

Annual Report on the Freedom of Information and Expression in Iraq from May 4th, 2022, to May 3rd, 2023.

Prepared by the monitoring and documentation unit at the Iraqi Women Journalists' Forum (IWJF).

Section One: Executive and Legislative Procedures.

- * The Media and Communications Commission forms a committee to prepare a regulation for digital broadcasting that restricts freedom of expression.
- * The House of Representatives continues not to decide on legislation related to the media and freedom of expression, such as the right to access information, freedom of Assembly, and peaceful demonstration.
- * Complicated governmental measures apply to foreign journalists coming to Iraq.

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Introduction:

The security and judicial authorities in the federal government, the Kurdistan Regional Government, and some influential political parties and factions, as well as official media institutions, continued to impose repressive restrictions on freedom of expression in all its forms targeting all traditional and new outlets of expression, such as social media platforms, to limit information flow, and reduce the participation of individuals who share their opinions on government policies in all aspects.

The report was based on the presentation and analysis of the public policies of the Iraqi authorities and their agencies on press freedom, freedom of creativity, freedom of digital expression, the right to access information, the right of demonstration, peaceful assembly, and gender equality in media institutions. All of which were the cases that the Iraqi Women Journalists' Forum has been monitoring and documenting, as well as providing legal support to the victims of these violations through the legal unit of the forum.

The highest percentage of threats, harassment, detentions, and bans was in the Kurdistan region, according to the results of the report. This forms a great concern and a clear violation of the rights and freedoms guaranteed by the Iraqi constitution.

The monitoring report on the freedom of information and expression in Iraq from May 4th, 2022, to May 3rd, 2023, is divided into five sections. In each of these, we highlighted the most important public policies and procedures regarding freedom of information and expression as well as a presentation and analysis of the most prominent patterns of violations that occurred during the preparation of the report.

Section One: Executive, Administrative, and Legislative Procedures.

The House of Representatives continues not to decide on legislation related to the media and freedom of expression, such as the right to access information, freedom of Assembly, and peaceful demonstration:

On November 22nd, 2022, the House of Representatives completed the first reading of the Information Crimes Law draft in a way contrary to the freedom of expression guaranteed by the Constitution through Article 38. It included a prison sentence that may affect journalists and bloggers seeking to disclose corruption files and humanitarian cases against the government and judicial authorities. The House of Representatives also continued not to legislate the right to access information and freedom of demonstration and peaceful assembly due to political tensions.

The Media and Communications Commission forms a committee to prepare a regulation for digital broadcasting that restricts freedom of expression:

The regulation of digital content prepared by the Media and Communications Commission in Iraq has sparked a wide debate among the media, academic and legal sectors. Especially regarding some of the penalties mentioned in its paragraphs towards digital contents and news sites. The regulation consists of 36 articles and 17 chapters; However, the seventh article is considered the most controversial since it stipulated that official documents should not be disclosed or leaked or telling what is going on in secret official meetings except by special permission, which specialists considered "ignorance" of the nature of media work in democratic regimes. The leaked list also included phrases that can be interpreted in various ways, such as national security, protecting individuals, threatening civil peace, preventing the circulation of hate and sectarian phrases, and others.

Complicated governmental measures apply to foreign journalists coming to Iraq:

Official security agencies (linked to Al-Sudany office) and the Media and Communications Commission impose complex procedures on foreign journalists coming to the country. The Iraqi authorities carry out severe restrictions on foreign journalists coming to Iraq and impose a series of complex procedures by the Media and Communications Commission, the National Operations Center, and the Joint Operations Command.

Section Two: Freedom of the Media.

The security and judicial authorities continue to restrict the work of media professionals:

During the preparation of the report, the Iraqi Women Journalists' Forum monitored the security agencies in the capital and Kurdistan region who continued targeting journalists through a set of measures varied from beating, arresting, detention, destruction of equipment and raids. The forum documented 21 cases of preventing media coverage, including 12 cases in the Kurdistan region, more than 8 journalists were beaten, half of them occurred in the region, and the arrest of 15 journalists in Kurdistan including the arrest of the TV presenter of KNN channel, Somma Khalid, by members of the Asayish police in Sulaymaniyah.

