

MEDIA SUSTAINABILITY INDEX

2008

**The Development
of Sustainable
Independent Media
in Timor Leste**



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The Development of Sustainable Independent Media in Timor Leste
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IREX
2121 K Street, NW, Suite 700
Washington, DC 20037
E-mail: msi@irex.org
Phone: (202) 628-8188
Fax: (202) 628-8189
www.irex.org

Project manager: Linda Trail

IREX Project and Editorial Support: Eleeza Agopian, Leon Morse

Design and layout: OmniStudio

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Acknowledgement: This publication was made possible through support provided by the United States Agency for International Development (USAID) under Cooperative Agreement No. #486-A-00-06-00013-00 (Strengthening Independent Media Program in Timor Leste) via a sub-award by the International Center for Journalists (ICFJ).

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ISSN 1546-0878

USAID

USAID is an independent federal government agency that receives overall foreign policy guidance from the Secretary of State. USAID's work supports long-term and equitable economic growth and advances US foreign policy objectives by supporting:

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IREX

IREX is an international nonprofit organization providing leadership and innovative programs to improve the quality of education, strengthen independent media, and foster pluralistic civil society development.

Founded in 1968, IREX has an annual portfolio of over \$60 million and a staff of 500 professionals worldwide. IREX and its partner IREX Europe deliver cross-cutting programs and consulting expertise in more than 100 countries.

Access to news and information is limited not only in the country's more rural areas, where purchasing a radio or television is far too costly for some, but also in the capital, where poverty is also a major obstacle.



TIMOR LESTE

Since gaining independence from Indonesia in 2002, Timor Leste has made slow progress toward establishing a fully democratic state. The last several decades have been marked by the country's struggle for independence first as a colony of Portugal, from which they broke away in 1975, only to be invaded by Indonesia nine days later. Though a referendum in 1999 resulted in an overwhelming majority of Timorese voting for independence from Indonesia, anti-independence Timorese militias (supported by the Indonesian military) began a violent campaign against the independence movement. A month of violence came to an end with the arrival of a multinational peacekeeping force. On May 20, 2002, Timor Leste was internationally recognized as an independent state. In its short history as an independent state, however, Timor Leste has seen other instances of politically motivated violence. Internal tensions led to violence and riots in April 2006, and an attack on the president and prime minister in February 2008.

As Timor Leste's democracy has faced challenges, media have also struggled. Professional standards are not widely practiced, and many media are not yet sustainable businesses. Many outlets continue to largely rely on donor funding. Despite these shortcomings, many media organizations have achieved some progress. While media remain heavily concentrated in the capital, Dili, many outlets—with the help of non-governmental organizations—have established outposts in the outlying regions.

To be sure, Timor's media have a long way to go. An enabling legal environment remains a significant challenge as the country's parliament debates new laws regulating journalism and journalists. Access to news and information is limited not only in the country's more rural areas, where purchasing a radio or television is far too costly for some, but also in the capital, where poverty is also a major obstacle.

There are, however, bright spots in the country's development. More media associations have been established and provide occasional training opportunities. Media resource centers have appeared in some remote villages to provide local journalists with Internet connections and a means to file stories from those locales.

