

Unconstitutional media law a death sentence for free media in East Timor -- IFJ

29/08/2014

The International Federation of Journalists (IFJ) has condemned the potential for East Timor's government to push ahead with a controversial [new media law](#), despite widespread criticism of the law and a finding from the country's Court of Appeal last week that elements of the media bill are unconstitutional.

The IFJ and its affiliate, Timor Leste Journalist Association (AJTL) have called on the national parliament to urgently review the press laws which, in their current form, will drastically endanger the operation of the media and press freedom in the fledgling democracy.

"We are greatly concerned for the freedom of the media and journalists ability to report in East Timor should these laws proceed," IFJ Asia-Pacific Acting Director, Jane Worthington, said. "Particularly concerning is that the government of East Timor has repeatedly ignored the protestations of East Timor's media and neglected to accommodate key concerns within the law since it was first proposed last year."

"Should the government pursue this law in its current form, this would indeed present a deplorable outcome for democracy in East Timor and the functioning of local media and international media. The IFJ and AJTL urgently call for a revision of these laws."

The Timor Leste "Press Law" consists of 54 articles and was approved by the National Parliament on May 6 this year despite receiving [widespread criticism](#) since they were first proposed in August 2013.

However, President of the Democratic Republic of Timor-Leste, Taur Matan Ruak, refused to promulgate the restrictive laws and subsequently [sent them to the country's Court of Appeal](#) in July questioning whether they were unconstitutional. Last week, the court found that a number of articles in the media law were [contrary to East Timor's Constitution](#) and ruled against Article 20 on journalist's obligations, Article 24 on foreign capital and Article 40 on the issue of media fines.

The law will now return to the National Parliament to be revised or abandoned. While the articles in question by the court may receive revisions, the IFJ said there are still large sections of the law that are greatly concerning in terms of [the implications for freedom of the press](#) and mass media which is enshrined under Article 41 of the constitution.

The IFJ said the law paves the way for censorship and the restriction of who can be called a journalist in East Timor, spreading the definition across citizen journalism and social media. It would also include the establishment of a media council to approve and certify journalists. Breaches of the act could face fines of up to US\$25,000 and foreign journalists would only be able to report in the country with government authorisation.

AJTL president, Tito Filipe, said: "We urge the lawmakers to immediately revise the articles; proposed by the court of appeal, we prefer a laws that reflects democratic and human rights principles".

Timor Leste's Press Union (TLPU) has strongly voiced criticism of the laws on a broader scale.

TLPU President, [Jose Belo](#), said: "The constitution gives rights to the media and citizens for freedom of expression in articles 40 and 41, but the new law seeks to limit, restrict and in some cases terminate those rights. East Timor is in danger of becoming a guided democracy: one in which the democracy responds not to citizens' interests, but to those of the political and moneyed elite."

The TLPU believes the law was created to restrict local and foreign journalist reporting on East Timor, particularly on corruption, nepotism and financial mismanagement.

When it was proposed to East Timor's Council of Ministers in August last year, the aim of the proposed law was stated as "primarily to regulate the activity of professionals adequately prepared and ethically responsible, so that they can inform the public objectively and impartially and encourage active and enlightened citizenship by the population, thus contributing to a democratic society".

Jane Worthington, IFJ Asi a Pacific Acting Director said: "These unacceptable laws threaten East Timor's democracy and show the Government's attempts to limit the ability of journalists to freely report. We should also not forget that 38 years ago, six Australian-based journalists were killed while attempting to reveal Indonesia's secret invasion of East Timor. These laws would bar foreign journalists unless they receive government approval to report in the country."

"The media has long played an integral role in East Timor's struggle for independence. This should not be forgotten or compromised. We urgently call on the government and President Ruak to amend the laws to respect the country's own Constitution and the operation of a free and independent media."

The IFJ and senior Australian media has launched an online campaign against the Press laws. Join the campaign here <https://www.change.org/p/stop-east-timor-press-law>

For further information contact IFJ Asia-Pacific on +61 2 9333 0946

The IFJ represents more than 600,000 journalists in 131 countries