



The Legal Aid Forum

Working Together For Equitable Access to Justice

Assessment of the Status of Media Self-Regulation in Rwanda 2013 – 2021

SUMMARY REPORT

With the support of



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I. Introduction

In 2013, the Government of Rwanda carried out media sector reforms meant to create a professional, responsible, pluralistic and economically viable media sector. The Media Law and Policy were revised to speak to the Constitutional commitment to freedom of expression and of the media, and the country's development agenda as outlined in the then Vision 2020 policy documents. Major reforms around the same period included the following:

- Enactment of Access to Information law to allow journalists and the general public to access information from both public institutions and private organizations,
- Creation of Rwanda Broad-

casting Agency (RBA), a public broadcaster, replacing the then state owned broadcaster, Office Rwandais de l'Information (ORINFOR),

- Review of the mandate of Media High Council (MHC) to focus on capacity building for journalists,
- Charging Rwanda Governance Board with the mandate to promote the media sector and advise the government on policy on media related issues,
- Introduction of the media self-regulation mechanism,
- Assigning of some regulatory responsibilities to Rwanda Utilities Regulatory Authority (RURA).

The Legal Aid Forum (LAF) in partnership with Rwanda Media Commission (RMC), with the financial support from the European Union Delegation to Rwanda, is implementing a project on freedom of expression with a specific focus on promoting a favorable legal and regulatory framework for freedom of expression and access to information. One of the activities of the project is to assess the status of media self-regulation in Rwanda since its introduction in 2013, with interest in finding out how the following five elements have played into self-regulation of media in Rwanda:

- The current legal and institutional framework underpinning media self-regulation in Rwanda,

- The capacity and independence of media self-regulation mechanism in Rwanda in safeguarding editorial independence to minimize state interference,
- The contribution of RMC in promoting media professionalism and quality journalism and in holding it to account as it serves the Rwandan citizenry,
- The progress and challenges within media self-regulation vis-à-vis freedom of expression and access to information in Rwanda,
- The lessons and good practices so far learnt about media self-regulation and freedom of expression practices in Rwanda.

II. How the assessment was conducted

A qualitative research approach was utilized to enable a deeper understanding of the context in which media self-regulation operates in Rwanda including legal, institutional and organizational framework. The research team relied on both primary and secondary data. Key informant interviews and focus group discussions were crucial in clarifying issues arising from the desk research, so as to get more and deeper insight into the mosaic of factors touching on the context of media self-regulation practice in Rwanda.

III. Summary of key findings

1. Media self-regulation in Rwanda is provided for by media policy of 2011 and the Media Law of 2013,
2. The existing code of ethics for the practice of journalism in Rwanda does not speak to emerging challenges related to ethics of internet-based media for accountability purposes and as a result, more online than offline media have for example been found culpable for violating the code of ethics related to sensationalizing of headlines, etc.
3. The MoU between RMC and RURA based on the 2013 Media Law (Art. 4), is important for smooth regulation of the media

- industry. However, there lacks a clear distinction of roles of each as far as media regulation is concerned. There seems to be an overlap of mandate. Suffice is to say here, that RURA should be regulating technical aspects of media and communication while RMC should be regulating the content conduct/behaviour of journalists. The MoU should help in cross referencing of complaints brought before the two bodies,
4. Defamation and some press offences have been decriminalized in the Penal code of 2018 through the active role played by media actors and government institutions, thus contributing to enhancing media freedom and freedom of expression,
 5. Failure to adhere to the professional code of conduct for the practice of journalism was identified as a potential challenge to the effectiveness of media self-regulation system in Rwanda,
 6. Economic pressure among the online media platforms including You Tubers to sustain their operations and be viable and sustainable has compromised observance of professional ethical standards and quality of journalism in general,
 7. Private businesses often induce journalists for favorable media coverage compromising their independence and professional conduct. Given the financial constraints faced by some journalists, it is hard for them to choose to act ethically in this respect,
 8. Online media practitioners including citizen journalists, bloggers and You Tubers have been left out from conversations on media ethics and performance standards, compromising inclusive self-regulation efforts,
 9. The current code of conduct for the practice of journalism in Rwanda has gaps on gender sensitive reporting standards. Thus, stereotyping, negative portrayal and misrepresentation of women and girls in the media is common,
 10. Individual media practitioner and media organs indicated that they are not given prominence in the practice of self-regulation yet the system itself is meant to regulate their conduct and behavior. There is therefore, a top-bottom relationship between the work of

RMC on the one hand and that of media outlets and journalists on the other,

11. There is limited media industry ownership, support and enforcement of decisions on breaches of the code of conduct made by RMC. This has compromised media self-regulation based on ethical systems of the practice of journalism in Rwanda,
12. RMC is currently underfunded and understaffed, affecting its ability to conduct effective and sustainable media self-regulation,
13. SS Since its establishment 2013 up to the time of the study, RMC has received four hundred and two (402) complaints from the public and media practitioners, at home or abroad, and han-

dled them accordingly,

14. The increasing trend of hiring artists and famous comedians without any training or background in journalism as opposed to professional journalists, has turned some of the radio programmes and talk show into theatre of entertainment and empty talk, subsequently lowering the quality of journalism and effective service delivery.
15. RMC has intervened in the advocacy for journalists' rights in different situations where their rights were denied, especially the access to information right and arbitrary arrests of journalists. In most cases, this resulted into their rights being respected and observed accordingly.

IV. Summary of key recommendations

1. There is a need to conduct an intensive study on how ethics based system of media regulation can be promoted online in order to respond to the current digital realities and the attendant challenges of media illiteracy,
2. Media self-regulation in Rwanda is a delegated service by the government. The media policy of May 2011 notes that the industry is considered not financially strong to support the media self-regulation mechanism. The relevant laws should be revised to specifically provide for government funding to RMC so as to effectively discharge its media self-regulation mandate for public interest. Sources of

- funding should be diversified to include journalists, media outlets and media development actors. However this should be done under “arm’s-length principle” to hedge the media self-regulatory system from interferences.
3. Adopt and publish RMC draft statute to streamline its functions, structure, powers and working relationship with its stakeholders,
 4. Promote working relations with justice-based institutions and partners given RMC’s role in delivering alternative mechanisms to justice,
 5. Review the code of ethics and standard to accommodate the necessary changes and emerging trends and challenges including gender reporting and disinformation and misinformation,
 6. Update the complaints handling tools, manuals and other internal documents for an effective media self-regulatory system,
 7. The number of members of the board should be increased from the current 7 to 9 while the composition should include representatives of major constituencies such as women and civil society.