TIMOR LESTE AT A GLANCE

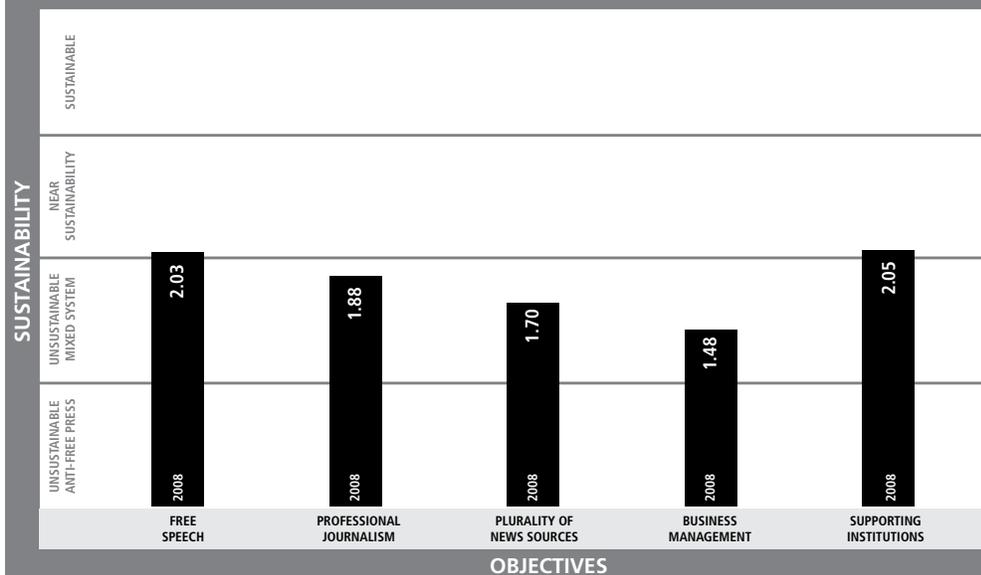
GENERAL

- > **Population:** 1,029,000 (World Bank Development Indicators, 2006)
- > **Capital city:** Dili
- > **Ethnic groups:** Austronesian (Malayo-Polynesian), Papuan, small Chinese minority (*CIA World Factbook*)
- > **Religions (% of population):** Roman Catholic 98%, Muslim 1%, Protestant 1% (2005 estimate, *CIA World Factbook*)
- > **Languages (% of population):** Tetum (official) 80%, Bahasa Indonesian 50%, Portuguese (official) 5%, English, dozens of native languages and dialects (New Zealand Media Observation Mission Report: 2007 Timor Leste Elections, UNDP, *CIA World Factbook*)
- > **GNI (2006-Atlas):** \$964 million (World Bank Development Indicators, 2006)
- > **GNI per capita (2006-PPP):** \$950 (World Bank Development Indicators, 2006)
- > **Literacy rate:** 58.6% (*CIA World Factbook*)
- > **President or top authority:** President Jose Ramos-Horta (since May 20, 2007)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**
Print: 4 newspapers; Radio: 21 (one public broadcaster and at least 20 community stations); Television stations: 1 (*CIA World Factbook, 2006 USAID Timor-Leste Media Assessment*)
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** TVTL is the only broadcaster in the country.
- > **News agencies:** None.
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1,200 (2006 estimate, *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: TIMOR LESTE



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREE SPEECH

Score: 2.03

Most of the indicators scored close to the overall average. In two instances, the panelists scored lower than the overall average, and in another two they rated Timor's situation as higher than the overall score. Indicators measuring whether the licensing of broadcast media is fair, and whether state media does not receive preferential treatment both received lower than average scores. In two instances—whether public information is easily available, and if entry into the journalism profession is free of interference—the panelists scored these indicators higher than the overall average.

Though freedom of speech is guaranteed in Timor-Leste's constitution, a number of caveats in the constitution may cause confusion or misinterpretation of the laws. For example, the right only extends to citizens as opposed to anyone within the country's jurisdiction, as is common practice in international law. Further, it does not protect the right to opinion, but rather the right to inform and be informed.¹

As the country's laws continue to be developed, however, not all rights are covered in the current constitution. If there is no standing law in the Timor constitution, nor a law under the

¹ Article 19. Note on the draft constitution of the Democratic Republic of East Timor of 9 February 2002. Focus on provisions affecting freedom of expression. February 2002. <http://www.article19.org/pdfs/analysis/timor-leste.const.02.pdf>.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

United Nations Transitional Administration in East Timor, then the justice system defaults to Indonesia's law. East Timor's parliament is currently debating a draft press law, which means Indonesia's press law is the current legal statute.

Furthermore, it is difficult to gauge the public's attitude toward press freedom and freedom of expression. Certainly, given the general lack of experience and perceived lack of professionalism, many who hold public office do not hold the media in high esteem. Consequently, many public officials hope to improve that situation with press laws that meet broader international standards.

However, the recently proposed draft laws have made the existing rights to freedom of expression vulnerable. For example, some of the requirements are that the accredited journalist be 17, have completed secondary education, have not lost any of their civil rights, and have worked for five years. These somewhat arbitrary requirements do not necessarily guarantee a professional's quality of work. Furthermore, the law seems to create a two-tiered system for access to information, which is not the typical practice of most democracies.²

The draft law may also create significant obstacles to accessing information. According to Article 19's analysis of the law, it relies too heavily on exceptions to access based on classifications and state secrets. The exceptions fall far short of accepted international standards. Furthermore, the draft law sets stipulations on how acquired information can be used, an atypical practice in democracies, where information that is open to the public does not typically come with parameters for its use.

