



# The Media Landscape in Iraq

Part of UNDP Iraq Citizen Journalism Project







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# Executive Summary

This study tries to clarify challenges and problems facing Iraqi media since 2003. It identifies problems and attempts to propose solutions, suggestions, or to mitigate their intensity and their negative effects on the freedom of expression, media, opinion, and publication. The study investigates the extent that the media environment in Iraq complies with international standards, to what extent the Iraqi media and its legislations are compatible with the Iraqi Constitution of 2005, and its compliance with Article (38) of the Iraqi Constitution.

Center for Defending Freedom of Journalists (CDFJ) in Amman, Jordan, led the preparation of this study in cooperation with the Civil Development Organization (CDO) through the United Nations Development Programme's (UNDP) Citizen Journalism Project, supported by the Government of Germany.

## Literature Review:

Dozens of studies, pieces of research, and media reports were assessed in order to fulfill the goals of the study. This comprehensive study is intended to provide a broader perspective on the Iraqi media during democratic transition over the past 19 years, during which Iraq witnessed several transformations, challenges, and conflicts, as well as the impacts of terrorist groups on social and political stability and the extent of its impact on the Iraqi media and journalists.

## Methodology:

The study uses a descriptive methodology. Twelve Iraqi journalists, media figures, and officials from the media sector took part in one focus group discussion. Seven in-depth personal interviews with journalists and media figures in Iraq were also conducted, and outcomes of the twelve roundtable discussions that were organized as part of the Citizen Journalism project were also integrated in the development of this study. The study's structure was based on the five main UNESCO indicators and how they affect media development. UNESCO uses these indicators to conduct media assessment studies in many countries, including Jordan, Palestine, Egypt, Libya, and Tunisia. These main indicators include the following pillars:

1. *Media systems that support freedom of expression and pluralism and diversity of media.*
2. *The plurality and diversity of the media (economic equality and transparency of ownership).*
3. *The media as a platform for democratic discourse.*
4. *Building professional capacities, and supporting institutions that promote freedom of expression, pluralism, and diversity.*
5. *Adequate infrastructural capacity to support the independence and pluralism of the media.*

Each indicator has several subcategories. This study uses most of the indicators' subcategories and neglects others because they overlap with other subcategories looking at the same or similar topics.

## The study consists of six chapters arranged as follow:

- **Chapter One:** An introductory overview of the status of media in Iraq.
- **Chapter Two:** Media systems that support freedom of expression, pluralism, and diversity (local legislations in Iraq).
- **Chapter Three:** Media pluralism and diversity (economic equality and ownership transparency).

- **Chapter Four:** Media as a platform of democratic discourse.
- **Chapter Five:** Building and supporting institutions that underpin freedom of expression, pluralism, and diversity.
- **Chapter Six:** Adequate infrastructure capacity to support the independence and pluralism of the media.

