



RWANDA MEDIA COMMISSION ANNUAL REPORT TO THE GENERAL ASSEMBLY

I. Introduction

This report is an annual account of the institutional and programmatic status of the Rwanda Media Commission (RMC), which is the media self-regulatory body as prescribed by the LawNo.02/2013 of 08/02/2013 regulating the media. In fulfilment of its definition by Article 2(20) of this law as *“an organ set up by journalists themselves whose responsibility is to ensure compliance with the principles governing the media and to defend the general interest”*, this report summarises the strategic focus of the organization, its key activities, partnerships and achievements, for informing journalists who are the owners of RMC, as well as other stakeholders and partners that RMC relates with in the course of executing its mandate. The report principally covers the period January to December 2014. But since this is the first annual report of RMC, it also covers the period that preceded the establishment of the secretariat, that is, September – December 2013, during which the key governance structures of RMC such as the Board of Commissioners were put in place, the “blue print” was designed and key partnership documents such as the Memorandum of Understanding between RMC and RURA were ratified. In summary, the content of this report reflects all actions and activities in pursuit of the triple mandate of RMC that is, a) promoting, nurturing and protecting ethical journalistic practices; b) defending media freedom; and, c) speaking on behalf of the media fraternity as a whole, especially in regard to promotion and protection of ethical principles and media freedom

II. Context

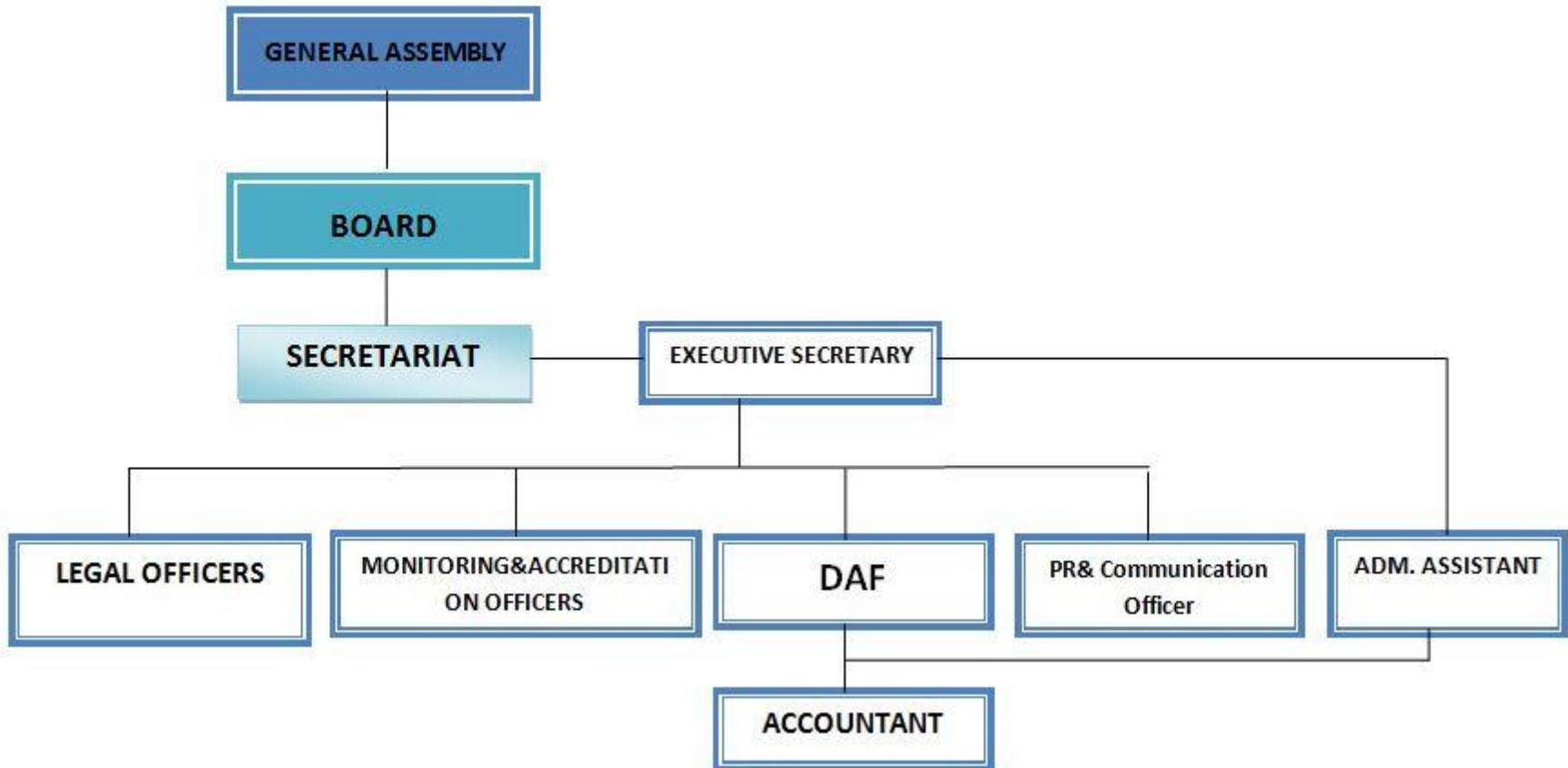
The Rwanda Media Commission is a product of the wide-ranging media reforms of 2013, whose key output was the shift from statutory regulation of the media sector to self-regulation. The package of 2013 media reforms also included re-defining the mandate of the former statutory regulator, the Media High Council, whose functions were limited to capacity building of the media under the new regime. Within the same reforms, the former state owned media agency known as ORINFOR was disbanded and its constituents unbundled. While some were privatised, the broadcasting sections were reformed into a public service broadcaster under a new name of Rwanda Broadcasting Agency. At the same time, the Access to Information Law (ATI) was enacted to streamline the flow of information between government agencies as well as private agencies with public mandates. Also within these reforms were the specification of the Rwanda Utilities Regulatory Agency (RURA), whose broad mandate includes regulating the audio-visual, audio and internet sub-sectors.

