

United States Senate

WASHINGTON, DC 20510

August 27, 2024

VIA ELECTRONIC TRANSMISSION

Adam Silver
Commissioner
National Basketball Association
New York, New York 10022

Dear Commissioner Silver:

We write to express deep concern about the National Basketball Association (NBA)'s deepening relationship with Rwanda, led by President Paul Kagame. It seems that the NBA—which has long positioned itself as a beacon of social justice—is choosing to continue developing relationships with dictators and despots, all in the name of putting profit over principle.

Reporting indicates that the League's relationship with President Kagame began in 2018, as you "shot free throws" with the President in Kigali. The NBA then gave President Kagame the advice and support he needed to build a massive new \$104 million arena to establish the Basketball Africa League (BAL), expanding the NBA's presence on the continent. Indeed, the NBA's business in Africa was valued at almost \$1 billion as of 2021. The relationship did not stop there; the NBA has hosted President Kagame in Toronto, Los Angeles, Charlotte, Oakland, and at various other NBA sponsored events across North America, treating him like a friend and dignitary.¹ The league profits from this relationship, but at what cost?

President Kagame has ruled Rwanda for over 20 years with impunity. Freedom of expression and internet freedom is extremely limited in the country. Anyone who dares to question Kagame's rule—whether it be opposition candidates or the free press—is jailed, disappeared, or brutally assassinated. President Kagame's government has also allegedly provided military support to M23, a rebel group in the Democratic Republic of the Congo, which has caused tens of thousands of Congolese people to flee their homes in fear. This group has been accused of horrific abuses, including recruiting child soldiers, using rape and sexual violence as a weapon of war, and torturing civilians.²

President Kagame's brutality has extended beyond the Rwandan border. Experts have noted that "transnational repression has been a feature of President Paul Kagame's regime since the early days of his rule."³ The Rwandan government is known for murdering, kidnapping, and

¹ Mark Fainaru-Wada, *How the NBA Got Into Business with an African Dictator*, ESPN (July 26, 2024) https://www.espn.com/nba/story/_/id/40591644/how-nba-got-business-african-dictator.

² U.S. DEP'T OF STATE, 2022 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: RWANDA (2023), <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/rwanda/>.

³ FREEDOM HOUSE, TRANSNATIONAL REPRESSION: RWANDA (2024), <https://freedomhouse.org/report/transnational-repression/rwanda>.

intimidating dissidents living overseas, including those in the United States.⁴ The NBA should not remain silent as Kagame exports his authoritarianism.

Our concern about the NBA's business relationship with a government with a demonstrated record of human rights abuses and repressive behavior is not limited to Rwanda. The league's activities in China, engagement with Chinese Communist Party officials, and policies on products made with forced labor remain troubling.

As such, we ask that you provide a response to the following questions by September 3, 2024:

1. Please outline the scope of the NBA's relationship with the Rwandan government.
2. What steps is the NBA taking to improve the lives of the Rwandan people, including those subject to human rights abuses by President Kagame's government?
3. How is the NBA ensuring that it adheres to international standards and laws on forced labor and human trafficking as it develops the league's infrastructure in Rwanda?
4. The NBA's guiding principles say that the league "will also continue to follow the directives and guidance of the U.S. government as to the best way to engage around the world and remain prepared to adapt to any changes that may occur." Has the NBA sought guidance from the State Department on how to most effectively advance business and human rights?
5. Last year, the Congressional Executive Commission on China wrote to you with a series of questions. In response to a question about whether the league has an official policy of following the guidelines as described in the UN Guiding Principles on Business and Human Rights, which is consistent with U.S. government policy, your office responded that it does not. Since last year, has your policy changed?
6. The NBA's relationship with China has been called into question in the past. What is the status of the NBA's relationship with China today?

Playing ball with dictators and brutal regimes should not be the NBA's business model. Instead, the league should use its influence to advocate for governance reforms, including respect for the rule of law. The NBA should also put energy into making life better for all Rwandans, not just those who finance the league's expansion. At no time—and especially when strongmen are on the rise across the globe—should the NBA ignore human rights atrocities in the name of profit.

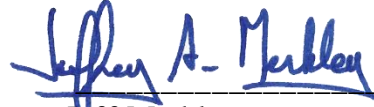
⁴ U.S. DEP'T OF STATE, 2022 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: RWANDA (2023), <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/rwanda/>.

Thank you for your attention to this critical issue.

Sincerely,



Marsha Blackburn
United States Senator



Jeff Merkley
United States Senator