**The study concluded with several recommendations that were categorized according to the concerned authorities:**

- It recommends the House of Representatives reconsiders all laws regulating media freedom in Iraq such as the Penal Code, the Journalists' Rights Law, the Publications and Publishing Law, the Journalists Syndicate Law, and assist in approving the Right to Information Law, developing of the media broadcast regulations issued by the Communications and Media Commission, and conduct a comprehensive review in accordance with the opinions and assessments of media professionals on the draft cybercrime law before returning to its discussion, and the abolition of any legal text that permits the arrest of journalists based on opinion cases.
- The study recommends that the Iraqi government determine the controls that guarantee the freedom of the Internet, and pledge not to withhold the broadcasting service from journalists, press institutions and citizens. It should reconsider the Communications and Media Commission law to ensure greater transparency, and refrain from closing media organizations without legal pretexts that are consistent with international standards and without violating the operative part of Article (38) of the Iraqi Constitution.
- The study also recommends the government achieve the principle of gender equality and non-discrimination between female and male journalists in a manner that guarantees equality in appointing female journalists in the media offices of the ministries. It should activate the Communications and Media Commission as an umbrella for the Iraqi media and a body built to achieve balance between all parties to the media industry, with independence from political and partisan pressures. It should promote and develop public media to service the public—truly public and not governmental—through which international standards and best practices are achieved. The government should adopt a clear policy instructing security forces not to attack journalists while performing their duties and not to violate their rights and freedoms.
- On the issue of impunity, the study recommends that the government adopt a declared policy to ensure accountability for all those who assault journalists, establish the principle of non-impunity in Iraq, and provide guarantees that ensure that the government and its agencies treat seriously and pay attention to all complaints submitted by journalists against anyone who violates their freedoms and rights, whatever the status and position of violator, while instructing those responsible to desist from filing malicious lawsuits against every journalist who exercises his constitutional and legal right to publish and criticize without slander or insult.
- The study recommends the government to develop a clear media strategy for the next three to five years and choose specialized bodies to implement it in partnership with the Journalists Syndicates in Iraq. The application of this strategy should be concurrent with the creation of amendments to the system of laws regulating freedom of opinion, expression, and publication. The government should also allocate financial resources to support media organizations to ensure their continuity with clear terms and conditions.
- The study recommends that the judicial authorities train judges on issues of publications and freedom of opinion and expression, so that the judiciary has a body of judges specialized in issues of the press, freedom of expression and publication. The study also

recommends training lawyers on how to deal with issues of freedom of opinion and expression to improve their performance in pleading for journalists before the judiciary, thus creating a generation of lawyers specialized in issues of press freedoms and freedom of opinion and expression. It should establish positive modes of networking between journalists and judges and lawyers in Iraq through participatory workshops, and trainings that bring together the two parties to discuss views on common issues.

- The study recommends that journalists avoid any political, sectarian, or national polarization and avoid engaging in political conflict and maintain neutrality in their reporting. It also recommends that journalists' skills be developed through specialized training in modern media, legal protection, personal safety, and exerting pressure for the purposes of achieving the principle of self-organization investigations. Journalists should establish a binding code of conduct and honor code for journalists and media institutions in Iraq.
- In its recommendations to the Communications and Media Commission, the study calls for the development of a media strategy for the commission related to training programs and improving the experiences and practices of journalists, and the development of training programs for journalists in legal protection, modern media, personal protection, and the uses of social media applications, and drafting a new law for the CMC in line with Article (38) of the Iraqi Constitution, with the aim of abolishing the current law inherited from the former regime.
- The study recommends the Communications and Media Commission establish an observatory in the Journalists' Syndicates in Iraq to monitor hate speech in the Iraqi media, and financially support media institutions to protect them from bankruptcy by setting a number of safeguards, supporting job and professional security for journalists. It should set up a mechanism that ensures the equitable distribution of government advertisements to media institutions, work to promote diversity and multiplicity of union representation, and work to achieve the principle of self-organization in accordance with international standards.



## Chapter Summary

### Chapter One:

The chapter begins with an introduction to the state of the media in Iraq. It highlights the country's low ranking in the 2022 Reporters Without Borders' Press Freedom Index. Iraq's ranking was the worst in the world over the past two decades, at 172 out of 180 countries.

RWB indicated the reasons Iraq fell so low was due in part to several figures and religious institutions deeming themselves sacred and unable to be criticized.

The study indicated that the most prominent thing that can be described here is the "freedom and chaos" that imposed itself on the Iraqi media after the American occupation, where more than 200 newspapers, 80 radio stations, and 20 satellite channels were established, in addition to the spread of satellite dishes to capture external satellite broadcasts, and then the adoption of the constitution in 2005, which guaranteed freedom of the press, opinion, and expression in Article (38).

The study considered that external funding to serve a foreign agenda is one of the characteristics of the media, and this funding appeared in many Iraqi media outlets that assumed the service of external parties that aspire to play a role in Iraq.

Many voices indicate that the state of Iraqi media is subject to many more factors. This chapter highlights the overall state of Iraqi media, and the challenges problems that should be addressed.

