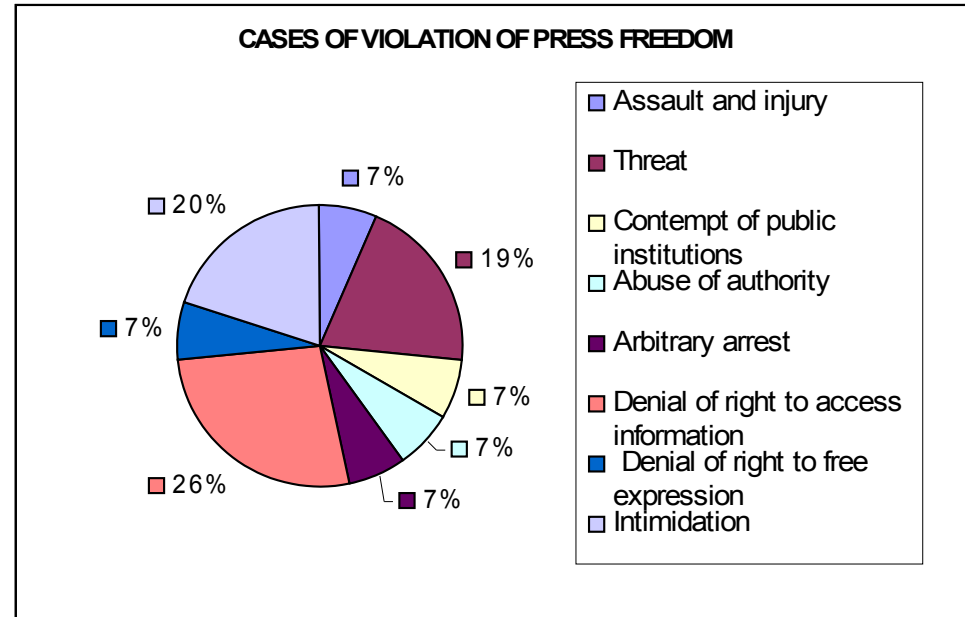
3.3. ALLEGED CASES OF VIOLATION OF PRESS FREEDOM

Guaranteeing and ensuring freedom and protection of the press is one of the major attributions of the High council of the press. It is actually a hard task to sensitize everyone about the right to inform and the right to be informed. Incidents hindering these rights sometimes occur due to unpredictable causes or mere ignorance of journalists' rights. It is worth mentioning therefore that the respect of press freedom in Rwanda has been tremendously criticized by some international organizations dealing with the media including Reporters without Borders and Committee to Protect Journalists. In this case, Rwanda has been ranked 147th in 2007 by Reporters without Borders.

Journalist/newspaper Affected	Nature of the case	Case qualification	Time occurrence	Action/decision
GASASIRA John Bosco of UMUVUGIZI news paper	Beaten and seriously injured by unknown assailants	Assault and injury	09/02/2007	<p>The HCP denounced such an act as barbaric and called on the security organs to investigate the matter and bring to justice those responsible.</p> <p>One suspect was arrested and detained by Police and is undergoing trial in the High court. He last appeared in court of law on 11/06/2007, pleaded not guilty. He was sentenced to life in jail by the High Court but has appealed.</p>
BURASA J. Gualbert of RUSHYASHYA, BIZUMUREMYI B of UMUCO, GASASIRA J. Bosco of UMUVUGIZI and KABONERO Charles of RIMEG	Have complained of witch-hunt and surveillance by unknown people who they claim want to kill them.	Threat	Since Feb 2007	These claims have been reported in the Complainant's newspapers. Despite the fact that their claims have never been officially reported, the HCP has not found any facts whatsoever that can support their claims.
Bonaventure BIZUMUREMYI of UMUCO newspaper	Was accused by prosecution of contempt and disrespect of public institutions especially those with security in their attributions, defamation and discrimination.	Contempt of public Institutions	-	The case is before the Kigali court of 1 st instance. Bonaventure BIZUMUREMYI, however, has on several occasions failed to appear in court leading to multiple postponements. Court ruling is yet to be heard.
MUKOMBOZI Robert formerly of The New Times and currently of the Daily Monitor-Uganda	Claimed in both the Monitor and International media to have sought asylum at the US Ambassador's residence in Kigali. The monitor reports persecution, and abduction of the journalist	Threat	June 02, 2007	The HCP investigations show that Mr. MUKOMBOZI Robert was sacked from The New Times and has never been at the residence of the American Ambassador. He was freely working for the Daily Monitor for which correspondent to Rwanda. HCP has not found any evidence to