In addition, the journalist "Kouhdar Zebari" was imprisoned for the second time on vague charges after spending two years in detention in Erbil. Seven journalists were detained by the security forces, three of them were in Kurdistan, and five media institutions were raided by the security forces, four of them occurred in the region.

On June 14th, Kirkuk Court issued an arrest warrant and investigation by the national security service against the journalist Haider al-Hamdani. According to the memo, Al-Hamdani was accused of defamation, Article 433 of the Iraqi Penal Code, after he addressed the appeals launched by members of the army. The same journalist was also subjected to a series of arrest warrants after he exposed many files of financial and administrative corruption through his televised program.

On November 7th, 2022, the Federal Police in Kirkuk seized the equipment of the NRT channel cadres and "Zoom Media" institution, while returning from their coverage of the security reality in the Daquq District of Kirkuk governorate. On March 21st, the Criminal Directorate of the Ministry of Home Affairs filed a lawsuit at Rusafa court against the director of the I-News channel " Ahmed Saddam Sahin" and the correspondent of the channel "Israa Khalid" following a report broadcast by the channel and revealed corruption charges in the Police Affairs Agency of the Ministry of Home Affairs. In addition to that, the media professional, Nour al-Naimi, was threatened to be kidnapped and murdered by an unknown entity on March 16th, 2023, in an attempt to stop her media work at Al-Nahar radio.

The table below shows some cases of prevention, arrest, beating and detention:

	Date	Case
1	06/06/2022	Aggravated assault on a channel staff in Karbala during riot police disperse a demonstration with an electric baton.
2	09/06/2022	Asayish forces prevented the media from covering the explosion of the plane bomb in Erbil and detained a journalist

		reporter.
3	13/06/2022	Security forces in Kirkuk prevented a journalist from performing his duties.
4	24/06/2022	The Assistant Police Commander of Karbala prevented journalists from covering an incident of a fire breaking out in one of the city's restaurants, and verbally abused the correspondent of Al-Baghdadiya TV, Fadel Al-Ghazi.
5	01/08/2022	Asayish force in Sulaymaniyah arrested the correspondent of the NRT channel 'Karzan Tarek' and the photographer 'Janes Ahmed'.
6	06/08/2022	The authorities of Kurdistan region in Dohuk arrested the director of the NRT office, 'Taif Goran', and its correspondent 'Briar Nirui' and confiscated their press equipment.
7	06/08/2022	Kurdistan Region Security launched a series of arrests involving ten reporters and a website manager.
8	29/08/2022	A security force in the green zone prevented UTV channel reporter and cameraman from covering the protesters when they entered the presidential palace.
9	06/09/2022	Asayish security officers in Erbil arrested the correspondent of the NRT channel "Karim Keifi" while covering the incident of a bombing drone.
10	07/09/2022	The Antiquities Police in Kirkuk province prevented the team of the Turkmen channel of the Iraqi Media Network from covering the campaign to clean up Kirkuk fortress.
11	08/09/2022	Basra Operations Command prevented a few satellite channels from covering the entry of Iranian visitors from the Shalamcheh port.
12	26/09/2022	Khanaqin Heads issued orders to the judicial police to prevent all media from covering any event without obtaining their consent.
13	27/09/2022	The staff of Dijla channel was subjected to a beating attack by employees of a construction company because photographers were documenting the stages of implementing bridges in Najaf governorate.
14	28/09/2022	The security forces in Kirkuk prevented "Kirkuk and Kurdsat News" channels from covering the destruction of the "Altun Bridge" caused by a series of Iranian strikes.
15	07/10/2022	The security forces in Erbil prevented three press teams from covering the incident of a bombed car on Friday in the neighborhood of "Sarbusti", destroyed their equipment, and beat others.
16	10/10/2022	The Anti-Terrorism Service in Sulaimaniya arrested the editor-in-chief of "Power Media" Foundation and its news director while returning from Sulaimaniya to their place of residence, in Erbil.
17	12/10/2022	Members of the National Security Service in Mosul arrested

