

No. 09/STAE/X/2011

**CODE OF CONDUCT FOR MEDIA PROFESSIONALS FOR
PRESIDENTIAL AND PARLIAMENTARY ELECTIONS**

Pursuant to subparagraph c) of article 8 of Law No. 5/2006 of 28 December, to article 77 of Law No. 6/2006 of 28 December, and to article 67 of Law No. 7/2006 of 28 December, the NATIONAL ELECTORAL COMMISSION approves the following to have the force of a Code of Conduct:

**CHAPTER I
General Provisions**

**Article 1
Scope**

The present code of conduct shall govern the acquisition of the status, the exercise of the functions, as well as the rights and duties of media professionals for the presidential and parliamentary elections.

**Article 2
Definition**

For the purposes of the present code, media professionals shall refer to journalists and correspondents of the written press and the radio and television broadcasting stations, whether public or private, covering the electoral process in Timor-Leste.

**Article 3
Accreditation of media professionals**

1. Media professionals interested in participating in the electoral coverage shall request STAE to grant them accreditation enabling them to enter polling centres, polling stations, and district and national tabulation stations.
2. Accreditation shall be granted against presentation of a personal identification document, a professional certificate, a certification issued by the media organ for which the media professional works, and the duly filled in identification form to be made available by STAE.
3. International media professionals shall be required to present a professional certificate or a statement issued by the media organ for which the

media professional works, the passport as a personal identification document, and the duly filled in form.

4. The process for granting accreditation shall start after the publication, in the Official Gazette, of the Presidential Decree setting the date for the elections and shall cease on the seventh day prior to polling day.

5. The validity of the accreditation of journalists, both national and foreign, shall expire after the publication of the electoral results by STJ.

Article 4 Rights of media professionals

In covering the electoral process, media professionals shall have the following rights:

- a) The right of access to electoral information sources, pursuant to the present code;
- b) The right to security conditions guaranteed by the political power to enable them to exercise their functions;
- c) The right to preserve secrecy of the information source, pursuant to the law;
- d) The right to be respected by the candidates and other electoral agents.

Article 5 Right of Access.

The right of access provided for in the preceding article shall be exercised in the following terms:

- a) For purposes of media coverage, media professionals shall have the right to accede to places where the entire electoral process takes place, including presentation of candidacies, electoral campaign activities, voting, counting of votes and tabulation of results;
- b) The right of access shall allow media professionals to watch the counting and tabulation of votes, without prejudice to the provisions of the following norms;

- c) Prior to initiating reporting in polling centres, polling stations, and district and national tabulation stations, media professionals shall obtain authorization from the chairperson of the polling centre in order to avoid disturbing the normal functioning of the polling centre.

Article 6
Duties of Media Professionals

In covering the electoral process, media professionals and media organs shall:

- a) Act with rigour and professionalism;
- b) Comply with the electoral laws and regulations, and promote democratic principles;
- c) Contribute towards the holding of free and fair elections, promoting the dissemination of news based on concrete facts;
- d) Grant equal opportunity and treatment to the various candidacies;
- e) Confirm all the information prior to its dissemination, hearing all involved or interested parties, standing ready to prove the veracity of such information at any time;
- f) For the purposes of the preceding paragraph, in case of error, media professionals and media organs shall correct any news that show to be false or inaccurate;
- g) Ensure impartiality and independence in covering the facts, through the dissemination of full and accurate electoral information and without showing preference for any list of candidacy;
- h) Refuse gifts, favours or special treatment from candidates or their representatives, and refrain from making promises on the contents of a press coverage;
- i) Refuse plagiarism, deliberate distortion of reality, unsubstantiated accusation, use of defamatory, calumnious, or aggressive language, or language inciting to violence or to discrimination of people on the basis of colour, race, ethnicity, origin, nationality, gender, sexual orientation, political or religious choice and mental or physical deficiency;

- j) Differentiate the activity of the candidates from their activities as holders of organs of political power in the exercise of their functions;
- k) Ascribe collected statements to their respective authors;
- l) Respect private life of people;
- m) Refrain from interfering in electoral operations;
- n) Not collect images and information that compromise vote secrecy;
- o) During counting of votes and tabulation of results, refrain from interfering in the process and only disseminate information provided by STAE, CNE and the STJ for the validation and publication of the electoral results.

CHAPTER II Final and Transitional Provisions

Article 7 Cancelling of Accreditation

1. In the face of doubts, protests and claims on the conduct of a media professional or a media organ that violates rules provided for in the present Code, CNE may warn such media professional or media organ in writing on the committed irregularity and request that such conduct be corrected.
2. Where, after being warned, such media professional or media organ persists in violating the rules, CNE, based on a substantiated opinion, may request STAE to cancel and withdraw the respective accreditation.
3. STAE shall proceed in accordance with the request made by CNE within 24 hours.
4. Decisions made by CNE shall be appealed against in conformity with the applicable legislation.

Article 8 Term of Commitment

1. A media professional or media organ applying for accreditation to cover the electoral process, in addition to presenting the forms and documents

provided for in article 3 of the present Code, shall sign three copies of a statement of commitment under which they undertake to comply with the provisions contained in the present Code.

2. For the purposes of the preceding paragraph, the first copy of the statement of commitment shall remain with the applicant, the second copy shall be filed at the STAE national headquarters, and the third copy shall be forwarded to CNE.

Article 9 Revocations

Any provision relating to media professionals covering the presidential and parliamentary elections that is contrary to the contents of the present Code is hereby revoked.

Article 10 Entry into force

The present Code shall enter into force on the day after its publication in the *Official Gazette*.

Code of Conduct for Media Professionals proposed by STAE.

Dili, 7 October 2011

Tomás do Rosário Cabral
Director of STAE

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**Approved in Dili on 7 October 2011
By the National Electoral Commission – CNE**

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