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Asia

Press freedom in Timor-Leste

## Muzzling the messenger

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EVER since gaining independence in 2002, Timor-Leste has boasted [one of Asia's freest presses](http://en.rsf.org/press-freedom-index-2013,1054.html) (http://en.rsf.org/press-freedom-index-2013,1054.html). Its media exposed the mismanagement of state funds, corruption and other scandals involving government employees. But their freedom could come to an abrupt end if the parliament endorses a new law to regulate the media.

The act has come under fierce criticism from human-rights organisations, civil society and journalists' unions. It makes it compulsory for local and international journalists to be accredited by a government-sponsored press council. Although nominally the law enshrines the freedom of the press, it also tries to control who can qualify as a journalist. Anyone engaged in "collecting, analysing and disseminating information to the public" will have to apply for credentials. The press council's five members, two of whom will be appointed by the parliament, will have the power to issue and revoke licenses. In addition, local journalists will have to complete at least six months of internship at a recognised media outlet before they can be accredited. There are no provisions for freelancers, let alone "citizen-journalists" or ordinary people who use social media to exchange news. Those who break the rules face hefty fines.

Furthermore, the media law would also impose vague "functions" and "duties" on journalists that might make them [vulnerable to retaliation](http://www.hrw.org/print/news/2014/07/16/east-timor-revise-repressive-media-law) (http://www.hrw.org/print/news/2014/07/16/east-timor-revise-repressive-media-law) for reports that are critical of the government. Phelim Kine, deputy Asia director of Human Rights Watch, says that "[an official press council, a licensing requirement for journalists](http://www.hrw.org/print/news/2014/07/16/east-timor-revise-repressive-media-law) (http://www.hrw.org/print/news/2014/07/16/east-timor-revise-repressive-media-law) and undefined 'national culture' and 'public interest' obligations are the hallmark of undemocratic governments that want to repress media freedom".

The media act has been wending its way through the tiers of government for over a year. Timor-Leste's council of ministers promulgated a draft of the law in August 2013 and parliament approved it on May 6th of this year, without a dissenting vote. The president however refused to sign it. Instead he sent it to the court of appeal, to ensure that it "[will not excessively limit the fundamental rights of citizens enshrined in the constitution](http://www.easttimorlawandjusticebulletin.com/2014/07/timor-lestes-president-requests-supreme.html#sthash.GhXx4oUA.dpuf).

(http://www.easttimorlawandjusticebulletin.com/2014/07/timor-lestes-president-requests-supreme.html#sthash.GhXx4oUA.dpuf) ”

The court ruled that some articles of the proposed law are [indeed unconstitutional](http://www.easttimorlawandjusticebulletin.com/2014/08/east-timors-court-of-appeal-rules.html) (http://www.easttimorlawandjusticebulletin.com/2014/08/east-timors-court-of-appeal-rules.html). Nevertheless, many analysts expect that if the president does not exercise his veto, the legislation will be passing through parliament [with only minor adaptations](http://www.amnesty.org/en/library/info/ASA57/002/2014/en), (http://www.amnesty.org/en/library/info/ASA57/002/2014/en) in a few weeks' time.



The law has been in the pipeline for many years. Xanana Gusmão, a hero from the independence movement and now the prime minister, had been warning the national press for some time that it was failing to regulate itself. He had become increasingly irritated by criticism of his government and especially by the local media's accusations of corruption. He accused them of being unruly, unprofessional and disloyal.

Of the dozen of publications that sprang to life while the country was administered by the United Nations, between 1999 and 2002, only a handful remain. Timor-Leste's independent newspapers face many of the same problems that are afflicting the business elsewhere, depending as they do on revenue earned by paid advertisements, and [especially those bought by the government](http://devpolicy.org/why-is-timor-leste-trying-to-restrict-the-media-20140821/) (http://devpolicy.org/why-is-timor-leste-trying-to-restrict-the-media-20140821/).

Publishing costs are relatively high and the newspapers don't reach the countryside; in rural areas, half the population is still illiterate.

Soon after parliament approved the law, the government offered "capacity-building grants" to the affected organisations. Every publication but for one accepted the cash. The holdout was *Tempo Semenal*, a weekly newspaper. Its director, José Belo (pictured above), is himself a former political prisoner and a veteran of the young country's resistance against Indonesia. After independence he became its leading investigative journalist, exposing multiple cases of corruption and other abuses of political power.

As president of the Timor-Leste Press Union Mr Belo is spearheading the local campaign against the media law. He says he "[will neither submit to being certified, nor will pay any fines](http://www.crikey.com.au/2014/06/23/east-timor-elites-try-to-muzzle-media/) (http://www.crikey.com.au/2014/06/23/east-timor-elites-try-to-muzzle-media/)". And he is prepared to go to jail. Mr Belo sees the media law as part of a broader threat to Timorese democracy. In his view [the ruling elite is using it to consolidate its grip on power](http://www.economist.com/news/asia/21614171-add-its-many-woes-timor-leste-has-succession-problem-passing-torch) (http://www.economist.com/news/asia/21614171-add-its-many-woes-timor-leste-has-succession-problem-passing-torch), and the main parliamentary opposition is in cahoots.