		the director of "Hala FM" radio, Sattar Al-Mahal, and released him upon financial bail two days after his detention.
18	12/11/2022	The correspondent of the Zakros channel, Mustafa Salman, was beaten by an Asayish security officer.
19	26/11/2022	Members of the riot forces in Al-Kadhimiya/Baghdad prevented many media outlets from covering a demonstration organized by the people of the area and attacked a photojournalist with batons.
20	15/12/2022	Baghdad Operations Command was directed to prevent all media from broadcasting live videos from the TV screens set up by Baghdad secretariat in Tahrir Square, the center of the capital, to broadcast the matches of France and Morocco in the semi-finals of the World Cup.
21	27/12/2022	Members of the army in Basra prevented staffs of UTV channel and "Times Square" Radio from entering the Olympic Port Stadium in Basra, to cover the opening ceremony.
22	27/12/2022	The staff of "24 Kurdistan" channel was severely beaten while covering a fire incident that broke out at Erbil oil refineries.
23	24/01/2023	Members of the Asayish police in Sulaymaniyah arrested "Somma Khalid", TV presenter of "KNN" channel, for criticizing the poor conditions in health institutions.
24	07/02/2023	Members of the movements of the ninth Anbar emergency Regiment prevented the cadre of " Al-Rasheed" channel from covering inside Al-Ramadi bazar.
25	16/02/2023	A security force in Anbar arrested the cameraman of al-Baghdadia channel, "Noor Thamer al-khikani", and his technical assistant, "Munir Al-Hasani", while returning from Ramadi to Baghdad, and passing through Al-Soqoor security unit.
26	16/03/2023	The journalist Nour al-Naimi, who works at Al-Nahar radio, was threatened with kidnapping by an unknown party if she proceeded with her work in media.
27	28/03/2023	Basra Investigation court issued an arrest warrant following a complaint filed by the National Security Agency against the media professional, Haider al-Hamdani, according to Article 433 of the Iraqi Penal Code, stated that "attributing a certain incident to others in public ways that, if true, would result in the punishment of those assigned to them".
28	06/04/2023	Security members prevented the correspondent of the "Kurdsat News" channel, Walat Hassan, from meeting the wounded people of a mine explosion incident, in the Soran District of Erbil governorate.
29	13/04/2023	The security forces in Erbil prevented a press team from covering the anniversary of the genocide of the Kurds and confiscated their equipment.
30	17/04/2023	Unknown members in Erbil have beaten the staff of "KNN "

		channel during their coverage of a special activity about Kurdish fashion.
31	27/04/2023	The Ministry of Home Affairs complained about the media professional, Haider al-Hamdani, according to Article 434 of the Iraqi Penal Code, and the Rusafa court in Baghdad requested the recruitment of Al-Hamdani.

*** Preventing coverage of demonstrations and protests:**

Regarding the right of peaceful demonstration and assembly and its media coverage; the period of preparation of this report have witnessed security agencies targeting participants in the demonstrations, citizens and media professionals, and suffered injuries. The following table documents these cases:

	Case
1	On June 6th, the staff of "One News" channel in Karbala was beaten while covering a demonstration in front of the Provincial Directorate of Education building.
2	On July 5th, members of the law enforcement force in Basra detained the cameraman of "Watan" channel, Karar Al-Mohammadawi, and seized his journalistic equipment to prevent him from covering a demonstration in front of the governorate building.
3	On July 30th, a reporter and cameraman of Al-Mayadeen TV channel in Baghdad were slightly injured while covering protests near the green zone.
4	On August 6th, the authorities of the Kurdistan region continued to pursue and suppress journalists after calls by civil and opposition forces to demonstrate in the cities of the region.
5	On August 29th, a security force prevented the staff of UTV channel from covering the entry of protesters to the government palace in Baghdad.
6	On August 29th, the security of the Green Zone arrested the crews of "Al Jazeera" and "Al Rasheed" and assaulted other journalists and confiscated their equipment while covering the protests at the government palace building in Baghdad.
7	On October 1st, the police of Suran District in Erbil governorate prevented the correspondent "Speida" channel, Yunus Hamid, from covering students' demonstration of one of the schools in the district.
8	On October 1st, the photographer of the agency "Reuters", Haider Kazem, was slightly injured in his hand while covering the protests near the Republican bridge in Baghdad.
9	On October 25th, the Joint Operations Command in Baghdad prevented the media from covering the anniversary of the October protests in Tahrir Square.
10	On November 13th, armed members in civilian clothes prevented many satellite channels from covering student demonstration, launched in Sulaymaniyah near the political office of the Patriotic Union of Kurdistan, seized their equipment, and arrested a photojournalist.
11	On November 20th, Maysan police smashed the camera of Al-Marbad TV while covering a demonstration of educational graduates in front of the governorate's educational building. Riot police prevented satellite channels from covering a

