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Mauritius: “Fake News” Arrest for Political Satire Not Legitimate

Rachna Seenauth was [arrested](#) on 15 April 2020 for posting a humorous message on Facebook about the Mauritian Prime Minister and the country’s response to the COVID-19 pandemic. The arrest was based on the grounds that the post was “false” and hence a breach of the Information and Communication Technology (ICT) Act. The Centre for Law and Democracy (CLD) is deeply concerned about the arrest of Ms. Seenauth, previously an assistant to the former Mauritian President. Neither “fake news” laws nor the COVID-19 crisis should be used as an excuse to target speech that is critical of political leaders or the positions they are taking in response to the crisis.

“General prohibitions on spreading misinformation or false news which are not linked to very specific results, such as defamation or fraud, are not legitimate,” said Toby Mendel, Executive Director, CLD. *“Ms. Seenauth’s case highlights the particular importance of protecting satire and other humorous statements, and not treating them as though they were statements of fact.”*

Ms. Seenauth’s post included an image of a newscaster announcing the “breaking news” that numerous high-profile heads of State would hold a conference call with the Mauritian Prime Minister. The post joked that world leaders were interested in the “miracle treatment” for COVID-19 which had led to zero positive cases in Mauritius, a “world first” outside of North Korea. It also wondered whether the “same method” had been used to win the recent general election. The image, accompanied by smiling emojis and noting that the credit for the story was “Unknown”, was clearly satirical.

[The ICT Act](#), as well as [another Mauritian law analysed by CLD](#), includes a number of offences which prohibit certain types of online content in vague and unclear terms, such as content likely to cause annoyance, humiliation or distress. The ICT Act also prohibits using telecommunications equipment to send messages which are false or misleading.

CLD is also concerned that Ms. Seenauth's lawyers were fined for [breaching curfew](#) while traveling to visit her. Although we welcome [news reports](#) indicating that Ms. Seenauth was released on bail on 16 April, we urge the Mauritian authorities to drop any charges against her. We also call for reform of the ICT Act to bring it into line with international standards.

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