

**DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT**

**RWANDA**  
**COUNTRY REPORT**

**2024**



## Executive Summary

Information Communication Technology (ICT) and digital transformation have been central to Rwanda's development agenda. It is firstly articulated in the national Vision 2020 strategy and then subsequently, the Vision 2050 strategy identified technology and innovation as core tenets of Rwanda's digital transformation vision. For the last three decades, digital transformation has been a key pillar for the economic growth of the country. Rwanda has achieved significant strides in terms of digital infrastructure which is almost near universal mobile coverage<sup>1128</sup>. Amongst the many examples of the materialisation of this ambitious vision is the implementation of "Irembo" which is Rwanda's e-government services portal, where Rwandan citizens can easily access services ranging from birth registration, death certificates, land title transfers and "Sophia," the notorious smart traffic cameras.

In addition, Rwanda is home to prestigious and flagship academic institutions that promote advanced and emerging technology engineering such as Smart Africa Digital Academy, the African Institute of Mathematics and Sciences (AIMS) and Carnegie Mellon University-Africa.

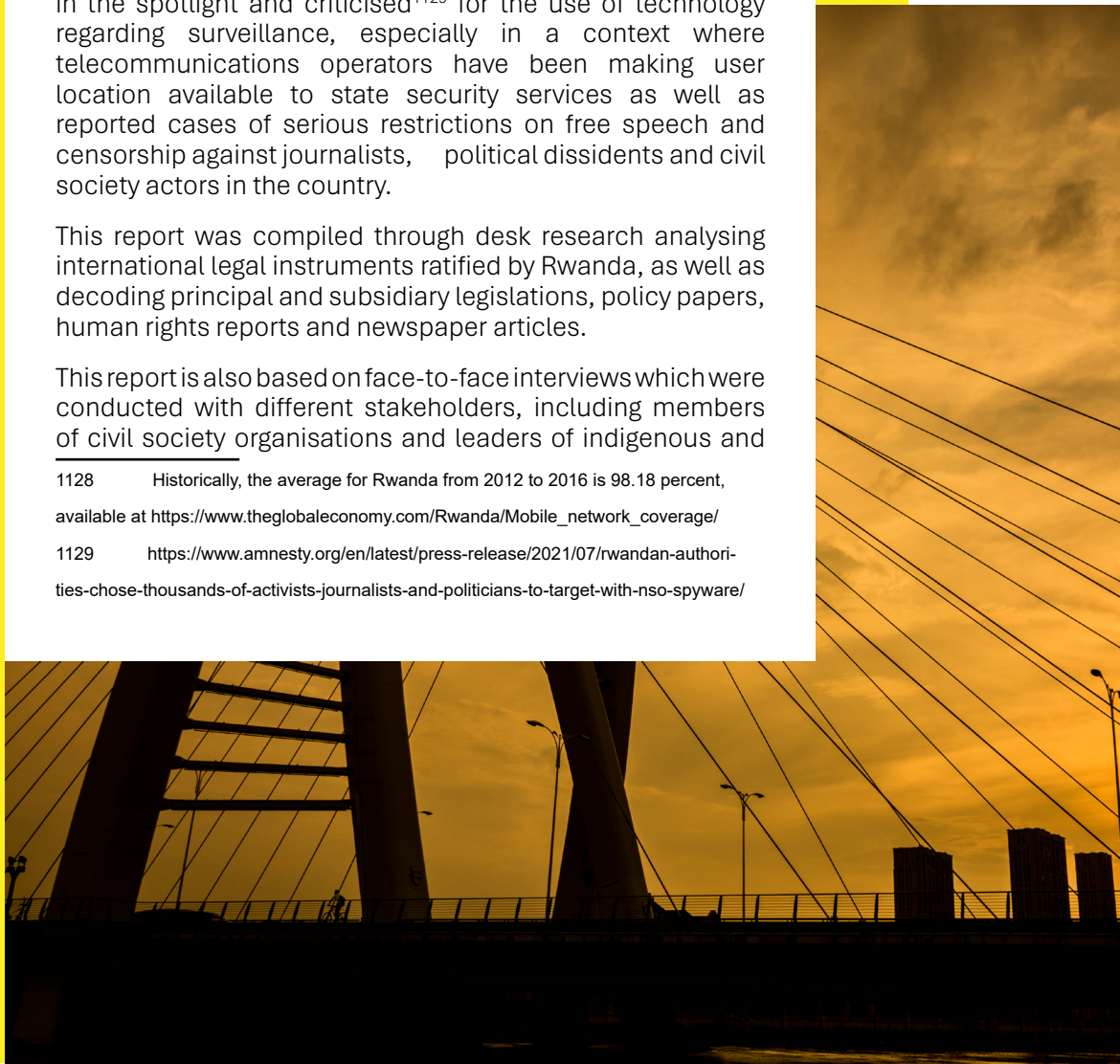
However, despite all these milestone achievements and the progressive thoughtfulness of the country's digital policies, President Paul Kagame's administration has been in the spotlight and criticised<sup>1129</sup> for the use of technology regarding surveillance, especially in a context where telecommunications operators have been making user location available to state security services as well as reported cases of serious restrictions on free speech and censorship against journalists, political dissidents and civil society actors in the country.

This report was compiled through desk research analysing international legal instruments ratified by Rwanda, as well as decoding principal and subsidiary legislations, policy papers, human rights reports and newspaper articles.

This report is also based on face-to-face interviews which were conducted with different stakeholders, including members of civil society organisations and leaders of indigenous and

1128 Historically, the average for Rwanda from 2012 to 2016 is 98.18 percent, available at [https://www.theglobaleconomy.com/Rwanda/Mobile\\_network\\_coverage/](https://www.theglobaleconomy.com/Rwanda/Mobile_network_coverage/)

1129 <https://www.amnesty.org/en/latest/press-release/2021/07/rwandan-authorities-chose-thousands-of-activists-journalists-and-politicians-to-target-with-nso-spyware/>



grassroots communities selected based on their knowledge and professional experience.