Broadcast regulation also remains unclear. Currently all broadcasters must be licensed by ARCOM (the Timor Leste Communications Regulatory Authority.) However, ARCOM'S regulatory authority is unclear. Its original intent was to organize the radio spectrum, but its responsibilities may expand. A draft law to establish a media council may address some broader regulatory issues, like the regulation of public broadcasting. The council's proposed powers are vague and potentially dangerous to free expression, according to the Article 19 analysis. While the draft law calls for the Media Council to supervise the transparency of media ownership, and safeguard the expression of pluralistic ideas, it also makes broad provisions for ensuring accuracy, promoting professionalism, safeguarding pluralism, deciding complaints against the media, and making decisions on conflict of

² Article 19. Memorandum on a set of draft laws regulating journalists, the media and the right to information in Timor Leste. March 2009. <http://www.article19.org/pdfs/publications/timor-leste-draft-laws-regulating-journalists-the-media-and-the-right-to-inf.pdf>.

interest charges. What may be most troubling is that failure to comply with a Media Council decision is considered contempt of court.

Despite these challenges to freedom of expression, the government generally respects that right, according to the U.S. Department of State's 2008 human rights report for Timor-Leste.³ There is no current law for protecting journalists against crime or violence. However, in 2008 there were no reported attacks on journalists. In addition, there are no other regulatory obstacles to starting a media business, other than gaining the appropriate license.

As the only broadcaster in the country with nationwide reach, Radio-Televisão Timor Leste (RTTL) service has a virtual monopoly on news and information distribution. Journalists in Timor's outlying districts report that when government officials come to their regions they are often not given access for interviewers. The only reporters who do get access are those from RTTL. As the state-owned broadcaster, RTTL is widely perceived as a government mouthpiece and has a virtual monopoly on news coverage, though it does not hold any legal advantages over other media outlets. Though there does not yet seem to be much of an issue with direct censorship, according to the Hironelle Foundation, it is certainly a potential greater future risk.

Libel remains a murky issue. Timor's current criminal laws are derived from Indonesia's penal code until the parliament adopts its own. As such, there are defamation provisions in Indonesian law. However, in at least one case, Timor prosecutors have refused to bring defamation charges against a journalist for publishing articles alleging nepotism and corruption against Timor's justice minister, based on the extant Indonesian laws.

There are no restrictions on Timor media's access to international news sources. Those who can afford access to satellite TV and the Internet glean most of their international news from there. However, such access is not widespread due to significant cost barriers.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Score: 1.88

The panelists' scores were all in line with the overall average for this objective.

³ Department of State. 2008 Human Rights Reports: Timor-Leste. February 25, 2009. <http://www.state.gov/drl/rls/hrrpt/2008/eap/119059.htm>.

Professional standards of journalism are arguably the least developed area of Timor-Leste's media sector. After years of colonial rule and armed conflict, journalists have been neither exposed to nor trained in international professional journalism standards. Access to education is also limited and university programs and resources are limited in their reach and resources.

Basic practices such as ensuring accuracy and verifying sources are rarely put to use. Some media associations have developed their own codes of ethics to encourage adherence to basic professional standards. However, several panelists said those associations may not best represent Timor's journalists because of their dependency on international donors. A 2006 USAID assessment of Timor-Leste's media sector suggested that training in these standards is severely lacking.⁴

Furthermore, should media laws become more restrictive, the relatively minor problem of self-censorship could become an even more significant issue as journalists seek to shield themselves from the consequences of potentially onerous laws, according to USAID's 2006 assessment.

Outright corruption does not seem to be a serious concern as yet, but the average journalist's salary is quite low: \$80⁵ to \$100 a month and only \$50 to \$60 in cities outside Dili. With such meager incomes, the temptation to accept bribes may certainly rise. Low salaries also raise the possibility of journalists seeking careers in other industries like public relations or with the many non-governmental organizations in the country. According to ICFJ country director Chuck Rice,

⁴ Kalathil, Shanthi. Timor-Leste media assessment. February 2006. USAID/Timor Leste. http://pdf.usaid.gov/pdf_docs/PNADF898.pdf.

⁵ The US dollar serves as Timor Leste's currency.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

brain-drain is a particular problem. Regional journalists often leave their villages and towns for higher paying jobs in Dili, often with international organizations that can offer more competitive salaries.

