

## **Press Release of Human Right Watch**

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### **Rwanda: Restore BBC to the Air**

#### **Growing Media Restrictions Cast Doubt on Nation's Commitment to Free Speech**

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(New York) - The Rwandan government should immediately reverse its suspension of the Kinyarwanda radio service of the British Broadcasting Corporation (BBC), Human Rights Watch said today.

The Rwandan minister of information, Louise Mushikiwabo, justified the suspension on the grounds that the program amounted to a "blatant denial of the 1994 genocide against the Tutsi of Rwanda" and called it "unacceptable speech."

Up to 800,000 Tutsi and moderate Hutu were killed by the extremist elements in the majority Hutu population during the genocide. It ended with the military victory of the Rwandan Patriotic Front (RPF), a Tutsi rebel group founded by Rwandan exiles and led by Paul Kagame, now the president. Since the genocide, the Kagame-led government has sought to portray an image of national unity in Rwanda and it allows no public references in any form to Hutu or Tutsi ethnicity.

"This suspension of the BBC reflects the Rwandan government's growing crackdown on free speech," said Georgette Gagnon, Africa director at Human Rights Watch. "If Rwanda is truly committed to the fundamental right of free expression, it should allow differing viewpoints on genocide issues and related government policies." The BBC's suspension is part of a broader pattern of increasing government interference in the Rwandan media, including threats to suspend major media outlets such as the BBC and Voice of America and the banning of independent Rwandan journalists from government news conferences.

The BBC suspension on April 25, 2009 occurred after the station broadcast a coming attraction for its weekly program *Imvo n'imvano* ("Analysis of the Source of a Problem") that was to include a debate on forgiveness among Rwandans after the genocide. The advance segment included comments by a former presidential candidate, Faustin Twagiramungu, opposing the government's attempt to have the country's entire Hutu population apologize for the genocide, since not all Hutu people had killed Tutsi or otherwise participated in the genocide.

It also included a man of mixed Hutu-Tutsi ethnicity questioning why the government had refused to allow relatives of those killed by the RPF forces to grieve for their loved ones. According to estimates from experts working for the UN High Commissioner for Refugees, the group's soldiers killed between 25,000 and 45,000 people between April and August 1994.

The suspension comes days before Rwanda is to host a regional conference celebrating "World Press Day," to be attended by high level delegates from the East African Community. The theme of this year's event is the role of media in reconciliatory dialogue.

"Meaningful and open discussion on the genocide and its aftermath could help foster reconciliation and stability in Rwanda," said Gagnon. "Repressive restrictions on such discussions by branding them as 'unacceptable speech' may achieve the opposite."

Recent legislation, currently awaiting presidential approval, proposes to ban all national journalists without a university degree or certificate in journalism. Most independent Rwandan journalists have neither. The legislation would make defamation a criminal offense in addition to other civil and administrative sanctions, and would impose a wide range of restrictions on gathering and reporting information.

In March, the UN Human Rights Committee expressed concerns over reports that the Rwandan government had subjected journalists critical of government policies to intimidation and harassment and had charged other journalists with "divisionism," a crime vaguely defined under Rwandan law as spreading ideas that encourage ethnic animosity between the country's Tutsi and Hutu populations. "Divisionism" is often used interchangeably with the term "genocide ideology" - a crime that was first adopted into Rwanda's law in 2008 but that the government has used for at least five years to punish expression of any ideas that could lead to genocide. The government lodged complaints against the BBC radio station in 2004 after a parliamentary report accused it of propagating "genocide ideology." Rwanda's international donors and human rights organizations have criticized the terms as too sweeping and punishing speech that is intended neither to incite violence nor to deny the existence of the genocide.

The UN committee urged the Rwandan government to guarantee freedom of expression for the press and all citizens in accordance with the government's international obligations under Article 19 of the International Covenant on Civil and Political Rights.

In August 2008, shortly before Rwanda's parliamentary elections, the country's information minister warned the BBC that it would be suspended if it failed to abandon its "non-factual reporting." BBC journalists from the Kinyarwanda service have been excluded from several government events since that time.

During World Press Day celebrations in Kigali in May 2008, the government removed three leading independent journalists - Charles Kabonero of *Umuseso*, Jean Bosco Gasasira of *Umuwugizi*, and Jean Grober Burasa of *Rushyashya* - from the celebrations and barred them from all official news conferences. The journalists were also prohibited from interviewing government officials, with both prohibitions continuing to this day. A diplomatic incident occurred in September 2008 when a scheduled news conference marking the signature of a new US Millennium Challenge Corporation partnership agreement with Rwanda had to be cancelled by the US embassy in Kigali because the Rwandan government refused to allow the three journalists to attend.

In late 2007, the government accused a BBC journalist, Yusuf Mugenzi, of exacerbating ethnic differences through the *Imvo n'imvano* program, which brings together leading - and at times controversial - figures from the Rwandan diaspora. Government officials accused the program of giving airtime to "genocide fugitives," referring to the Democratic Forces for the Liberation of Rwanda (FDLR), a Hutu rebel group based in eastern Congo, some of whose members took part in the 1994 genocide and continue to threaten stability in the region. The government also warned that BBC's license might not be renewed if the program did not assume a more positive tone.

"Rwanda's targeting of the media, including the suspension of the BBC, calls into question Rwanda's respect for press freedom," said Gagnon. "With presidential elections scheduled for 2010, it is critical that the government guarantee free and fair discussion of issues, failing which Rwanda cannot be viewed by its partners as a thriving democracy."