	demonstration in "Al-Kadhimiya" and beat a photojournalist.
12	On November 26th, members of the riot forces in Al-Kadhimiya/Baghdad prevented many media outlets from covering a demonstration organized by the people of the area, and beat a photojournalist with batons.
13	On February 19th, journalists in Erbil who tried to cover student demonstration were prevented, beaten and had their equipment broken.
14	On February 27th, a security officer confiscated the equipment of "Al-Ahd" TV channel staff to prevent them from covering a demonstration near the green zone in Baghdad.
15	On March 15th, members of the riot forces prevented the correspondent of "Larsa News" agency, Khudair al-Salhi, from covering the protests that have been going on for days, in Al-Islah district of Dhi Qar governorate.

*** Incitement campaigns, threats, raids, and storming of several media institutions:**

The forum has recorded intrusions, armed targeting, incitement campaigns and threats against several media institutions by armed factions and unknown parties. Protesters of Sadrist movement closed the Office of "Al-Furat" channel in Basra, the forum knew that because of statements made by the leader of the Wisdom Movement, Ammar Al-Hakim, which was considered as an incitement against Sadrist Movement, as the Sadrist Followers said. Also, on October 4th, the supporters of Sadrist Movement stormed "Al-Rabia" channel and destroyed some of its equipment and furniture based on what the Sadrist followers considered as an accusation of "Al-Mahdi" Army to negotiate with the US Army and hand over its weapons to them in previous years.

On November 13th, "Dijla" channel was subjected to threats and incitement campaigns from political parties because one of the channel presenters' expressed disagreements that one of the schools used other than the national anthem in their flag-raising ceremony. On March 25th, unknown gunmen targeted the building of "Al-Baghdadia" channel causing damage to the building without any human injuries.

The Federal Government and the Kurdistan Regional Government imposed observation on the live broadcast of media institutions, this in turn has restricted the transmission of events and closed some institutions.

*** Withholding information:**

On October 7th, 2022, Basra Education Directorate issued an order to all school administrations to prohibit any employee or teacher from disclosing any information to the media or posting on social media regarding any issues of the educational institutions, in an attempt to prevent public opinion from being involved in it.

The Enforcement Department of the Ministry of Justice issued an order on October 31st, 2022, banning the media from covering within its directorates in all governorates of the country, without revealing the reasons. On November 27th, the General Director of Education in Maysan (southern Iraq) issued an order banning the media from filming inside school buildings.

Although the draft law of the right to access information has been in the Iraqi parliament since 2012, and many conferences, seminars and workshops have been held to raise awareness of the importance of legislating the right to access information in accordance with international standards, some political parties have hindered the progress of legislation so far because it will expose cases of corruption in the country.

The delay in legislating the law contradicts international covenants and treaties ratified by Iraq, such as the International Covenant on Civil and Political Rights of 1966 (ICCPR), Article 19 of which states in its second paragraph that "everyone has the right to freedom of expression" including "the freedom to seek, receive and transmit information and ideas of all kinds regardless of boundaries, whether by word, writing or printing, in any form or by any other means".

Journalists, activists, and specialists have expressed their concern of a legislation of another law that contradicts the right to access information, that is under the (Information Crimes Law), which was first read in the Iraqi parliament on November 22nd, 2022.