The 2013 media reforms were informed by the need to align the media sector with the socio-economic transformation that Rwanda has undergone over the past decades. It was also meant to re-align the sector with the goals and objectives of the Vision 2020, as well as the provisions of other national and international instruments in regard to freedom of expression, information and the media. These include the 2003 National Constitution of Rwanda, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, as well as the African Charter on Human and People's Rights, whose key declaration - the Declaration of Principles of Freedom of Expression in Africa - informs the spirit of much of the 2013 media reforms.

Although, as stated, the 2013 media reforms were wide-ranging, the introduction of self-regulation was the cornerstone of these reforms, as explicitly stated in the 2011 Media Policy that gave rise to the subsequent laws related to the media. As such, the place of Rwanda Media Commission within the context of the 2013 media reforms is significant since it represents the institutional and functional practice of self-regulation in Rwanda.

The report therefore, highlights what has been done to strengthen and consolidate self-regulation in Rwanda, as well as the challenges it has faced and those that lie ahead.

III. Organizational Structure



Rwanda Media Commission (RMC) is grounded on two primary organs: the Board of Commissioners, from which 3 members are chosen to act as the Ethics Committee on a rotational basis, depending on the nature of the case”, the *Ethics Committee*(EC) and the Secretariat. The Board from which 3 members are chosen to act as the Ethics Committee on a rotational basis, depending on the nature of the case”.

Headed by the chairman, RMC board is composed of seven members known as commissioners. Four of these are competitively elected from among respected journalists and editors while the remaining three are sourced from among Rwanda’s eminent citizens but also elected by the General Assembly of journalists and media practitioners. The RMC Board is charged with, but not limited to the following duties and responsibilities:

- Acting as the primary and highest court of addressing complaints lodged by media consumers,
- adjudicating cases that merit addressing, representing the broader interests of the profession of journalism through enforcing the code of ethics,
- defending the interests of society or media consumers in line with the provisions of the media laws and the journalistic code of ethics,
- defending media and journalistic freedoms through appropriate interventions, representing the interests of Rwanda journalists within and the country in matters relating to media freedom and ethical practice,
- Monitoring and taking a pro-active interest in the day-to-day working of the media and journalists and, where necessary advising media houses and journalists in cases where they veer away from professional conduct,
- Supervising the secretariat and ensuring that it fulfills its mandate, and speaking on behalf of the journalist fraternity in matters related to media freedom and professional ethics.