According to the study, the dominance of sectarianism, division, and hate speech represent one of the most important characteristics of the Iraqi media, saying that sectarianism, factionalism, and regionalism dominated many Iraqi media outlets, and the political and sectarian polarization in post-occupation Iraq was accompanied by the transformation of most Iraqi media into means of promoting discourse which led to the spread of hate speech and incitement against the other.

The most dominant characteristics of media in Iraq addressed in this chapter are as follows:

#### **1. Confined Freedom of Expression**

Iraqi media after the American occupation gained relative freedom of speech but was deprived the freedom to act.

The state of media in Iraq is one of "freedom and chaos" that arose after the American occupation when media in Iraq expanded and multiplied. The media in Iraq saw a revolution one year following the occupation. Hundreds of newspapers, radio stations, television channels, and more were established. But chaos developed when untrained workers were recruited into the media sector. This led to a low-level media sector supervised by unqualified and untrained people.

After the occupation powerful people became the ones able to fully utilize their freedom of expression. This category includes people associated with powerful political entities, people affiliated with protected sects that are immune to criticism, and other similar individuals.

#### **2. Iraqi media funded by external entities.**

The study found that external funding to serve foreign agendas is a major player in the Iraqi media. Moreover, the study found that Iraqi laws did not address external interference in the media and did not view it as a threat to the independence of the media or as having a meaningful influence

in society. This apathy led to the dependence of many Iraqi media on external funding without accountability.

Despite the revolution seen in Iraqi media, funding is still a chief concern facing media in Iraq. The study considers that the problem of funding, whether from internal or external sources, has resulted in lack of media independence. Donors became the ones who determining editorial policy and the political and ideological line of media outlets. Donors and funders began imposing specific agendas to be followed by all media workers working in a given media institution. This puts media workers and journalists under threat to lose their jobs if they do not follow the agenda, instructions, and policies of funders.

According to the study, journalists in Iraq need a legal culture, with training on legal protection, knowledge of the international human rights system that Iraq has signed onto, and the extent the country has manifested it in laws regulating media freedom and ensured the right to freedom of expression. Journalists must be familiar with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. They must also know how to avoid hate speech, and the difference between speech as freedom of opinion and as hate speech.

### **3. Sectarianism, partisanship, division, and hate discourse**

According to the study, the dominance of sectarianism, division and hate speech is one of the most defining characteristics of the Iraqi media. Forms of division such as sectarianism, factionalism, and regionalism have dominated many Iraqi media outlets in addition to the political and sectarian polarization in post-occupation Iraq which has accompanied the transformation of most Iraqi media into means to promote hate discourse. As a result, hate discourse was widely spread, promoting incitement against others.

Hate discourse and sectarianism are factors weakening professionalism in media through the strong dominance over media in Iraq. In recent years, the phenomenon of hate discourse has significantly declined as its influence became minor. Nevertheless, it is still present in Iraq.

### **4. Infinite Violations**

The study notes that Iraq is ranked third after Somalia and Syria according to the international “Impunity” indicator. The forms of violations are varied and numerous against journalists in Iraq. Violations by the state, government agencies, and their affiliated institutions form one part, in addition to violations coming from third parties such as the security authorities and different entities.

As a priority, violations sourced from the top of the hierarchy should be addressed. The laws of the country that do not guarantee protection, different rights, and basics guarantees journalists must either amended or abolished. The study confirms that a major part of these violations is gender discrimination between men and women, and that Iraqi female journalists in particular suffer from discrimination, harassment, and extortion.

### **5. The dilemma of inherited laws and legislations.**

This is the main challenge facing the media in Iraq. Iraqi journalists and media professionals face prison sentences because of many laws, such as the Penal Code, which are inherited from the former regime. The continued use of these inherited laws constitutes a real obstacle to the development of the media and guaranteeing its freedom in Iraq. Laws and legislation are insufficient, outdated, and no longer meet the requirements and demands of media and journalism in Iraq.