In addition, the author also conducted a comprehensive assessment of Rwanda's compliance with regional and international legal instruments such as the African Charter of Human and Peoples' Rights (ACHPR) using The Score Index by Paradigm Initiative.

## Introduction

Rwanda, also known as the land of a thousand hills, is a landlocked country in east and central Africa, estimated to occupy 26,338 Sq Km. It is a landlocked country with a population of 13.2 million in 2022<sup>1130</sup>, bordered by Uganda, Tanzania, Burundi and the far larger Democratic Republic of Congo (DRC). Kinyarwanda is the principal and national language, with English, French and Swahili serving as additional official languages.

Rwanda is a country with few natural resources in spite of this the country has achieved sustained Gross Domestic Product (GDP) growth over the last three decades<sup>1131</sup>. The country's GDP growth is projected to average 7.6% in the 2024-2025 fiscal year<sup>1132</sup>. The growth is mostly driven by private investments, tourism and improved agricultural conditions. Besides challenges from inflation and a weakening currency, Rwanda's economy demonstrated resilience in 2024. The service sector grew by 11%, especially the ICT sector<sup>1133</sup> which saw a 35% growth. According to the 2024 World Bank report, mobile and digital services grew by 34.9% in 2023, supported by an increase in affordable calling packs and internet sales. By the end of 2023, there were more than 12.7 million mobile phone subscribers, translating to 94.2 subscriptions for every 100 people in Rwanda, with a 16% increase from the end of 2023 in terms of mobile phone penetration and telecommunications subscribers.

The country also has pioneering strategies and policies related to emerging technologies and Artificial Intelligence (AI). On March 31, 2023, the Centre for the Fourth Industrial Revolution (C4IR) was launched in Kigali. More recently a follow-up announcement came in May 2024 that Kigali would be the host of the headquarters of "Timbuktoo," the new United Nations Development Programme (UNDP) innovation financing facility. Even though Rwanda aims to position itself as a forward-thinking nation with regard to ICT and access to the internet, the government's repression of the media<sup>1134</sup> greatly limits the diversity and reliability of the media landscape, both online and offline. Digital activism on political and social issues is still inexistent and it is clear that the rampant surveillance<sup>1135</sup>, regulatory and Subscriber Identity Module (SIM)<sup>1136</sup> registration requirements have deterred citizens from using social media and digital platforms for social and political activism.

1130 Key Figures: 5th Rwanda Population and Housing Census; available at <https://www.statistics.gov.rw/publication/key-figures-5th-rwanda-population-and-housing-census-phc>

1131 <https://www.afdb.org/en/countries/east-africa/rwanda/rwanda-economic-outlook>

1132 <https://www.worldbank.org/en/country/rwanda/publication/rwanda-economic-update-september-2024>

1133 <https://www.worldbank.org/en/news/press-release/2024/09/17/rwandas-afe-economy-registers-strong-growth-in-early-2024-despite-persistent-challenges>

1134 <https://forbiddenstories.org/collision-course-an-investigation-into-the-death-of-a-journalist-hated-by-rwandan-authorities/>

1135 <https://www.mediadefence.org/news/authoritarianism-and-digital-surveillance-rwanda/>

1136 <https://www.topafricanews.com/2019/01/21/rura-clarifies-new-simcard-regulations/>

## Internet Penetration and Digitalisation

Despite its small size, Rwanda has distinguished itself as a leader on the continent, especially in digitalisation, one of the ways to accelerate economic growth and reduce poverty. The country's expansion in terms of digital infrastructure has been impressive, especially with the rollout of the national fiber optic backbone network. The 3G network coverage is now at 93.5% compared with a regional average of 76%<sup>1137</sup>. However, Rwanda's internet penetration rate is still low as it stood at 34.4% of the total population at the start of 2024<sup>1138</sup>. Furthermore, by leveraging a public-private partnership, the Rwandan government managed to deliver nationwide 4G network. Today, Rwanda's 4G coverage officially stands at 96.6%<sup>1139</sup> which is one of the highest rates on the continent.<sup>1140</sup> In addition, in February 2023, Starlink, a satellite-based broadband service owned by SpaceX, a company based in the United States of America (USA), was issued a license to operate in Rwanda and it began providing services in November 2024<sup>1141</sup> with 756 schools<sup>1142</sup>, consisting of primary, secondary, training and vocational schools have been connected to reliable internet through a public-private partnership between the Rwandan government and Starlink as part of Rwanda's ongoing efforts to connect all schools with broadband internet.

Rwanda has made progress in terms of digitalising public records, by expanding the use of management information systems and rolling out shared cloud-based infrastructure, for instance, "Irembo" which is an e-government platform<sup>1143</sup>. Irembo, which means gateway in Kinyarwanda, is an e-citizen portal designed for the provision of various government services to the public. The portal is managed by Rwanda Online Company Limited, a local public and private partnership technology company. The Irembo portal has enabled most state agencies to digitalise their services by drastically eliminating paperwork and improving the government's public service delivery. The platform is used by public service sectors such as family and social affairs, immigration, identification and civil registration, land, health and education. Since its launch, the platform has processed over 25 million applications worth USD 300 million.<sup>1144</sup> In 2018, Information and Communication Technology (ICT) was the fastest-growing service sub-sector. In 2024, ICT represents about 1.4% of Rwanda's Gross Domestic Product.<sup>1145</sup> This dynamism was mainly driven by mobile phone penetration and it is estimated that 74.3 % of the Rwandan population has access to a mobile device.