Another important organ of the Rwanda Media Commission is the Secretariat. The Secretariat currently staffed by 9 employees, is overseen by an Executive Secretary. He is responsible for managing the day-to-day affairs of the Commission, implement RMC policies as laid down by the Board. He is also for supervising and appraising all staff and ensuring the financial sustainability of the Commission. The primary responsibility of the Secretariat and therefore the Executive Secretary is twofold: running the day-to-day administrative affairs of the Commission and ensuring the financial sustainability of the Commission through raising funds from different sources as stated in the “Rwanda Media Self-

regulation: A blue print” approved by the General Assembly of Journalists and Media Practitioners on 27th August, 2013. The day-to-day work of the secretariat include, but not limited to: Receiving and preparing filed complaints for the Ethics Committee to adjudicate, providing administrative support to the committee/Board, managing the commission’s relations with other institutions, organizations, journalists, media houses and partners on a daily basis, overseeing all the operations of the Commission, planning meetings, conferences, dialogues or any other activities as may be decided by the Commission’s Board Chairperson or the Board.

Administratively, the secretariat is currently divided into six departments, directly under and supervised by the Executive Secretary. These departments are classified as follows:

- **Finance and administration** responsible for finance (budgeting & accounting) and human resource issues
- **Legal support** responsible for offering legal support to journalists and other media personnel, receiving complaints from media consumers and process them for action by the board/EC.
- **Media Monitoring and accreditation** responsible for monitoring media activities in line with the Code of Ethics and media freedom, and also registering new media houses and accrediting of journalists
- **Research, Evaluation and Publication** responsible for conducting continuous research on the implementation of the self-regulation process among media, researching on the need to review existing codes, new demands for licensing, tracking and periodic evaluation of the work of the Commission and its departments.
- **advocacy and public relations** responsible for doing publicity and advocacy for the Commission and its organs; training media stakeholders on selected regulation issues – such as adherence to the Code of Ethics, the role and responsibility of RMC.
- **Business development and fundraising** responsible for raising funds for Commission’s activities and ensuring financial sustainability, development of business plans, establishing collaborative networks between the Commission and other stakeholders, proposal writing for projects.

As of current, all the seven positions of the Board as a supreme organ of the commission are fully occupied whereas four out of six departments at the secretariat, as executing organ are fully occupied. Only two departments notably; **Research, Evaluation and Publication & Business development and fundraising** are still vacant. However, the responsibilities of the vacant departments are currently being assumed by the Executive secretary, in collaboration with closely related departments such as legal, media monitoring and public relations departments.

IV. Institutional and Policy status

The Rwanda Media Commission (RMC) is established pursuant to Media Law No 02/2013 of 08/02/2013 that provides for the creation of a media self-regulatory body, determining its mandate and functions and legally empowering journalists to, in practice, consent to its establishment. Informed and instructed by Law, all Rwandan journalists during their General Assembly of 27/8/2013, affirmed existence of Rwanda Media Commission to be governed and guided by principles and procedures clearly articulated in the “blue print” for media self-regulation in Rwanda.

The Commission since its establishment has built functional, efficient and accountable policies to attract strong partnerships with existing and prospective stakeholders. Over this reporting period, RMC through consultancy services has developed and adopted the following policy documents: Finance and procurement manual, human resource manual, complaints handling manual, monitoring and accreditation manuals, internal rules and procedures for staff, a communication strategy, a 5 year strategic plan (draft), internal training plan for staff and BoD, acquired an accounting soft ware (quick books), and the right of reply procedures.

Rwanda Media Commission has also acquired a number of assets including but not limited to press card printing machine, office equipment (computers, printers, TV screen, toll free handset, cameras, etc) and office furniture.

V. Accomplishments

This section of the report includes activities that are related to the institutional development of RMC and therefore include activities such as the staff recruitment, development of institutional manuals and procedures, as well as communication tools and platforms. The section also includes the activities that were planned, those that were accomplished and those whose implementation is still ongoing.

