

IN THE NEWS

Draft Media Bill Threatens Press Freedom in Timor-Leste

March 19, 2014

By Susan Marx

Google “newest democracy” and you are likely to find the young island nation of Timor-Leste among the top hits. Do the same for “media censorship,” however, and the top results are of nations not exactly known for promoting democratic values such as Russia and China. However, right now, Timor-Leste’s national parliament is spending a great deal of energy trying to pass a new **media bill** that seems more fitting of a country curbing freedom and encouraging censorship rather than that of an aspiring democracy.

The draft bill is based on Indonesia’s suppressive press law, developed under the Suharto dictatorship. It contradicts Articles 40 and 41 of **Timor’s Constitution**, which guarantee universal freedom of expression, information, and press. As drafted, the bill would curb citizens’ ability to access information impartially, and to comment and contribute to the public discourse and hold their government accountable. Ironically, if a similar bill had been in force during Timor-Leste’s independence struggles, much of the writing produced by the political parties now in Parliament would have been illegal.

The draft bill, which has been translated into English by local advocacy organization **La’o Hamutuk**, states that only accredited journalists who register with the government will be allowed to operate and report on Timor-Leste, and that an “accredited journalist” may only be a citizen of Timor-Leste. This effectively restricts international journalists from operating inside the country.

The stated goal of the draft bill is to “create a more professionalized media.” It would require a six-month apprenticeship followed by government accreditation, stipulates “appropriate qualifications” for journalists, and defines journalism as that produced by for-profit, government-approved media organizations. However, the definition of “journalism” is so broad, encompassing anyone “seeking, collecting, editing, and disseminating information to the public” that it captures practically any documentation produced and published on Timor-Leste. Due to these broad definitions, every academic, NGO, and other entity that publishes information on Timor-Leste would fall under these new restrictions.

The government would be well served to embrace the young nature of Timorese society, which has one of the youngest populations in the world, with more than three quarters under 30. The approach of trying to limit journalism to “accredited” individuals with these media organizations goes against the global momentum of citizen or public journalism promoted through social media. The government would be well served to embrace the young nature of Timorese society, which has one of the youngest populations in the world, with more than three quarters under 30.

Although Timor-Leste still has a low internet penetration rate, young people are actively getting their news and information from a variety of sources – social media, pamphlets, community radio, and online forums. The recent upsurge in local blog posts, Facebook updates, and Twitter feeds have fueled public debate about critical issues, and are exactly the types of forums that a growing young and free society requires to flourish. Now that the internet is freely available in parks, malls, and cafes around the capital, Dili, and via 3G in the districts, it would be a mistake to try and curb citizen journalism.

A vibrant and diverse media that reports on local and international interests is particularly important now as Timor continues to pursue **ASEAN accession** and prepares to host the Community of Portuguese Language Countries (CPLP). While many ASEAN and CPLP nations themselves do not have what is considered free media, Timor-Leste is in the position of still consolidating its democracy and establishing new laws. As a signatory to the International Covenant on Economic, Social and Cultural Rights (ICPPR), whose Article 19 guarantees freedom of expression, Timor-Leste has a fundamental obligation to implement effective measures to safeguard free and independent media activity to ensure these freedoms are met.

As this small island state continues to define its position vis-a-vis the region, and indeed the world, one of the most important elements to emphasize is the amazing story of determination that became Timor-Leste. The government should embrace and encourage media, journalists, bloggers, tourists, and the public to freely comment, participate, and promote this history, as well as the future of this dynamic society.

One aspect of the media bill that is worth exploring, however, is the desire to increase the competency and accountability of journalists. In this way, the bill is attempting to make journalists and media owners more mindful of facts. At the same time, enforcing an overly restrictive media law is not the most productive way to approach this, and could very well be counter-productive, by curbing the media’s incentive to report on issues of importance for fear of citation. Instead, if the government is truly committed to improving, not censoring, the media, it would be best served to establish a civil society media watchdog rather than a censorship committee masked as a “press association,” that would independently monitor and analyze reports in the media to ensure accuracy and avoid misinformation.

The good news is that last-minute efforts by civil society have managed to slow the bill’s momentum in parliament, and groups continue to provide comments to the bill. Let’s hope that their efforts, combined with the citizens of Timor-Leste, can change the government’s course to avoid losing hard-fought freedoms.

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