While the national expansion in terms of digital infrastructure has been impressive, the actual use of the Internet is estimated to be much lower<sup>1146</sup>. According to figures published by the World Bank Group, internet subscriptions increased in 2023 to 12.2% which represents 9.4 million, or 68.9 subscriptions for every 100 people in Rwanda<sup>1147</sup>. In addition, mobile phone penetration is supporting digital financial services and payments. As of the end 2023, active mobile money transactions were about 2.263 million (48,8% more than in 2022) with their value estimated to be USD 148,26 million<sup>1148</sup>. Furthermore, these developments have also had a great impact in terms of financial access as the banking system has also been expanding its mobile banking services. In 2024, the number of mobile banking transactions amounted to US Dollars (USD) 23,918.417 (approx. 29.8% higher than in 2023) representing 30.8% of the national GDP.

## Free Speech and Media Freedoms in 2024

Ahead of the July 2024 general elections, the pressure to report positively on the government

1137 P, Behuria: between Party Capitalism and Market reforms; Understanding sector differences in Rwanda, p.12, available at <https://research.manchester.ac.uk/en/publications/between-party-capitalism-and-market-reforms-understanding-sector->

1138 <https://datareportal.com/reports/digital-2024-rwanda>

1139 Rwanda Digital Acceleration Project ; available at <https://documents1.worldbank.org/curated/en>

1140 Rwanda Economic Update: Regional Integration in Post Covid-19era available at <https://www.worldbank.org/en/news/pressrelease/2022/02/rwanda-economic-update-regional-integration-in-posy-covid-era>. (accessed on 12 December, 2023)

1141 <https://stories.starlink.com/stories/internet-from-space-for-remote-schools-in-rwanda>

1142 <https://www.ktpress.rw/2024/02/elon-musks-starlink-officially-begins-operations-in-rwanda/>

1143 [https://irembo.gov.rw/home/citizen/all\\_services](https://irembo.gov.rw/home/citizen/all_services)

1144 Cipesa: Patient Data Privacy in the age of telemedicine : case studies from Ghana, Rwanda, and Uganda available at <https://cipe-sa.org/fr/2023/12/patient-data-privacy-in-the-age-of-telemedicine-case-studies-from-ghana-rwanda-and-uganda/>

1145 Op Cit Rwanda Economic Update: regional Integration in Post-covid era.;

1146 Digital Report2023: Rwanda available at <https://datareportal.com/reports/digital-2023-rwanda>

1147 Rwanda Economic Update: Investing in skills development can spur Rwanda's private sector growth and economic transformation available at <https://www.worldbank.org/en/country/rwanda/publication/rwanda-economic-update-september-2024>

1148 Idem

increased and the fear of reprisals for those who criticise the authorities.

Although the Constitution of Rwanda provides for the Bill of Rights<sup>1149</sup>, nominally protects freedom of the press and provides for freedom of expression in Article 38, the government continues to clamp down on real and perceived opponents of the State. Several critics, including internet bloggers and journalists, were arrested, killed, or put on trial<sup>1150</sup>. In many cases, they were prosecuted or convicted on spurious grounds. For instance, in January 2024, a Rwandan journalist, John Williams Ntwali,<sup>1151</sup> famously known for his relentless criticism<sup>1152</sup> of the Rwandan government died under suspicious circumstances<sup>1153</sup>. In March 2024, the High Court of Rwamagana sentenced<sup>1154</sup> Theophile Ntirutwa to seven years in prison for spreading false information with the intent to cause hostile international opinion against the Rwandan government. Before his arrest, Ntirutwa Theophile was the spokesperson of Development and Liberty for All (DALFA- Umurinzi), an unregistered opposition party in Rwanda<sup>1155</sup>. Since March 2024, there has been an ongoing trial of blogger and political commentator, Aimable Karasira<sup>1156</sup>. Aimable Karasira, a former lecturer at the University of Rwanda, has been detained since his arrest in 2022<sup>1157</sup> on charges of genocide denial and divisionism after he made a public statement where he spoke about losing family members and alleged that they were executed by Rwanda Patriotic Army elements<sup>1158</sup> during the 1994 liberation campaign. In March 2024, Ndahiro Valens Pappy, a journalist affiliated with Big Ten Network (BTN) TV, a private TV station was assaulted and his press materials destroyed by two local administration security officers while he was covering the demolition of homes<sup>1159</sup>.

In addition, during the tense campaigns preceding the polls in July 2024, there were observations of the use of AI-manipulated content<sup>1160</sup> to portray the then Rwanda Patriotic Front<sup>1161</sup>(RPF) candidate President Kagame in a positive light, showing him taking part in popular dance trends on Tik Tok. There were further observations of systematic and coordinated attacks on social media against political dissidents and opponents. For instance, the case of Diane Rwigara, who was harassed with hateful comments on X<sup>1162</sup> (formerly Twitter) by pro-government accounts known as #TeamPaulKagame (Team PK). The virulent attacks against her continued until she was barred from competing in the elections by the National Electoral Commission.

Notably, the government did not filter internet content, restrict internet connectivity, or shut down the internet in Rwanda during the electioneering year.

However, given the longstanding challenges against the political opposition<sup>1163</sup>, this had a domino effect on the media in the country<sup>1164</sup>, as it greatly hampered the diversity and the reliability of the media landscape, both online and offline. The case of Theoneste Nsengimana is emblematic of the reprisals faced by journalists<sup>1165</sup> who are currently standing a trial; he is accused of forming a

1149 The Constitution of the Republic of Rwanda of 2003 as revised in 2015 available at <https://www.constitutionproject.org/constitution/Rwanda-2015.pdf?lang=en> (accessed on 12 December, 2023).