Strategic Objectives	Key activities accomplished	Activities not yet done	Comments
<p>1. To establish a fully functional, well staffed, equipped, competent and effective Secretariat to allow the Ethics Committee start operate effectively.</p>	<ul style="list-style-type: none"> -Up to 9 staff were recruited and are paid competitive salaries - Staff and some board members attended study tours to foreign self regulation bodies under capacity development scheme. -Recruited technical advisor -Developed institutional manuals and procedures, and adopted the following policy documents: Finance and procurement manual, human resource manual, complaints handling manual, monitoring and accreditation manuals, right of correction, reply and rectification modalities and internal rules and procedures for staff, a communication strategy, a 3 year strategic plan (draft), acquired an accounting soft ware (quick books). -Procedure Manuals (code of ethics, & complaints handling) to facilitate the ethics committee adjucate over cases have been developed. -Commissioners adjudicated over cases, held board meetings and have been paid sitting & facilitation allowances for the sessions held. -Communication tools and platforms effectively created. These involve the RMC website, twitter account, face book 	<ul style="list-style-type: none"> - There is still a need to recruit 2 research and publication officers and 1 resource mobilization officer. - The strategic plan is yet to be finalized, still on draft level and to be carried on with IWPR consultant. - Internal training plan for the staff and Board of commissioners not yet developed - Transport procedures not yet developed. - 1 Broadcasting monitoring machine to effectively monitor ethical breaches of Code of Ethics among the media houses is not yet place. - An online complaint form is under 	<ul style="list-style-type: none"> - We recruited 9 staff: 1 Executive secretary, 1 Finance and administration officer, 2 Legal officers, 2 Monitoring and Accreditation Officers,1 communication and public Relations Officer and 1 accountant -Media Advisor is hired in Partnership with UNDP. -The rest of policy documents are under now being implemented. -Campaigns to disseminate the RMC mandate were concurrently done with RGB and other media stake holders.

	<p>page where the commission interacts with the public.</p> <ul style="list-style-type: none"> - RMC has hired an operational office car and a working premise and has successfully paid off all the bills. -We furnished & equipped the secretariat with ordinary office equipment such as computers as well as core equipments such as monitoring TV screen & press card printing machine. -Office was able to cover administrative and logistical costs -Carried out national campaigns to publicize vision, mandate, functions, complaints procedure & role of RMC in democratic governance & sustainable peace. -Built ownership & pool of ambassadors in other institutions and CSO organizations. 	<p>construction on RMC official website.</p>	
<p>2. To nurture, defend and ensure media freedom is protected</p>	<ul style="list-style-type: none"> -Held sensitization sessions with journalists, media owners security organs and law enforcement agents as groups and then jointly ensured an environment where journalists are free from persecution, censorship and interference from any interest group or state. -Held sensitization and training sessions with local leaders and law enforcement officers in Kigali on media freedom, democracy & the role of the state -Held a 2 day retreat with selected national and CSO leaders 	<ul style="list-style-type: none"> -Will Hold 2 dialogues & national debates with leaders of the police, army, intelligence agencies, CSO & academic on topics such as “media freedom, democracy & the role of the state”; -A mapping and analysis of what caused journalist persecution, arrests, 	<ul style="list-style-type: none"> -These activities in progress are meant to disseminate the RMC mandate and will continue on quarterly basis.

	<p>and debated on issues such as the role of free debate in democratic governance, protection of freedoms, checks & balances</p> <p>-Proactively advocated on behalf of journalists diplomatically with law enforcement agencies, kept open channels of communication and engagement.</p> <p>-Actively spoke on behalf of journalists and media freedom where abuse occurred.</p>	<p>and draw up strategies to be conducted</p>	
<p>3. Nurture and attain an environment where journalists are free from persecution, censorship and interference from any interest groups or state</p>	<p>-Monitored media output & probable threats towards media freedom & analyzed them.</p> <p>-Actively engaged media houses on a weekly basis, shared with them media outputs that violated ethics & secured non-repeat assurance</p> <p>-Weekly engaged with law enforcement agencies, policy makers in debates about important emerging issues in the media relating to media freedom & ethics</p>		<p>-These activities in progress are meant to disseminate the RMC mandate and will continue on quarterly basis.</p>
<p>4. To ensure media consumers are protected</p>	<p>-We ensured the code of ethics is developed, signed, printed, started to distribute them to media houses</p> <p>-Monitor media content on a daily basis, analyze and actively share outcome with media houses & engage them with view</p>		<p>-These activities in progress are meant to disseminate the RMC mandate and will continue on quarterly</p>