Section Three: Digital Rights.

*** Targeting individuals and websites:**

- The security services in the Kurdistan region continued to launch a series of arrests. The director of the Kurdish news website was arrested and detained, to prevent the site from transmitting events to public opinion.

- A group of women in media were subjected to a systematic campaign to target their private accounts via Telegram application, including: (Nibras Al-Mamory, Anne Salah, Hala Al-Kateb, Asraa al-Taie, Asma Talqani, Aseel Al-Bayati, Rasha Al-Husseini, Intiqab al-Qaisi) and others. This campaign affected Hala Al-Kateb particularly by blackmailing her and defaming her reputation and threatening her life, especially that she lives in a city of a religious and tribal nature, forcing her to leave work. During this defamation campaign that she was subjected to, the Iraqi women Journalists' Forum launched a campaign to support her mentally and communicating with local police and national security to protect her and reveal who carried out this campaign. However, the authorities could not reach out to the doers.

- On January 16th, 2023, the Ministry of Home Affairs launched a campaign to combat offensive content by creating "Report" platform to report what it considered offensive and abusive contents. However, the ministry or judicial authorities did not issue a list of acts classified under the term "violation of public morals and public orders". The campaign resulted in the issuance of six judicial verdicts against celebrities on social media and investigating eight others on account of violating modesty and public morals. The judicial verdicts varied between imprisonment for six months and a maximum of two years. The punishment was based on Article 403 of the Iraqi Penal Code, which stated: "Anyone who made, imported, exported, acquired, made or transferred, exploited or distributed a book, publications or other writings, drawings, photographs, films, symbols or other objects if they are indecent or violate public morals shall be punished by imprisonment for a period not exceeding two years and a fine not exceeding two hundred dinars or one of these two penalties. The same penalty shall be imposed on anyone who

advertises any such thing, displays it to the public, sells it, rents it, or offers it for sale, even if not publicly. And everyone who distributed it or handed it over for distribution by any means whatsoever, it is to be considered as an aggravating case if the crime was committed with the intention to corrupt morality".

However, Article 403 of the Iraqi Penal Code did not address the electronic publication in the first place nor identified exclusively the acts of this crime, which is an article that was initiated in 1969 and has not been updated since then.

- The social media accounts of activists and journalists are also monitored by official and unofficial authorities, which resulted in some of them being threatened and arrest warrants issued against them on account of posts they shared on social media platforms, which restricts their freedom of expression and threatens their lives and future.

*** Blocking some websites:**

On November 4th, 2022, the Iraqi minister of communications, Hiyam al-Yasiri, directed to block pornographic sites in Iraq. The ministry did not specify specific sites to which the "blocking decision" applies. It is worth mentioning that decision comes days after a decision was made by the Ministry of Transport in the Kurdistan Regional Government to ban pornographic sites. Software specialists believe that a complete blocking of pornographic sites on the internet is not possible due to their complexity, varying goals of the content and constantly changing titles and significations.

It is noteworthy that the House of Representatives at its last session in September 2015, voted in favor of obliging the Ministry of Communications to block pornographic sites on the internet, but the decision was not fully activated.

Section four: freedom of creativity.

Stop broadcasting (Al-Kaser) series:

In March 2023, the Media and Communications Authority decided to stop the broadcast of "al-Kaser" series on UTV channel during the month of Ramadan. The commission's decision to stop the series comes after MP, Mustafa Sanad, who belongs to the coordination framework with a parliamentary majority, demanded an official letter addressed to the Media and Communications Commission to stop broadcasting the series because it "offends the communities of southern Iraq" and "the reputation of the tribes". The Official letter noted that the series does not adhere to "ethical constraints", although the series had previously received the approval from the Iraqi Artists Association, and the latter did not note any violations or breaches at the time, and it was broadcast after receiving all official approvals.

The decision to suspend the series urged the Iraqi Artists Association to issue an official statement on March 26th, 2023, explaining that it had examined the content of the Al-Kaser series, followed the first and second episodes, and found nothing in it that offends the values and traditions of the Iraqi people. And suspending the series is a clear restriction of culture and art

using illogical arguments. However, the Association objection did not change the Media and Communications Authority's decision to stop the series.