1150 <https://www.hrw.org/world-report/2024/country-chapters/rwanda>

1151 <https://www.hrw.org/world-report/2024/country-chapters/rwanda>

1152 <https://www.youtube.com/watch?v=6TQypKKKugA&pp=ygUNl2phbm1hcnVtdXJ0dQ%3D%3D>

1153 <https://www.hrw.org/news/2023/07/18/questions-remain-over-rwandan-journalists-suspicious-death>

1154 <https://www.jurist.org/news/2024/01/hrw-rwandas-conviction-of-opposition-politician-stifles-free-speech/>

1155 <https://x.com/dalfaumurinzi?lang=fr>

1156 <https://www.radiyoyacuvoa.com/a/7934984.html>

1157 <https://cpj.org/data/people/aimable-karasira-uzaramba/>

1158 the former military wing of the Rwanda Patriotic Front, the current ruling party

1159 <https://umuseke.rw/2024/03/kigali-dasso-iravugwaho-gukomeretsa-umunyamakuru/>

1160 <https://thraets.org/synthetic-media-in-rwandas-2024-elections/>

1161 Rwanda Patriotic Front is the current Ruling Party in Rwanda.

1162 <https://x.com/ShimaRwigara/status/1798027840186945864>: You should find a husband start from there manage your family first we know how old are you to be single" ... Or "Be smart in mind old girl, don't be foolish for your own mistakes and madness, please respect his excellency Paul Kagame".

1163 <https://trtafrika.com/africa/court-bars-rwanda-opposition-figure-from-seeking-election-18161682>

1164 Human Rights Watch, "Rwanda: End Abuses Against Journalists," 18 January 2024, [hrw.org/news/2024/01/18/rwanda-end-abuses-against-journalists](https://www.hrw.org/news/2024/01/18/rwanda-end-abuses-against-journalists).

1165 Post on Theoneste Nsengimana's account on X, 4 June 2024, [x.com/theoneste\\_/status/1798044006494150789](https://x.com/theoneste_/status/1798044006494150789) Post on Theoneste Nsengimana's account on X, 23 June 2024, [x.com/theoneste\\_/status/1804947935127359778](https://x.com/theoneste_/status/1804947935127359778).



## PRIVACY AND SURVEILLANCE

Digital technologies have ushered in an era of unprecedented targeted mass and individualised surveillance. Further, the lines between the state and telecommunications corporations' surveillance are increasingly blurred as often their operation frameworks and infrastructure interact, especially as they differ on the aspirations and motives behind this surveillance policy, and corporate surveillance is mostly based on making profits.

The Rwandan government is known<sup>1167</sup> to collect and analyse private communication data, legally or covertly, and it is often justified by reasons and concerns of national security. However, given the country's political context, this is based on political and socio-economic factors for digital surveillance. Human rights activists and political dissidents are often targeted for surveillance<sup>1168</sup> for reasons including the control of public dissent and political discourse, as well as monitoring online civic space and their actors.

Article 23 of the Constitution<sup>1169</sup> guarantees privacy protections to Rwandan citizens in their homes, correspondence and telephone conversations. However public surveillance in Rwanda is still enabled based on the provisions of Article 7 of Law no 60/2013<sup>1170</sup> regulating the interception of communications. Telecommunications service providers are not only required to grant access to national security agencies in the interception of communications, but must ensure that systems are technically capable of supporting interceptions at all times upon request by the competent organ, in accordance with the provisions of the law. Additionally, under the provisions of Law no 73/2013 determining the powers, mission, organisation and functioning of the National Intelligence and Security Services (NISS), the NISS is authorised to receive and collect information for the purpose of carrying out its missions, including the protection of state security. Therefore, based on the mandate given by the law, the NISS has sweeping access to all communications in Rwanda, without even needing to seek written approval from the public prosecutor which opens room for arbitrary use of the law based on a lack of proper accountability mechanism.<sup>1171</sup>

Rwanda is a signatory to the African Union Malabo Convention on cyber security and personal data protection, and it also domesticated the Convention as the country passed a new data protection legislation in October 2021. Law no 058/2021 relating to the protection of personal data and privacy allows individuals and institutions to emplace processes that ensure personal data is handled in a trusted and secure way. In addition, this legal framework also lays out the guidelines for notification of personal data breaches within 48 hours and cross-border data transfers. Moreover, the law also provides exemptions where personal data is processed for the purposes of national security, but the personal data and privacy law also establishes the office of the data supervisory authority in order to oversee the enforcement of the data protection legal framework in the country. The recent proliferation of biometrics and other data collection in everyday life for accessing essentials such as banking services, access to workplaces, or cell phones, may also have a corrosive effect on privacy. This is especially due to the sensitivity of data collected without proper control or oversight, especially in this era of disruptive technologies and in a context where we witnessed a significant shrinking of civic rights and public freedoms as well as the incessant violations of human rights.

While the right to privacy is not absolute, it may be interfered with in order to advance legitimate state and public interests such as national security or to combat terrorism. However, this interference must be lawful, necessary and proportionate. Nevertheless, there is a critical need for legal reform as the current Rwandan legal framework regulating the NISS surveillance activities fails to satisfy the proportionality standards established under the international law

1166 <https://www.newtimes.co.rw/article/22697/news/crime/youtuber-theoneste-nsengimana-co-accused-trial-adjourned-as-new-evidence-surfaces>

1167 US Department of State Rwanda Human Rights Report: [https://www.state.gov/wp-content/uploads/2023/03/415610\\_RWANDA-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_RWANDA-2022-HUMAN-RIGHTS-REPORT.pdf)

1168 <https://edition.cnn.com/2021/07/22/africa/daughter-hotel-rwanda-hero-pegasus-intl/index.html>

1169 Constitution of the Republic of Rwanda of 2003, amended in 2015 available at <https://www.minecofin.gov.rw/index.php?eID=dumpFile&t=f&f=85852&token=bbf2750a8f262658fba1c14f006285a36818abdc>

1170 <https://www.rlrc.gov.rw/index.php?eID=dumpFile&t=f&f=83847&token=5f4c3ae9f5c8ed66419e4a062e0d9c6524635b3a>

1171 Article 09 of the law no60/2013 provides: if required by "urgent public security interests" the interception warrant can be issued by the national prosecutor verbally but this must be followed by a written warrant within 24 hours or the interception will be presumed illegal.

