

[Jose Teixeira](#) on Facebook, 5 June 2026

Opinion | Timor-Leste Must Reject Criminal Defamation – A Defining Democratic Choice

Timor-Leste stands at a critical moment.

The renewed push to introduce or expand criminal defamation laws is not a technical legal adjustment—it is a profound test of who we are as a nation and what kind of democracy we choose to build.

We have had this debate 3 times over the last two decades.

I am firmly opposed.

Criminal defamation is unnecessary, disproportionate, and fundamentally inconsistent with our Constitution, our history, and our international obligations.

We Already Protect Reputation—Without Criminal Law

Reputation matters. But we already have civil law mechanisms—damages, corrections, and accountability—that protect individuals without resorting to criminal punishment.

There is no legal vacuum. Only a dangerous impulse to overreach.

This Is About Freedom—Not Convenience.

Our Constitution guarantees freedom of expression and press freedom. These are not abstract ideals; they are the foundation of democratic participation.

Criminal sanctions for speech—especially those carrying the threat of imprisonment—are inherently disproportionate. They chill speech, discourage scrutiny, and silence criticism.

Our International Commitments Are Clear

Timor-Leste ratified the International Covenant on Civil and Political Rights (ICCPR).

That commitment matters.

Under Article 19, any restriction on expression must be necessary and proportionate. The UN Human Rights Committee has been unequivocal: criminal defamation laws should be discouraged, and imprisonment is never an appropriate penalty.

To move in the opposite direction is to step outside the path of responsible democratic nations.

We Know How These Laws Are Used

Around the world—and in our region—criminal defamation laws are not neutral tools. They are used to:

1. Silence journalists
2. Intimidate critics
3. Protect power from accountability
4. They create fear, not justice.

The Cost to Governance Is Real:

We cannot claim to fight corruption while criminalising those who speak out.

Whistleblowers will hesitate. Journalists will self-censor. Citizens will think twice before questioning those in authority.

Accountability weakens. Democracy suffers.

We Must Not Reverse Our Own History:

Timor-Leste's legal evolution reflects a conscious rejection of repression and control.

Reintroducing criminal defamation risks undoing that progress.

This is not just law—it is memory, identity, and responsibility.

The Choice Is Clear

As one colleague rightly put it: "Do we move forward as an open democratic society, or do we restrict the voices of our own people?"

Parliament now faces a defining choice.

My Position:

Reject criminal defamation legislation

Strengthen civil remedies

Protect constitutional freedoms

Safeguard against abuse of legal processes

Final Appeal

To Parliament—and to the people of Timor-Leste:

Freedom of expression is not a threat to democracy. It is its lifeblood.

We did not struggle for independence to silence ourselves.

We must not start now.

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