## Chapter Two:

The second chapter is dedicated to the media systems that support freedom of expression as well as the plurality and diversity of media outlets. Article (38) of the Iraqi Constitution of 2005 guarantees freedom of expression and opinion, freedom of the press, printing, advertising, and publishing, freedom of assembly and peaceful demonstration, regulated by law, and was in line with international standards governing freedom of opinion and expression, as stipulated in Article (19) of the Universal Declaration of Human Rights, although it did not provide for the protection of this right.

However, the 2005 Constitution kept the laws of the former era in effect and in force, which allowed a significant volume of laws and legislations depriving freedoms to remain. This violation leaves the door open for the executive authorities to use them, particularly those contained in the Penal Code. Further, Article (38) guaranteed rights and freedoms, but the legislative framework regulating media in Iraq needs comprehensive review to make it consistent with international standards for freedom of media and expression and to with the text and spirit of the Iraqi Constitution.

In relation to the presence of defamation laws and the fundamental legal limitations that negatively affect freedom, the study shows that they vary and are not restricted to any single law. Iraq's legal system is inherited and restricts freedom of expression and freedom of the media across legal systems. Therefore, Constitutional Text No. (38) requires amending laws to be in line with the Constitutional text, including the Penal Code.

The study found that Penal Code No. 111 of 1969, inherited from the previous regime, violates international standards governing freedom of opinion and expression, as well as violating the text of the Constitution which pledged to guarantee that freedom. The study referred to many freedom-depriving articles in the Penal Code, including Articles 180, 182, 202, 210, 211, 225, 227, 228, 433, and 438, which signals that the updated Penal Code should be checked against these articles.

Regarding the draft for the “electronic crimes” (cybercrimes) law, the Iraqi parliament postponed its approval due to the opposition, as it includes freedom-depriving articles, and numerous penalties.

In 2008, the Kurdistan region passed the Law Preventing the Misuse of Communication Devices No. 6 of 2008 in which Article (2) allowed the imposition of “prison penalties and financial fines, among other things, for misuse of cell phones and e-mail, (or more broadly the Internet).”

Iraq is still without a law for the Right to Access Information, despite the existence of a draft bill in the House of Representatives since 2015, and despite the continuous calls by media professionals and civil society organizations to approve this law. The Kurdistan Regional Parliament approved the Right to Access Information Law in 2013, which includes many exceptions that prevent disclosure of information to petitioners.

Regarding radio broadcasting systems, licenses for paper and electronic publications, and satellite and radio broadcasting, the Iraqi Media and Communications Commission (CMC) is the entity that regulates information technology. According to the authority, the number of licensed stations in Iraq is 55 radio stations, 37 satellite stations, and 40 companies and media offices. While in Kurdistan Region, there are no laws regulating the work of satellite channels, radio stations, or websites. The Iraqi CMC has issued a series of requirements and restrictions on applying for radio, television, and satellite broadcasting licenses. In 2019, the CMC issued a list of media broadcasting rules including a general description of the basic principles and rules binding on all media agencies licensed by the authority, and a detailed explanation of how to apply them.

This regulation was met with severe criticism by the media sectors and local and international human rights organizations, especially after the outbreak of popular protests in October 2019 when the commission closed several television broadcasting stations and radio stations for three months due to violations of the commission's licensing rules.

The study refers to the book issued by the Commission at the end of July 2021, which included 11 conditions for selecting interviewees for talk shows, which sparked a wave of criticism. These instructions were not new or surprising to the media, as were mentioned prior in the list of media broadcasting rules issued by the Commission in 2019, in addition to the availability of most of them in the Commission's law.

The law grants the minister the authority to authorize publication licenses or dismiss requests within a month of application if he finds reasons required by the public interest. The law allows those whose requests are rejected the right to object to the minister's decision at the Council of Ministers within fifteen days from the date notification. The decision of the Council is final. The law also granted the Minister the power to approve the change of the editor-in-chief, the name of the periodical publication, or the place and dates of its publication.