## ONLINE GENDERED DISINFORMATION:

Rwanda has made significant progress in governance, particularly in the promotion of gender equality and the fight against gender-based violence. The country has scored highly in terms of representation of women in Parliament and labour force participation within the global gender equality ranking<sup>1172</sup>

In addition, Rwanda is also one of a few countries in East Africa that does not criminalise consensual same-sex relations. However, the Rwandan society is still very conservative and LGBTQIA+ community are exposed to stigma as a result of their sexual orientation seen through attacks on social media platforms in the form of online gender-based violence. For instance, the famous Rwandan Designer, Moses Turahirwa, who was the target of homophobic comments after sharing a post on Instagram where he claimed that his passport was changed to reflect his new gender<sup>1173</sup>.

In Rwanda, gendered disinformation has been mostly used as a deterring factor for young women who consider having a political career. For instance, in June 2024, a few days after Diane Rwigara made a public announcement that she will contest for the highest office of the land, photo-shopped nudes of her became viral on social media in a bid to discredit her<sup>1174</sup>.

Women politicians are targets of image-based disinformation, as these images are used to sexualise them and to create false narratives in order to shift the public focus from the main political discourse. More recently in June 2024, Ingabire Victoire Umuhoza<sup>1175</sup>, a Rwandan opposition politician faced an aggressive online harassment campaign following a public statement she made where she disclosed her intent to run for the highest position of the land in the general elections of July 2025<sup>1176</sup>. The smear campaign included messages accusing her of being a witch and others made of sexual slurs and memes. The ultimate aim was to destroy her reputation as a woman and politician.

The same tactic has been often used to demonise feminism and feminist activists such as the case of Rwandan feminist activist, Sylvie Nsanga, who has been regularly exposed and targeted online by vile and sexist content marred with insults and obscene threats. The constant bullying and character assassination sought to diminish her credibility,<sup>1177</sup> by online users claiming that Sylvie Nsanga and other feminist activists are pushing for a “feminist agenda” and “witch-hunt” against Rwandan prominent men.

## DATA PROTECTION AND PRIVACY

The Constitution of Rwanda reaffirms the respect for privacy in Article 23 and states that every person has the right to privacy, which includes the right not to have information relating to their family unnecessarily acquired or revealed. Besides the Constitution, other relevant laws like Law no 04/2013 relating to Access to Information, the [Organic Law Instituting the Penal Code of Rwanda \(14 June 2012\)](#) and [Law No. 18/2010 of 12/05/2010 relating to Electronic Messages, Electronic Signatures and Electronic Transactions](#) (‘the Telecommunications Law’) recognise and provide for guidelines regarding the protection of privacy and personal data information.

On October 15, 2021, President Kagame assented the [Law No. 058/2021 of 13 October 2021 Relating to the Protection of Personal Data and Privacy](#)<sup>1178</sup> (‘the Data Protection law’). Before the enactment of the Law, there was no legislation in Rwanda to give effect to the right to privacy enshrined in Article 23 of the Constitution. The Law is modelled after the EU [General Data Protection Regulation \(Regulation \(EU\) 2016/679\)](#) (‘GDPR’)<sup>1179</sup>, and it aims to protect the fundamental rights and liberties of natural persons that may be jeopardized during the processing of personal data by both the public and private bodies, and it is applicable to both manual and electronic processing of personal data. The Law applies to data handlers and processors residing inside or outside of the Republic of Rwanda.

1172 World Economic Forum: Global Gender Gap Report 2023, available at <https://www.weforum.org/publications/global-gender-gap-report-2023/>

1173 <https://x.com/NewTimesRwanda/status/1651651921726283794>

1174 <https://x.com/LeilliMimi22074/status/1802820464550854809>

1175 <https://www.theguardian.com/uk-news/2023/dec/14/rwanda-politician-criticised-sunak-bill-fears-for-her-safety>

1176 <https://foreignpolicy.com/2024/05/22/rwanda-kagame-undemocratic-election-victoire-ingabire/>

1177 <https://www.africa-press.net/rwanda/all-news/safer-internet-day-is-it-possible-to-make-the-internet-safe-for-all>

1178 <https://dpo.gov.rw/dpp-law.html#:~:text=This%20law%20protects%20personal%20data,which%20is%20a%20fundamental%20right.>

1179 <https://gdpr-info.eu/>

Today, the Data Protection law provides Rwandans with the strongest safeguards of their right to privacy as provided for in Article 23 of the Constitution as the law sets out the norms and the standards by which the State and private actors must provide for the protection and sovereignty of the personal data of persons. More importantly, the Data Protection law placed a positive obligation on the State to set up adequate safeguards for the right to privacy, including where justifiable targeted surveillance has been undertaken in crime prevention and the investigation and enforcement of laws for a legitimate aim.

In addition, the Data Protection law provides certainty to the rights of the data subject, their duties and obligations and also highlights the duties and obligations of data collectors, controllers, and processors and this will help to ensure that all decisions and actions taken in relation to personal data are done within the confines of the Law.

The Law buttresses privacy as a fundamental human right for Rwandans; it is very instructive on data protection principles, as it spells out the various rights of the data subject and provides certainty on the enforcement of the data and privacy rights by providing for the duties and obligations of the respective parties. Nevertheless, it should be noted that the law falls short in certain aspects such as individual autonomy over personal data as it is more concerned with regulation than the rights and their enforcement by the data subject.

Article 27 of law no 058/2021 relating to the protection of personal data and privacy provides for a supervisory authority with the power:

- to monitor compliance and sanction data protection law violations,
- to create further regulations for implementation
- to receive complaints and claims relating to the processing of personal data of citizens
- to authorise processing operations that involve high risk to rights and freedoms of individuals.

However, the law doesn't make elaborate provisions for the organization and the operational structure of the supervisory authority. Nevertheless, in October 2021, the Ministry of Information Communication and Innovation announced<sup>1180</sup> and designated the National Cyber Security Authority (NCSA) as the supervisory authority in charge of the enforcement of the law. More recently, on March 31, 2022 the Government of Rwanda through the National Cyber Security Agency<sup>1181</sup> officially launched the data protection supervisory office, an implementation move aiming for an effective personal data governance.