	accusing him of espionage.			substantiate Mukombozi's claims of detention at the Directorate of External security.
The Weekly Post	Cancellation of acknowledgement of receipt by the Ministry in the Prime Minister's Office in charge of Information.	Abuse of authority-	06/6/2007	The paper management sought HCP's arbitration in the matter. The HCP found the Minister's decision in contravention of the law as no reason had been given for that action. After a formal request to the Ministry in charge of Information on 28/6/2007 requesting it to explain to Rwandans and to give a chance to the newspaper's management to explain their part, as stipulated in article 18 of the Constitution, it was revealed that its authorization was based on incomplete data some of whose accuracy is suspect. The paper management has since launched a formal suit in the courts of law. Meanwhile the paper has stopped publishing.
BAYINGANA John of The New Times	Arrested and detained for 2 hours in Gicumbi District for taking photographs of 33 cows at a public auction ceremony.	- Arbitrary arrest - Denial of right to access information	09/06/2007	He was released after 2 hours but the photos were forcefully deleted from his camera.
MUTANGANA Steven (Radio Rwanda)	He is accused of reporting false information on the functioning of Gacaca courts.	Denial of right to free expression	27/7/2007	He has been summoned by Gacaca courts to prove the information he reported. Mutangana apologized and was acquitted.
BARYA(TNT)	He was detained at Police headquarters for two hours on accusation of taking photos of Assinapol Rwigara as the latter emerged from a CID car.	Denial of right to access information	16/8/2007	He was released the same day. When HCP sought clarifications from the Police as to the causes of such detention, it was found that the journalist had entered police premises illegally by jumping over the fence. The journalist however, denies this.

	He was accused of having Issued a bouncing check	Intimidation		No complaints was forwarded to the HCP but the case is in court.
MANZI Gerard	He was accused of having had sex with a minor girl.	Intimidation	21 August 2007	He was given bail on conditions that he should be reporting to the Gasabo prosecutor's office weekly.
Kabonero Charles, Manzi Gerard and Mugisha Furaha	RIMEG journalists complained of intimidation and threats against them by some top government officials. In the complaint, they accused some cabinet Ministers of accusing them to work with negative forces without substantiating with facts, top police officers of using abusive languages towards them and threatening them on phone and using trumped up charges against their journalists.	Threat and Intimidation	September 2007	The HCP met with MININTER and the Police Deputy Commissioner General to seek explanations in this regard. They dismissed these as baseless allegations without an atom of truth. By the end of 2007, HCP was yet to meet other officials cited in the RIMEG complaint before a final report could be written.
BARYA (TNT) and SUNNA IGNATIUS (TNT)	Barya was accused of taking a picture of a policeman who was beating up hawker in Remera. He was slapped and handcuffed. His colleague Ssuna was also detained with him.	Denial of right to access information	5/12/2007	He was detained and released after two hours. Police authorities apologized for the action and promised to take disciplinary measures against the policeman.
	He was accused of taking a photograph of a policeman who was beating up one street hawker.	Denial of right to access information	5/12/2007	He was detained and released after two hours.



3.4. PRESS CARDS ISSUED IN 2007

In its article 60(1), the media law in Rwanda stipulates that *“The position of a journalist is evidenced by a press card issued by the National Press Council following a request by the press enterprise to which he/she belongs”*. In addition, article 61 of the same law goes *“The National Press Council upon a request by the press enterprise, withdraws the press card from a journalist who is dismissed in case of:*

1. *A serious voluntary or repeated violation of the provisions of this law and/or those of the press Code of ethics;*
2. *Loss of the capacity of a professional journalist;*
3. *Disproved collaboration with a press organ for a six month period;*

In case of offence, the competent Court may also withdraw the press card from the offender”. No single press card was withdrawn in 2007.

According to the above provisions, the High Council of the Press is in charge of issuing press cards. It also has the capacity of withdrawing it from a journalist as well. For the first time in the history of the media in Rwanda, more journalists can now be identified with a press card issued by the High Council of the Press. Indeed the table below shows that 262 press cards were issued while those that remained valid at the year’s end were 267 including those issued towards the end of 2006. The press card is issued for a one year renewable period.

Press cards	Issued in 2007	Issued and valid till December 31, 2007
	262	267

Possession of the press is not only indicator of journalists’ respect of the press law, it is testimony that the right to and access to information at all levels in Rwanda is guaranteed. Indeed article 66 of the Press law mentioned above stipulates that on presentation of a press card for a Rwandan journalist or accreditation card for a foreign one, a journalist may:

- “pass the cordons of security services and get to the spots of an event on which he/she is to report;
- Get at any moment to airport premises usually reserved for travelers on arrival or departure;
- Have priority in terms of mission and telecommunication services.