<p>and free from abuse in the media</p>	<p>to rectify content that might have violated ethical standards</p> <ul style="list-style-type: none"> -Mediated between journalists, media houses & aggrieved citizens, public institutions, government officials and private organizations -All media complaints received were expeditiously, impartially & justly adjudicated. 		<p>basis.</p>
<p>5. To ensure journalists live by and respect professional code of ethics</p>	<ul style="list-style-type: none"> -We have mobilized a number of journalists and media houses for registration and accreditation -We have regularly engaged journalists on ethics issues, professionalism & its importance in promoting and protecting media freedom -We have actively monitored media content and engaged journalists monthly on their stories -We also held Quarterly General Assemblies of all journalists and media practitioners. For this reporting period, three general assembly's have been successfully organized. are 		<p>-These activities in progress are meant to disseminate the RMC mandate and will continue on quarterly basis.</p>

VI. Key Partnerships

During this reporting period, RMC key partners in terms of financial support are principally the United Nations Development Programme through the Rwanda Governance Board (RGB), RURA, Gesellschaft für Internationale Zusammenarbeit (GIZ), Institute for War and Peace Reporting (IWPR), ARTICLE 19, Institut Panos Grand Lacs (IPGL) and Media Houses/Journalists.

However, the secretariat in collaboration with Institut Panos Grand Lacs (IPGL) has initiated a multi-year national programme to raise funds for the next strategic direction of RMC. RMC also counts on media houses and journalists as important contributors to the implementation of its mandate. If funds proposed for the next year are secured, it will raise RMC's annual budget to more than double of the current income.

Rwanda Media Commission has been invited to forums where the Chairman, Commissioners and staff have been counted on as resource persons. There have also been some occasions where the Chairman spoke on changes in media sector brought about media reforms, and also other gatherings where he spoke on investigative journalism.

Rwanda Media Commission has as well been invited to the membership of local human rights networks such as Treaty Body Reporting Task force that conducts Universal Periodic Review (UPR) on the Government promised commitments to human rights. RMC has delegated a few staff to work with UPR occasionally. RMC board members and staff have also been invited to attend to study tours in international media organs of similar kind in Kenya, Switzerland, etc for learning, thereby establishing relationships hence likelihood for future collaboration and mutual support.

VII. Achievements

- a) **Established a fully functional, well staffed, equipped, competent and effective Secretariat to allow the Ethics Committee start operate effectively:** It is very important to note that up to 9 staff were recruited and are paid competitive salaries. Among the hired staff is 1 Executive secretary, 1 Finance and administration officer, 2 Legal officers, 2 Monitoring and Accreditation Officers, 1 communication and public Relations Officer and 1 accountant. A media Advisor has been specifically hired in Partnership with UNDP.

Staff and some board members attended study tours to foreign self regulation bodies under capacity development scheme. We have developed institutional manuals and procedures, where the following policy documents have been adopted by the Board of commissioners and are currently in use for day to day running of the commission: Finance and procurement manual, human resource manual, complaints handling manual, monitoring and accreditation manuals, right of correction, reply and rectification modalities and internal rules and procedures for staff, a communication strategy, a 5 year strategic plan (draft level), acquired an accounting soft ware (quick books). Procedure Manuals (code of ethics, & complaints handling) have been key documents to facilitate the ethics committee adjudicate over cases presented to them.

- b) Successful settlement of media disputes:** Rwanda Media Commission has registered 49 complaints within 11 months and among them 48 cases have been successfully and completely resolved and only one case is still pending. According to RMC statistics, 39 cases came from ordinary citizens against media houses. 5 cases were of journalists against media houses, 3 cases of journalists against government officials, and 2 cases were of government officials against journalists. No one has appealed to courts of law after settling their cases, which serves as a sign of satisfaction. Note that some decisions of cases are accessible at Rwanda Media Commission official website under the menu of 'Cases Handled' also (see annexe).
- c) Public recognition and mutual partnerships:** Over this reporting period, Rwanda Media commission has established cordial relations with government institutions. The kind of confidence built with key public institutions like RURA, Office of the Ombudsman, National prosecutor and the Rwanda National Police has seen the referral of complaints against the media received by these institutions to RMC for amicable settlement. This recognition by other authorities that under the new legal regime it is RMC's mandate to deal with complaints against the media has not only raised the profile of RMC but has also increased its visibility and recognition (see annexe).
- d) Ownership to RMC and good will from the media fraternity:** There is an evidenced public confidence where RMC has been enjoying good will from the media fraternity and the public. It is also worth noting that Rwanda Media Commission has registered a successful self-regulation of issues and complaints from the audience/media consumers. This is an attribute of the fact that RMC has gained credibility in handling of media issues from ordinary people and organizations from all walks of life in a free and balanced manner that allows amicable settlement of disputes, where less damage is likely to occur among the disputing parties.