With a higher concentration of practicing journalists in Dili, journalists are more likely to cover stories that occur in the capital city because many don't have their own modes of transportation and the public transit system is not always reliable, according to Rice. On the occasion when there are government-related stories outside Dili, government officials typically provide transport to cover those events. However, journalists may not always cover those stories completely. For example, government officials recently transported Dili journalists to a regional event highlighting the use of heavy fuel, which is an environmental pollutant. However, none of the stories covering the event explained the nature of heavy fuel or its impact on the environment.

In fact, news coverage is sparse. Observers in Timor report that a plurality of broadcast content—as much as 70 to 80 percent—is entertainment programming, like music and other programs. Many newspapers carry four pages of sports and entertainment news each day.

Investigative journalism is still at a very young stage, according to the 2006 USAID assessment. Training in this and other niche reporting is sparse at both the professional and university levels. Furthermore, media do not have the equipment and infrastructure necessary to produce high-quality journalism.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Score: 1.70

On all but one indicator the panelists' scores were in line with the overall average score for this objective. Indicator 4 scored significantly lower as there are no independent news agencies that gather and distributed news for print and broadcast media.

While there are numerous media sources available—both in print and electronic—they are not necessarily affordable or accessible for most Timorese citizens. Newspaper subscriptions can be prohibitively expensive and high illiteracy rates are an obstacle to newspaper consumption in the rural parts of the country. Therefore, radio is more important in those areas, though it can be more expensive to access: financial constraints may limit some from the ability to purchase a radio or the batteries necessary to power that radio. Perhaps only half the population regularly listens to the public service Radio Timor Leste (RTL) and even less has access to the

public Timor Leste Television (TVTL), according to Fondation Hironnelle's 2007 national media survey.⁶

Access to international news sources is similarly limited by individuals' economic means. The Fondation Hironnelle survey found that less than 10 percent of the population cites international television or radio as sources of information about current events, though many listen to international radio broadcasts on the radio. However, it is unclear if people turn to these broadcasters—like the BBC, Voice of America, and Australian stations—for news. The public is far more likely to rely on RTTL or simply word of mouth for the latest news and information from around the world.

TVTL, the government-owned broadcaster, is the only television station that currently broadcasts nationwide in Timor Leste. A smaller station, STL, is less well-known and does not broadcast to all of Dili. STL is operated by a newspaper of the same name. In large part, access to television is limited to elites and satellite dishes are more commonly used to access stations outside the country. Satellite dishes are common in Dili and sporadically so outside the capital city. Much of the satellite programming comes from Indonesia, but is only accessible to those who speak Indonesian.

Otherwise, local television is non-existent as there currently is not a market to support such a media venture. Consequently, local coverage comes largely from RTL, which is based in

⁶ Soares, Eduardo and Graham Mytton. Timor-Leste National Media Survey Final Report. Fondation Hironnelle. May 2007. <http://timor-leste.usaid.gov/publications/USAID%20Timor-Leste%20National%20Media%20Survey%20Final%20Report%202007.pdf>.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Dili, though there may be up to 20 community radio stations around the country (the reported figures vary). These stations have become a critical source of information in remote communities where electricity is in short supply making television an unreliable option.

Correspondents based in outlying regions provide information largely based on information they are given by government officials, whether via press releases or press conferences. Indeed, when government officials visit cities outside Dili, they often only speak to journalists with RTTL, thus limiting the distribution of information. There is very little coverage about development and general quality-of-life issues, though in the past RTTL has produced programs about women's issues, though the current status of those shows is unclear. Consequently, news on RTTL is dominated by government officials holding news conferences. Reporters from the state broadcaster offer this information as fact without further analysis or reporting, observers say, providing a very one-sided view of the news.

TimorToday.com, a new venture launched by the International Center for Journalists with support from USAID and AusAID, aims to draw stories from ICFJ-established media centers in three Timor districts. The regional media centers give local journalists access to high-speed Internet, journalism training, and other services. The stories are produced in Tetum, but will also be available in English and Indonesian. There is no similar outlet providing news as a wire service or news agency.

Community radio stations produce their own news, which many listeners rank as their top priority when tuning into a station.⁷ However, the stations that most listeners tune into are foreign-owned or broadcast from neighboring Indonesia or Australia.

Newspaper readership remains low, with only about a third of respondents to the Fondation Hironnelle survey indicating they read newspapers on a regular basis. Of that third, a plurality read STL, the country's major national newspaper. Newspaper ownership is fairly transparent and there are only a handful of newspapers that reach outside Dili.