### ***Is The Data Protection Supervisory Authority Independent and Impartial ?<sup>1182</sup>***

On March 31, 2022, the Cabinet through the National Cyber Security Authority officially launched the data protection office, as an implementation move aiming for effective data governance<sup>1183</sup>.

So far, there has been no data protection case litigation or public interest petition initiated under Article 23 of the Constitution before domestic jurisdictions in Rwanda.

## **CENSORSHIP AND CONTENT MODERATION**

The legacy of Radio Television Libre des Mille collines<sup>1184</sup> and Kangura will always cast a long shadow over the current debate on freedom of the press in Rwanda, while freedom of the press and access to information are guaranteed by the Constitution, and the law explicitly prohibits censorship of information, many analysts and observers have pointed out that State Security Services' 'systematic harassment, suspicious disappearances, and the fear of prosecution has pushed many journalists to engage in self-censorship and mostly avoid the media coverage of political sensitive topics. Over the years, some journalists have fled the country, while others have been arrested. Consequently, a systematic practice of self-censorship becomes a constant rule

1180 MICT Press Release : "Rwanda Passes new law Protecting personal data", October 21,2021 available at <https://www.minict.gov.rw/index.php?elD=dumpFile&t-f=30553&token=d44bb5a417c65872b4b0ece892e5d8ba34c8c91> (accessed on 12 December,2023).

1181 <https://www.cyber.gov.rw/about/>

1182 <https://dpo.gov.rw/>

1183 <https://cyber.gov.rw/updates/article/nlsa-officially-launches-its-data-protection-office/>

1184 Radio Television Libre des Milles collines.



among media practitioners<sup>1185</sup>. Further, recently the Media High Council refused<sup>1186</sup> to recognise as journalists unaccredited persons who conducted interviews and posted them on personal YouTube channels, denying them legal protections afforded by the accredited journalists.

Although the government does not filter internet content, some foreign radio stations have been facing restrictions due to their editorial independence for broadcasting content that strays from the State's official narrative. Furthermore, specific patterns of government-run social media accounts are being used to intimidate anyone who dares to post critical comments about the government. In some cases, these proxies' trolls threaten critic's physical safety and integrity.<sup>1187</sup> For instance the case of Etienne Gatanazi, who has been harassed because of his content that strays from the state's official narrative by criticising the State's policies and governance<sup>1188</sup>.

Rwanda Utilities Regulatory Authority (RURA)<sup>1189</sup> continued to block access within the country to several websites, especially the websites affiliated to the political opposition such as the Rwandan, Rugali, Umuvugizi, but also some Ugandan online media outlets such as the Nile Post, the Daily Monitor, Chimps Reports<sup>1190</sup> are still inaccessible in Rwanda.

## DIGITAL IDENTITY

Since 2008, the Rwanda National Identification Agency (NIDA) has been collecting citizen's biometric data as any person who applies for a national Identity Card (ID) card is requested to submit his biometric data, such as two fingerprints and a photograph. This practice has been done for over a decade now with a total absence of legal framework providing for personal data collection<sup>1191</sup> However, this mistake was corrected under the current legal framework (law no 029/2023 governing registration of the population in the national single digital identity system) which provides for or defines clearly the nature of data to be collected.

However, it's important to note that in May 2024,<sup>1192</sup> the Cabinet pushed for legislative amendments in order to formally and legally "implement a digital ID ecosystem in Rwanda<sup>1193</sup>." These reforms seek primarily to adjust NIDA's operations under the scope of the law and secondly, expand the scope of persons eligible under the 2008 law governing registration of the population in order to include stateless persons and children. While defending the Bill that will bring the amendments before the members of Parliament, the Rwanda Cabinet Minister in charge of innovation and ICT explained that the digital ID card will come in two versions, a physical card fitted with a machine-readable QR code<sup>1194</sup> containing biometric data and an online version that will use biometrics to access the ID. The system will issue digital IDs to stateless, asylum seekers and refugees living in Rwanda<sup>1195</sup>.

Additionally, one of the innovative features brought by this project is the ID number assigned to children during their birth registration data which can also be used when the child attains the legal age to carry a national ID. However, it is important to keep in mind the Rwanda Digital ID project is still at its nascent phase, and there are still no clear indications from the Ministry of ICT regarding the timetable and modalities of its implementation in the near future.

Furthermore, Rwanda's development partners, specifically the World Bank, will fund the project with USD 40 million.

1185 Rwanda Media Commission: The state of Media freedom in Rwanda, May 2015, available at [https://rsf.org/sites/default/files/6\\_5\\_2015\\_ib\\_-\\_final\\_report\\_on\\_state\\_of\\_the\\_media\\_freedom\\_in\\_rwanda\\_00.00.pdf](https://rsf.org/sites/default/files/6_5_2015_ib_-_final_report_on_state_of_the_media_freedom_in_rwanda_00.00.pdf)

1186 <https://www.chronicles.rw/2020/04/it-was-a-threat-now-its-policy-rwanda-government-comes-down-hard-on-social-media-lies/>

1187 [https://x.com/gat\\_steeve/status/1867914908001792030](https://x.com/gat_steeve/status/1867914908001792030)

1188 <https://www.youtube.com/watch?v=-fztBI9YnNM>

1189 Rwanda Utilities Regulatory Authority.

1190 <https://www.aljazeera.com/news/2022/4/24/rwandas-kagame-in-uganda-on-rare-visit-as-ties-warm>

1191 Law no 14/2008 governing registration of the population and Issuance of the national Identity Card.

1192 <https://www.biometricupdate.com/202405/rwanda-receiving-bids-for-digital-id-core-software-development>

1193 <https://www.ktpress.rw/2024/05/ministry-of-ict-gives-roadmap-for-issuance-of-digital-id/>

1194 Sabiti, D :Stateless Persons and Newborns to get Rwandan Digital ID, KT Press,2023 available at <https://www.ktpress.rw/2023/04/stateless-persons-newborns-to-get-rwandan-digital-id/>

