

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**RWANDA MEDIA COMMISSION (RMC)**

**AND**

**RWANDA UTILITIES REGULATORY AUTHORITY (RURA)**

*Kigali, 12th September 2013*

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**PREAMBLE**

Pursuant to the Law N° 02/2013 of 08/02/2013 Regulating Media especially in Article 4;

Pursuant to Law N° 09/2013 of 01/03/2013 Establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning especially in Article 5;

Considering Rwanda Media Commission established by journalists to regulate the daily functioning of media and administer a journalistic Code of Ethics in Rwanda;

Considering that the Law N° 02/2013 of 08/02/2013 regulating media mandates the Media Self Regulatory Body to regulate the daily functioning of media and the conduct of journalists;

Whereas the Rwanda Media Commission (RMC) and the Authority (RURA) shall enter into joint working agreement as stipulated in article 4 of the Law N° 02/2013 of 08/02/2013 regulating media;

Whereas the Rwanda Media Commission (RMC) and the Authority (RURA) are committed to plan and to work together for the regulation and development of the media sector;

Having considered the importance of putting in place an agreement enabling both parties to achieve their respective mandate in the media sector;

Therefore the parties hereby agree as follows:

### **Article One: Purpose**

The purpose of this MoU is to determine a joint working agreement of both parties in media regulation. The MoU shall specify the area of collaboration between RURA and Rwanda Media Commission in regard to media.

### **Article 2: Definitions of Terms**

Unless the context otherwise requires, the terms used in this MoU shall have following meanings:

**1<sup>o</sup> “Authority”:** Rwanda Utilities Regulatory Authority;

**2<sup>o</sup> “Internet media”:** a global system of interconnected computer networks of information processing aiming at disseminating information by use of various means of communication;

**3<sup>o</sup> Rwanda Media Commission (RMC):** Media Self Regulatory Body

**4<sup>o</sup> “Media Self Regulatory Body”:** An organ set up by journalists themselves whose responsibility is to ensure compliance with the principles governing media and to defend the general interest;

**5<sup>o</sup> “Media”:** any process, whether in print, visuals, audio or audio-visual, signs or internet to disseminate, broadcast and make known to the general public facts, opinions and any other expression of thought particularly in order to inform, educate and train to promote leisure or entertainment;

**6<sup>o</sup> “MoU”:** Memorandum of Understanding;

**7<sup>o</sup> “Parties”:** refer to Media Self Regulatory Body and RURA collectively;

**8<sup>o</sup> “Permit”:** refers to any document issued by the Authority which authorizes the holder to carry out the activity prescribed therein.

**Article 4: Responsibilities of Rwanda Media Commission**

Under this MoU, the **Rwanda Media Commission** shall have the following responsibilities:

- 1° To establish a code of ethics of journalists to be adhered to by all journalists and update it from time to time;
- 2° To regulate media content by enforcing the code of ethics within the framework of self regulation;
- 3° To set up procedural rules of handling complaints related to code of ethics of journalist and impose sanctions if necessary;
- 4° To register and issue a certificate of registration for new media organ;
- 5° To accredit all Rwandan and foreign journalists working for Rwandan media organs;
- 6° To propose to the Authority to suspend or revoke the license previously granted to media Organ in case of violation of any Law and regulations relating to media in Rwanda.

**Article 5: Responsibilities of the Authority**

Under this MoU, the Authority shall have the following responsibilities:

- 1° To jointly work with the Rwanda Media Commission to handle audio, audio-visual and internet media matters related to content;
- 2° To assist and provide technical support to the Rwanda Media Commission where applicable;
- 3° To issue permit for starting new print media organ;
- 4° To suspend or revoke, upon the proposal made by the Rwanda Media Commission, the license of any print media organ.

**Article 6: Common Responsibilities**

- a) Each Party shall ensure that the other has access to all necessary information to facilitate the implementation of this MOU.
- b) No party may transfer, assign for its interest, any rights or obligations arising from this MoU without the prior written consent of the other party.
- c) To collaborate in regulating cross ownership in media sector.

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**Article 7: Interpretation of this MoU**

This MoU is to be read and interpreted in a manner consistent with all applicable Laws and regulations of Rwanda.

**Articles 8: Independence from interferences**

When performing the responsibilities under this MoU, each party shall strictly observe the independence of the other party.

**Article 9: Trust and credibility**

Both parties shall serve towards promoting credibility and trust of the media to the public through improving quality standards in media sector.

**Article 10: Amendment**

Either party may request changes to this MoU. Any changes, modifications, revisions or amendments to this MoU which are mutually agreed upon by and between the parties shall be incorporated by written instrument, and effective when executed and signed by both parties to this MoU.

**Article 11: Dispute Resolution**

The conflicts that may occur in performing of duties under this MoU shall be amicably settled.

**Article 12: Validity of the MoU**

This MoU shall be valid as long as article 4 of the Law N° 02/2013 of 08/02/2013 Regulating Media is still in force.

**Article 13: Implementation of this MoU**

Both parties to this MoU shall ensure its full implementation and its effective realization.

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**Article 14: Commencement**

This MoU shall come in force on the date of its signature by both parties.

**Article 15: Signatories**

The parties to this MoU through their duly authorized representatives certify that they have read, understood, and agreed to the purpose, responsibilities of parties and general provisions of this MoU as set forth herein and have signed this MoU in two (2) original copies in English on the date indicated below

Kigali, this .....12<sup>th</sup>.....day of.....September.....2013,

**Signed by:**

  
  
RWANDA MEDIA COMMISSION  
MEDIA SELF REGULATION  
mediaregulation.rw@gmail.com  
Tel: 3477 Kigali - Rwanda  
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**Robert MUGABE**  
Chairperson  
RMC

  
  
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**Maj. François Régis GATARAYIHA**  
Director General  
RURA