

Ted McDonnell

East Timor's media law unconstitutional - Court

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By Ted McDonnell

EAST Timor's controversial media law has been declared unconstitutional by the country's Court of Appeal.

The fledgling nation's President Taur Matan Ruak refused to promulgate the restrictive laws last month and sent the media bill to the Court of Appeal questioning whether they were unconstitutional.

The Court of Appeal yesterday found that a number of articles within the media law were contrary to East Timor's Constitution. The law will now return to the National Parliament to be revised or abandoned.

East Timor's leading investigative journalist Jose Belo applauded the Courts decision.

"The Courts today have upheld our constitution, which we fought so hard for. This is a victory for the East Timorese people," an elated Belo said today. "The government is trying to stop freedom of the media and freedom of expression."

Belo said that the decision by the Court of Appeal is no surprise.

"From day one we said the media laws were unconstitutional. It would now seem our politicians need help from the lawmakers to understand what the constitution means," he added.

"It will now go back to the National Parliament, so we have won the battle but we are still to win the war."

Belo has no doubt the media law was created to restrict local and foreign journalist reporting on East Timor's plague of corruption, nepotism and financial mismanagement. The law would also restrict who could be called a journalist in East Timor and potentially prevent foreign journalists reporting within East Timor.

East Timor, an island 600 kilometres of the northern tip of Australia, gained its freedom from 24 years of Indonesian rule in 1999 and its full independence in 2002. The country suffers from high unemployment, poverty and malnutrition.

One leading East Timor lawyer said the President could still promulgate the law, if the necessary changes were made by the Parliament.

Prime Minister Xanana Gusmao, who has been a key promoter of the media bill, is believed to be furious that the law has not been approved by the Courts.