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<http://www.rsf.org/madagascar-jail-terms-for-defaming-officials-04-08-2014,46743.html>

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Africa - Madagascar

Criminal defamation

## Jail terms for defaming officials online under new law

4 August 2014

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Madagascar's National Assembly has quietly adopted a cybercrime law that provides for prison sentences for anyone insulting or defaming a state representative online.

Debated and passed without anyone knowing, the law has been the hot topic for journalists, bloggers and social network users ever since they learned of its existence. Any of them could be imprisoned if a court were to decide that something they posted on the Internet had slighted or maligned an official.

In response to the concerns of Internet users, the prime minister organized a meeting on 30 July to discuss the law. The report of the meeting says article 20 will be "revised and toned down to bring it into line with the future Communication Code" that "will be submitted to the National Assembly during the May 1995 regular session." As a result of this obviously erroneous date, it is not known when the law will be revised.

Under article 20 of the new law, using print or electronic media to "insult or defame" state representatives will be punishable by two to five years of imprisonment and/or a fine of 2 million to 100 million ariary (600 to 30,000 euros).

*"The law's failure to define what is meant by 'insult' or 'defamation' leaves room for very broad interpretation and major abuses,"* said Reporters Without Borders assistant research director Virginie Dangles.

*"Coming the week after the arrest of two journalists as a result of a defamation complaint by several ministers, the news of this law's adoption shows the government has no intention of embarking on the decriminalization of press offences. We strongly urge Madagascar's parliamentarians to change course and to eliminate this article when the law is revised."*

In the wake of the outcry about the [detention of two journalists on 21 July](#), President Hery Rajaonarimampianina said: "As president, I am against the imprisonment of journalists for actions that are part of their work and respect the law."

Although apparently well intentioned, his statement lacks significance at a time when Madagascar's legislation is curtailing freedom of information.

Passed by the National Assembly on 19 June, Law No. 2014-006 (LINK) on combatting cybercrime was pronounced in compliance with the constitution by the Constitutional High Court on 16 July.

Madagascar is ranked 81st out of 180 countries in the [2014 Reporters Without Borders press freedom index](#).

(photo :THIERRY CHARLIER / AFP)

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