

# Timor-Leste: Criminal defamation law continues despite opposition / IFJ

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**Timor-Leste's Ministry of Justice claimed it removed a controversial article of the proposed defamation law after hearing public criticisms but has in fact retained the article which will deliver penalties and up to one year in prison for those found guilty. The International Federation of Journalists (IFJ) and its affiliate the Timor-Leste Press Union (TLPU) continue to condemn the proposed law as fundamentally flawed and urge authorities to immediately withdraw the law from consideration.**

In early June, the government of Timor-Leste announced that it proposed to introduce new criminal defamation laws. The proposal was met with an immediate backlash from press freedom advocates NGOs and many politicians. The IFJ presented the government with a [detailed critique](#) of the proposal, highlighting the dangers of the proposed re-introduction of a criminal defamation law into Timor-Leste to Prime Minister Taur Matan Ruak on July 14.

On July 19, the national director for legal affairs at the Ministry of Justice, Nelinho Vital, informed journalists that the government would remove Article 187 (paragraph B, number 1) from the proposal, which deals with what is known as 'aggravated penalties', after hearing public criticisms of the law. These penalties, if adopted, would mean that a sentence would be doubled or tripled if the defamation was of a public figure and/or through the media (including social media).

But despite these assurances, the IFJ has learned that Article 187-A remains in the proposed law and still criminalises all defamation, including that of public officials, political parties, and/or through the media. In its earlier advice, the IFJ warned that the proposal "deals a blow to transparency in government by permitting politicians and powerful individuals to use the power of the state to prosecute journalists". The law also fails to provide any protection for journalists and their sources, provides no guidance for prosecutors and is directly contrary to stated positions of numerous international human rights bodies, including the UN Human Rights Committee and the special rapporteurs on freedom of expression of the UN, the Organization for Security and Co-operation in Europe and the Organization of American States, all of whom have urged states to repeal criminal defamation laws.

**TLPU said: "TLPU stands with its position to oppose the proposed defamation law since it violates the value of democracy, human rights, and also the constitution."**

**The IFJ said: "The only 'concession' offered by the Ministry of Justice, turns out to be no concession at all. All it achieves is a clumsy attempt to blunt the serious and well-founded criticisms levelled by civil society groups. The substance of these criticism has been left unanswered by this present proposal. Press freedom is in grave danger by the proposed criminal defamation law, signalling a shift in Timor-Leste from an emerging democracy to an autocratic government."**