- e) **Accreditation:** It is within the mandate of RMC to accredit all journalists apart from foreign journalists and local journalists working for foreign media organisations. Having built this kind of confidence in self-regulation, there has been tangible cohesion and support from within the media fraternity. Journalists and media houses have complied with registration and accreditation requirements, as well as paid their contributions. RMC has so far accredited 160 journalists by giving them press cards. It has also registered 25 media organs within this period of 12 months. (see annexe)
- f) **Successful Advocacy to the journalists and defending media freedom:** In order to ensure that the rights of journalists are protected, RMC is involved in advocacy campaigns that highlight not only the rights of journalists, but also their duties and responsibilities. By doing so, RMC has ensured that there is proper understanding of its role of media in society thereby eliciting public support. Advocacy activities have targeted mainly institutions with various mandates such as government, civil society and security organs. The RMC's independent approach to media issues to intervene where journalists were threatened, or unprofessionally detained or denied right to access information by security organs or government officials, and cases where RMC has made declaration against the RSF report which pointed finger at lack of media freedom in Rwanda.
- g) **Awareness raised on RMC mandate through Public relations and communications office:** Rwanda Media Commission has developed a website accessible by the public for online consultation in case of any service or information they need to know relates to lodging their complaints. A Public Relations and Communications Officer has effectively managed all the social media toolkits like twitter, facebook page, announcements, stories and articles have been published on the RMC website.

VIII. Key Challenges

Self-regulation is a new concept in Rwanda. But even where it has existed for some time, like in South Africa, it still faces challenges. In Rwanda, it has been established by the adoption of the law No 02/2013 of 08/02/2013 Regulating Media. Generally speaking the general public doesn't understand well how self-regulation works. This constitutes some of the major challenges RMC has encountered in complaint handling process. Possible Solutions to this would be concentrated efforts to awareness campaign on self-regulation. Law No 02/2013 of 08/02/2013 Regulating Media, in its' article 21 (3) says that The Media Self Regulatory body shall determine modalities for correction, reply and rectification, those modalities were not there since RMC's introduction, those modalities were not yet in place but have been recently developed, and adopted by the RMC board of directors. This constituted a big challenge especially when looking for the enforcement of

decisions made by RMC secretariat and Ethics Committee in relation to right of reply, correction and rectification. However Rwanda Media Commission has recently solved this by developing and adopting modalities of reply, correction and rectification.

Media monitoring unit is one of the important units in RMC and self-regulation process in general, however due to the fact that it is not fully equipped with the monitoring machines, there is a visible need to urgently acquire this asset.

There is still a visible need to disseminate RMC mandate. There has been limitations related to the fact that RMC has only been there for short period and a lot of effort has been concentrated on equipping the Secretariat in order to handle lodging complaints. Hence there is need to build capacity for effective representation in the provinces within Rwanda through organized out reaches to the general public. This is to be addressed by fundraising plans underway.

Financial sustainability still needs to be prioritized since none of fundraising tools have ever been employed to raise funds for RMC, owing to the fact that some of them like communication strategy, strategic plan and business plan are currently being finalized. The Secretariat is currently engaging various commission members to utilize available tools and also exploring possibilities of urgently engage a consultant to develop a business plan as a principal tool to ensure financial sustainability.

IX. Conclusions

Regardless of few challenges registered, RMC has made some remarkable achievements especially in terms of defending journalists rights and advocating for media freedom. This report further recommends that existing partnerships be used as ground to lobby for extended partnerships the mandate effectively be disseminated without any difficulty related to operational costs. The achievement of RMC is further attributed to the development partners, individual journalists and media houses who have tirelessly contributed to RMC both financially and morally. This kind of support can be used as a ground to mobilize more media houses, journalists and development partners for consistent commitment to their annual support contributions to RMC. Besides this, it is an urgent need that RMC strategic plan underway is finalized so that it can be used as a major tool for resource mobilization. It is also paramount that RMC business plan is urgently developed as it could be a basis for communicating the estimate that RMC needs to run an income generating business that would ensure RMC's financial sustainability.