Activists of freedom of expression and press freedom denounced the commission's decision and considered it a violation to the right guaranteed by the Constitution, stressing that the commission fell into the trap of prejudice, as it did not view the work in full rather than based its decision on political motives. This creates obstacles to the art and drama production in Iraq, which seems to be surrounded by obsessions of moods and prejudices.

*** Arrest warrant for the actor Ahmed Wahid because of his role in (Khat Ahmaar) series:**

In April, one of the lawyers filed a lawsuit against the actor, Ahmed Wahid, for insulting the Supreme Judicial Council in the country through his role in "Khat Ahmaar" series which was broadcast on UTV channel. The lawyer accused the actor that he was "mocking" the late Judge (Mohammed Oraibi), however, the media office of the Supreme Judicial Council issued a statement clarifying that there is no case against the actor Ahmed Wahid, and what happened was that one of the lawyers submitted an order to the Rusafa Investigation Court and the judge directed him to the appropriate procedures according to the administrative contexts that need to be followed on each order submitted to the judge. The lawyer filmed it, without taking the matter to court or a specific police station to complete the complaint procedures.

Ahmed Wahid responded through a post on his Facebook account, saying that his reputation was compromised, and his personal security was unstable in the past period.

Section Five: Gender Discrimination:

- The legal unit at the Iraqi Women Journalists' Forum received a lot of complaints filed by women in various specialties related to gender discrimination and harassment in media institutions. A group of female journalists have recounted that there is discrimination in participation in workshops, conferences, official interviews, and briefings, as well as in holding decision-making positions.

- The Iraqi Women Journalists' Forum has monitored that the Board of Trustees of the Iraqi Media Network has remained still over the past period without real representation of women in it, despite the network's law stipulating that one third of the board should be represented by women.

- Four women in media were subjected to sudden termination of services without prior warning due to the lack of approved official employment contracts in those institutions, which has led to the loss of their rights and insufficient time to obtain a new job opportunity.

- The forum recorded that some media institutions have continued to represent the stereotypical image of women through their programs and drama series they produce, not taking into consideration the experiences of other countries that have come a good way, especially in the field of drama, in order to raise the status of women, enhance their participation and reduce violence against them, especially domestic violence and its consequences.

Recommendations:

- * The Iraqi Women Journalists' Forum calls on the Iraqi Parliament and government to legislate the law on the right to access information, and demands the need to withdraw the draft law on information crimes and replace the draft with a set of measures that the Media and Communications Commission could work on it with social media, similar to some Arab countries.
- * All security institutions should consider the freedom of expression, media, demonstrations, and peaceful assembly guaranteed by the Constitution and not to use violence with media professionals and citizens, whether during media coverage or participation in demonstrations.
- * The Iraqi government should provide adequate protection to media institutions from raids, threats and intrusion by some parties that are under political and security control.
- * The forum also calls on the federal government and the Kurdistan Regional Government to immediately release detainees because of expressing their opinions in all forms, and to stop targeting citizens for the same reason.
- * Cancel the court verdicts issued to the users of social media applications accused of offensive content and regulate the process of addressing offensive content through awareness, education, advance warning, and awareness of the legal consequences.
- * The Media and Communications Commission should respect the freedom of creativity and not repeat what happened in the dramas and programs broadcasted during the past month of Ramadan, such as banning, preventing, threatening, and adopting administrative and artistic procedures after coordination with the Iraqi Artist Association has been made, to preserve the freedom of creativity and television production.
- * The Parliamentary Culture and Media Committee, as well as the Parliamentary Women's Committee, should monitor and follow up on the rights of women in official and unofficial media institutions, granted the right to license and broadcast by the Media and Communications Authority, and follow up on the gender equality in recruitment and employment, their representation and participation, and their role in management and decision-making positions.
- * Official and unofficial media institutions should organize training workshops for male and female journalists in order to protect them from hackers and threats because of social media.