OBJECTIVE 4: BUSINESS MANAGEMENT

Score: 1.48

Only one indicator scored slightly higher than the overall average, while the rest were largely in line with the overall score. Indicator 5 (independent media do not receive government subsidies) scored slightly higher than the average.

⁷ Soares. .p. 35.

Few media outlets in Timor Leste are sustainable businesses. During the immediate post-emergency phase, donors dumped funds into the media sector to boost media outlets and ensure their sustainability, according to the 2006 USAID media sector assessment report. Many still rely on donor support or other funds from outside the country. However, as donors have moved away from sustained funding, many outlets are struggling, particularly as there are more on the market than existing advertisers can support. The little revenues that media outlets generate are largely used to pay staff costs. As such, donor funds may not directly impact how journalists cover their stories, but rather they may influence how the outlet operates or perhaps even how it sets broader news coverage goals.

There is not much evidence regarding such influence, but the risk is palpable. Because independent Timor media has been largely dependent on donor funding, its coverage has been shaped to reflect the priorities and interests of those donors, rather than of the Timor audience, according to the MSI panelists.

Furthermore, there is no sustainable infrastructure to maintain solid business models, according to ICFJ country director Rice and the 2006 USAID media sector assessment. Respondents agreed that it is critical for donors to transfer their focus from providing funds to maintain sustainable businesses to focusing on long-term training and support. Given the country's short history of independence and stability, general business practices have also struggled to develop. While some media outlets are sophisticated enough to develop marketing and advertising departments, the management skills remain

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

underdeveloped. For example, the magazine *Talitakum* made major strides in the early 2000s based on the volunteer efforts of its staff. However, management problems at the top forced the publication to close.⁸

The advertising market continues to struggle, however, it has demonstrated some signs of strengthening. Some international organizations have done work to boost the market. For example, ICFJ has conducted market research on advertising in newspapers. The results indicate that the market has not yet been fully tapped. In fact, newspaper advertising has gradually increased since August 2007. However, ICFJ's studies have been limited to advertising and marketing. No circulation studies have been done.

In addition, the government provides some subsidies for media organizations. For example, it purchases a set number of newspapers each day and places publicly-funded advertising in all newspapers around the country.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Score: 2.05

Most indicators scored in line with the overall average score. One was slightly higher, and another slightly lower. Indicator 3 (NGOs support free speech and independent media) scored slightly higher. Indicator 6 (sources of newsprint and printing facilities are in private hands, apolitical, and not restricted) scored slightly lower.

⁸ Kalathil. p. 10.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Timor Leste's media associations are very weak, and are often headed by individuals with a political background or affiliation, rather than one in journalism, according to the MSI panelists. In some instances, the associations will work together to file a common complaint against the police or government officials, but more often they argue over which organization best represents Timor's journalists.

According to ICFJ's Rice, a number of other media associations represent varied interests. They include: The Center for Journalism Investigations Timor Leste, which recently completed its first-ever Congress on Feb. 28, 2009; Timor-Leste Community Radio Association (known locally as ARKTL); Timor-Leste Photography Association, the Syndicate of Journalists, the Press Club, and Timor Lorosa'e Journalists Association. Some NGOs—ICFJ, Internews, Timor-Leste Media Development Centre, and the Asia Foundation—have worked to try to bring journalists together and to create active dialogues on topics like media law, but the groups' interests are often too disparate to reach a common ground.

ICFJ is working to establish a journalism degree program at a Timor university. The organization has helped students at the University of Peace publish a student newsletter. At Universidade Nacional de Timor Lorosa'e, ICFJ has helped establish Radio Akademika, a student-run station, with funding from USAID and the Australian Agency for International Development.

Other international NGOs have also done some short-term training programs for journalists, including Internews, though it is no longer represented in Timor. In its place, Internews established the Timor-Leste Media Development Center, which does some training activities.

Regardless of obstacles and opportunities for training, newspapers are distributed free of government interference, though the cost of printing can be prohibitively high for some outlets. For example, the *Dili Weekly* prints in West Timor to cut costs, while *Diario Nacional* owns its own printing press.

List of Panel Participants

Panelists for the Timor Leste study included senior journalists from print, radio, and television; media experts, and; media lawyers. Charles Rice, Timor Leste country director for the International Center for Journalists, also provided key input.