Although not all journalists were in possession of press cards at the end of the year, its usefulness is slowly getting known among the practitioners on one hand and public on the other. Many organizations now request for a press card before engaging a journalist and this will ensure that the number of people committing offenses or crimes in the name of journalists when they will reduce. It will further ensure that journalism becomes a credible and respected profession in the country.

SECTION IV: CONCLUSION AND RECOMMENDATIONS

From the above report, it is evident that there is great need for improvement on the level of professionalism in the media in Rwanda if it is to effectively play its fourth estate role. There's greater need for the print media practitioners to take seriously the professional ethics and deontology and the law governing the press in Rwanda. Defamation, slander, fraud and violation of individual persons' privacy were dominant among the reported cases to the HCP in 2007. HCP monitoring reports also revealed that defamation, slander and unfounded accusations rank high on the list of mistakes made by the kinyarwanda print media. There was also a serious case of ethnic discrimination committed by Umurabyo newspaper. She was charged in court and pleaded guilty to all counts including defamation and was sentenced to one year prison term. She was released in January 2008 and has since resumed her work.

Such kind of irresponsible reporting under the guise of journalism must stop if the media is to remain relevant in our society and change the perception caused by its dirty past. Publication of un-sourced stories, confusion of news reporting with analysis, etc... put the journalism profession in serious professional doubt as these are potential sources of rumors. Media managers and editors as well as journalist associations should wake up and save the situation by ensuring that their journalists and media houses conform to the professional expectations.

There is also need for coordination of journalism training programmes to ensure that they correctly answer the skills gap other than being considered the "usual seminars". There is also need for an evaluation of the training programmes offered in the past and the development of a journalism training manual to guide any present and future interventions in this area.

Further more, although the legal framework is appropriate and efforts are underway to make it even better, practice shows that some individuals from our society are not sure about the appropriate role of the media, the rights of journalists, etc. This could justify the reported incidents of denial of information, assault on journalists and detentions for a few hours for a simple mistake of taking a picture at a public auctioning. The behavior of most of the media practitioners however, could further be argued to have created a rather suspicious environment towards them as some officials are worried of extortion and bribery. In the process, access to information and freedom of the press has at times been hampered.

This therefore calls for extensive sensitization programmes to all journalists and members of the public including government and civil society officials on the rights and responsibilities of each as well as the usefulness of a free and responsible media. For instance all media practitioners in the country must seek and possess a press card issued by the HCP for it remains the most important document not only for identification of a journalist but also for facilitating him/her to access the sources of information.

The most pressing challenge, however, for the HCP and media professionals is how to draw the line between incidents that befall journalists on the line of duty and those that occur to them as ordinary members of the society prone to encounter challenges resulting from the forces of nature. When a journalist for instance is beaten in a bar at awe hours of the night, attacked by robbers trying to steal his/her own property or attacked by personal enemies created not necessarily by his journalistic practices, etc...would it be appropriate to draw the conclusion that there is violation of press freedom? How appropriate then would the line be drawn to ensure that freedom of the press is guaranteed at all times and costs?

The answers seem to lie more in the above recommendations including increased sensitization of the public and the media, increased training and professionalization of the media as well as progressive improvement in the legal framework governing the media.

Most of the print media lack proper planning. They lack a viable business plan at the time of registration with the Ministry of Information and mostly are initiated without sustainability plans but instead with a promise of one or two advert promises from given business partners or individuals with personal interests to achieve. As such, many newspapers are susceptible to frustrations whenever there is a change on their sources of income. Moreover, since most of these are “brief-case organizations” without any marketing and/or business acumen or prior registration with the registrar of companies, very few can afford a loan from the banks and the quality of their publications can hardly sustain them through sales. Appropriate legislations therefore requiring all media houses to have minimum capital at their commencement must be supported and implemented. This shall be complemented with the establishment of a media support fund to avail small interest loans to organized media houses at little or no security requirement but after fulfilling certain pre-determined criteria.

Local and foreign investors must also be encouraged to venture into the media sector in Rwanda for it is still a virgin sector with lots of potentials for success. Investors who have desire for profits can ensure quality services and act as model to the seemingly “marauding adventurers” in the profession who will either conform to business and professional requirements or quit.

Done at Kigali, March 2008.