1195 <https://www.ktpress.rw/2023/04/stateless-persons-newborns-to-get-rwandan-digital-id/>

# DIGITAL INCLUSION AND THE UNIVERSAL SERVICE FUND

The national universal service and access funds are a funding mechanism to incentivise the expansion of internet services in remote and underserved locations of Rwanda. The National Universal Service Fund was established in 2004<sup>1196</sup> as an independent and autonomous administrative body which was previously managed by the Rwanda Utilities Regulatory Authority (RURA) before the recent legislative amendments made to the law governing the fund<sup>1197</sup>. The National Universal Service and Access Fund is financed through mandatory contributions from telecommunications. In fact, the law provides that all telecommunication services providers operating in Rwanda should deduct a 2.5%<sup>1198</sup> levy from their gross annual revenues, and from the interconnection fee between licensed telecommunications operators. In addition, the legislation enables the USAF to raise funds through donations and grants from international donors and development partners, and the funds are allocated through a competitive bidding process.

The priorities of the universal funds include providing internet connectivity to all districts in the country, especially those located in rural areas, police stations and army barracks, immigration and border posts, public and private universities, primary and secondary schools, etc.

With support from the United States of America, the government has been able to invest in a number of projects to support connectivity in rural areas, amongst the realizations made:

- The funding and the implementation in rural areas of the government flagship one laptop per child program.
- The connectivity of 45 secondary schools located in remote and rural areas.

In 2024, 68 mobile sites<sup>1199</sup> were built under the USAF, which contributed Rwandan Francs (RWF) 2,698 billion, approximately USD 3,6 Millions to the initiative.

## ARTIFICIAL INTELLIGENCE & EMERGING TECHNOLOGIES

The future of artificial intelligence (AI) in Rwanda looks very promising. The country has succeeded in attracting world-class universities such as Carnegie-Mellon University-Africa and the African Institute of Mathematical Studies, which have campuses in Kigali, and at the same time attracting a substantive number of regional and global talents, positioning the country as the number one destination for IT and AI education.

Further, in collaboration with the Rwanda Space Agency and the German Aerospace Agency, the Rwanda AI Hub launched training programs for earth observations<sup>1200</sup>. So far, 40 young Rwandan professionals had the opportunity to be trained at the intersection of machine learning and earth observation<sup>1201</sup>.

In addition, the government of Rwanda, in partnership with key stakeholders, launched the National AI Policy which defined six priority areas for effective AI policy in Rwanda.<sup>1202</sup> The national AI policy framework has identified priority sectors:

- Creating an open data ecosystem as an enabler of the AI revolution, by increasing storage infrastructure and high-performance computer resources.
- Driving Public sector transformation to fuel AI adoption

1196 Presidential Order no 05/01/ of 15/03/2004 determining the functioning of the universal access fund and public operator's contributions available at <https://www.rura.rw/fileadmin/documents/docs/pl05.pdf> (accessed on 24 December, 2023).

1197 Presidential order no 025/01 of 12/05/2023 governing universal funds available at <https://www.minijust.gov.rw/index.php?eID=dumpFile&t=f&f=68425&token=81ce3dba53d7971109768f42004ca74470789f9d>

1198 Article 7: Every licensee referred to in Article 3 of this Order pays to the Fund an annual contribution which must not exceed 2.5% of the turnover of each category of regulated service.

1199 <https://www.businesswire.com/news/home/20220624005218/en/Rwanda-Telecoms-Mobile-and-Broadband-Market-Analyses-Report-2024---Rwanda-Making-Progress-with-Universal-Access-Scheme---ResearchAndMarkets.com>

1200 <https://digicenter.rw/artificial-intelligence-hub-ai-hub-and-data/>

1201 Ibid.

1202 How Rwanda AI Policy helps to shape the evolving AI ecosystem available at <https://www.digicenter.rw> (accessed on 17/12/2023).

- Accelerating responsible AI adoption in the private sector in order to accelerate the application of AI to boost productivity and efficiency in key sectors of the economy.
- Building AI literacy and 21<sup>st</sup> century skills with the objective to position Rwanda as the number 1 destination for AI higher education and research in Africa.

In addition, the policy advocates for the creation of open public sector data to reduce entry barriers. Furthermore, recently officials of the Ministry of Education disclosed that they are actively working to incorporate artificial intelligence and digital literacy into the national curriculum<sup>1203</sup>.

Besides that, in June 2024, a delegation<sup>1204</sup> composed of members from the Ministry of Communications, Telecommunications and Digital Economy of Senegal held talks with the Rwandan Ministry of ICT, and the Senegalese delegation made up of members of the private sector and the academia embarked on a study tour of Rwanda. The rationale behind this tour was to understand the complexities of Artificial Intelligence in an African context.

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1203 <https://www.newtimes.co.rw/article/20802/news/technology/rwanda-to-integrate-artificial-intelligence-in-school-curriculum>

1204 <https://d4dhub.eu/fr/news/implementing-a-national-ai-policy-key-lessons-from-rwanda>

## RWANDA SCORE INDEX

The Score Indicators 2025	ACHPR Declaration	Score	Justification
Internet Shutdown	P38(2)	5	The country has so far not yet experienced an internet shutdown.
Inexistent laws, Policies and other Measures to promote Universal, Equitable, Affordable, and Meaningful access to the Internet	P37	4	The country has consistently made great achievements in order to reduce the gender or the rural-cities gap in providing inclusivity to all the stakeholders to get internet access in the country with the implementation policies and measures such as the nationwide fiber backbone and the sustainable budget allocated to the Universal Internet Service Fund
False News Criminalization	P22(2)	3	Rwanda has not passed neither has been using a specific false news law against bloggers, civil society activists or member of the political opposition in order to crackdown on public dissent, the attempts which have been made by the state to censor public dissent is mostly through genocide denial law or provisions of conspiracy and sedition against the national security.
Sedition Legislation	P22(2)	2	We observe that during the past decade, State security and the public prosecution office has been using often penal code provision on sedition to charge political dissidents in courts of law because of their political activities as a way to shut down public and political dissent in the country.
Arbitrary Arrests and Harassments of the Media, HRDs and Citizens	P20(1) &(2)	1	Rwanda has a poor record in terms of arbitrary arrests and harassments of the media, Human rights Defenders or citizens mostly for having expressing a divergent opinion or for public critics of state policies and actions.
Data Protection.	P42	4	In October 2021, Rwanda enact the Data Protection and Privacy and later on the Data Protection regulatory office, however the ability of the office to independently conduct its mandate is not guaranteed. There's still a lot of work to do in order to make the data protection supervisory office truly impartial and independent.

12

DIGITAL  
RIGHTS  
AND  
INCLUSION  
IN AFRICA  
REPORT

LONDA  
2024

States Interfere and require the removal of online content by internet intermediaries	P 38 and P39(4)	2	Although Rwanda does not hold liable internet intermediaries or made formal request to remove online contents published on their websites, the state has tendency of using censorship through blocking access to those websites , especially websites affiliated to the political opposition operating outside of the country
Invasion of Privacy of communications	P41	1	There have been many established cases where the state security services have been tapping phone communications of citizens illegally or without a court 's warrant.  Allegation of use of Spyware such as Pegasus
Failure by the government to proactively disclose and disseminate information digital technologies	P29(3)	3	Although Rwanda has established itself as frontrunner in Africa in leveraging and disseminating digital technologies for the welfare of its citizens, However, there is lack of accountability and transparency by the state on policy implementation, and failure to disclose on the policy shortcomings especially regarding taxpayer's value for money or cost of implementation on the taxpayers. , Non-disclosure of data, report or figures regarding evaluation and monitoring of public IT and ICT major projects
AI and Emerging Technologies national strategies	P39(6)	5	Rwanda is consider amongst the few African pioneers of AI, as the country has been one of the first to enact a national AI Policy framework, besides that the country is actively attracting international corporations through investment-friendly policies, but also by nurturing talent by attracting world class universities, positioning the country as Africa's AI Lab
Digital Inclusion	P37(5)	3	The country has so far made some good achievements in terms of implementing policies promoting digital inclusion, however Rwanda is still lagging behind in terms of funding the same policies,
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(3)	3	The country has not yet enacted a comprehensive policy and legislation with regard to children's digital safety , there have been some discussions led by the MYCT(the ministry in charge of ICT docket) but so far these discussions haven't yet produced anything concrete. However, it's important to note that there have been different legal provisions here and there providing some kind of legal protections for children's digital safety.
TOTAL (up to 60)		36	



## CONCLUSION AND RECOMMENDATIONS

Rwanda positions itself as a market that fosters innovation especially in terms of embracing digital transformation. Meanwhile, some of the actions of the government such as the use of cyber surveillance are clearly in contradiction with the progressive thoughtfulness of the digital policies promoted by the same public officials. The government is still rightly criticised for online censorship and creating self-censorship in the media. During the period preceding the general elections of 2024, we observed that the state security apparatus and law enforcement entities have aggressively harassed journalists, dissidents or bloggers and their media outlets in order to control the public narrative<sup>1205</sup>.

This situation coupled with use of mass surveillance of telephone metadata and through acquisition of spyware has substantially enhanced the climate of fear and self-censorship among the public.

### **Government should:**

- Create a conducive environment for the free flow of information in the country where the media are safe to report independently and without interference.
- Quash the convictions of journalists and bloggers that have been convicted on vague charges such as “inciting public disorder or spreading rumours to cause unrest among the population”, “disposing of or degrading evidence or information relating to genocide” and “publication of rumours” under sections 194 and 204 of the law no 68/2018 of 30/08/2018 determining offences and penalties in general
- Conduct the training of Rwanda Investigation Bureau staff and public prosecutors on how to investigate cases affecting freedom of expression
- Refrain from targeted mass surveillance which constitutes a violation of the principle of legality, necessity and proportionality under the international law infringing on privacy and freedom of expression.
- Review and amend the law no 60/2013 regulating the interception of communications and regulations to ensure that they do not impose requirements of blanket, indiscriminate retention of communications data on telecommunications and Internet services provider’s companies operating in Rwanda.
- Leverage the USAF to invest at least 50% of funds in projects targeting gender inclusion and women’s internet use.
- Increase transparency of the USAF, especially with regard to disbursements and operations.
- Ensure independent authorisation and oversight of the state surveillance in order to ensure that surveillance is backed by law and judicial oversight.

### **Civil society organisations) should:**

- Coordinate their actions in order to create awareness and the monitoring of the violations of human rights both online and offline.
- Streamline the flow of information between the different community grassroots organizations and CSOs in order to build an effective CSO network addressing digital rights.
- Build the capacity of vulnerable groups in the detection of, and policy advocacy against digital rights violations.
- Hold the Rwandan state accountable through the United Nation Human Rights periodic review and Regional Human Rights mechanisms such as the African Commission of Human and People’s rights.
- Leverage open sourced technologies that provides strong encryption protocols for vulnerable and the targeted members of the civil society (journalists, public dissidents and Human rights workers)

- Raise public awareness and sensitization against the issue of online gender disinformation.

***Private sector should:***

- Internet Service Providers and Telecommunications companies should be transparent and need to publish the quantity of the state security services surveillance requests and types of devices and tools being used in monitoring citizens to advance transparency and public confidence
- Tackle the key issue of gender digital divide through corporate social responsibility initiatives, enhancing access to broadband for the gender minorities and underserved communities .
- Enhance digital inclusion through corporate social responsibility by providing financial assistance in establishing e-learning and e-services centres in rural areas, providing access to affordable ICT services to rural communities.

Support people with disabilities to have equal opportunities and access to digital technologies, including the ownership of smartphones, tablets, laptops and the internet through subsidized costs