### **Chapter Three:**

Chapter three addresses media plurality and diversity, and economic equality, and transparency of ownership. It also highlights challenges encountered by public and private media in Iraq, the impact of donors on Iraqi media independence, and the role of the advertisement market in supporting independence. It is crucial that the Iraqi governments create a national media strategy, its authority should be derived from Article (38) of the Iraqi Constitution, taking into consideration the international bill of human rights, opinion and expression freedom, and Iraq's commitment to human rights.

The study classifies diversity and pluralism in media since the occupation of Iraq in 2003 into three patterns: governmental media, sectarian and partisan media, and independent media.

The study shows that although the media scene today is less severe in terms of quantity and type of media discourse, divisive and fragmented discourse still serves political, partisan, tribal, and sectarian interests. Journalists are still paying a high price, with the majority of media outlets are following parties, or businessmen and politicians, or sects, ethnicities, and other Iraqi races. As a result, media pluralism in Iraq has been subjugated by businesses, sects, and political parties.

The study found that media pluralism in Iraq faces the following challenges:

1. Domination by financiers from political, religious, ethnic, and racial groups.
2. Being threatened by legal sanctions inherited from the previous regime, and politicians of various orientations taking advantage of this to threaten media.
3. Media that avoids criticism and exposing instances of corruption because it is threatened by sectarianism and security.
4. Independent media, few in number, currently suffer from economic crises that threaten their existence and may facilitate the process of their disappearance from the media arena.
5. Media without lacking safety from the common threats against journalists and media professionals, which increases the rate of self-censorship because of fear for personal safety.
6. The absence of job security for journalists, which keeps them in a state of constant fear for their jobs, leading some media professionals to accept the de-facto policy or flee outside Iraq.

7. Media facing professional, legal and legislative challenges, and harsh media legislation from the former regime.
8. Media lacking the trust of the Iraqi public.
9. Low public support for freedom of the press and the media.

According to the study, the absence of a true public media is one of the most significant challenges facing media in Iraq. The Iraqi Media Network, although set up as a public media outlet, remained governmental. The study contends that the establishment of a public media or a public broadcasting service necessarily requires several safeguards to sufficiently guarantee the independence of public broadcasting from interference by the government, while ensuring independent editing, and the independence of the board—itsself set up to ensure representation of the public in the administration.

The study found that most of the so-called “private media” is in fact media affiliated with political and partisan figures who mostly represent sectarian, doctrinal, racial, and ethnic entities.

Generally, the most prominent challenges facing the Iraqi media are the lack of a clear vision for the media in Iraq, the exploitation of the press to drive political polarization, the difference in the legal structure between the Kurdistan Region and the central state in Iraq, the increasing role of social media, and professional journalism. These are in addition to the challenges of security, independence, and funding.

The study found that independent media that is not funded or subject to parties and politicians has become the most likely to disappear from the media market in Iraq due to lack of funding and the rise of social media, which became the biggest competitor to independent private media.

The study also found that the low contribution of commercial advertising to securing the required funding aids for independent media in their ownership by parties and politicians represents in itself an existential challenge. It threatens the survival of true independent media and precipitates their disappearance from the media market, clearing the way for political and partisan media who inundate the public with their rhetoric. Additionally, there are still restrictions on commercial advertising in Iraq, and government adverts are issued unfairly.

The challenge of media ownership decides the extent of these media's ability survive and continue publication. Hence, the media map in Iraq in terms of ownership is dominated by the following:

- "Public" government ownership.
- Political party ownership.
- Private political property.
- Independent private ownership: This autonomous media ownership relies on distribution, spreading, and advertising. It receives the smallest amount of commercial advertising, and occasionally may be subject to the requests of the advertiser or the intermediary to intervene in the editorial policy.

The study confirmed that the issue of financial funding for the Iraqi media remained one of its most prominent challenges. Journalists are open about the fact that funding, foundations, and sponsorships from outside the country are trying to control the Iraqi media.

The study concludes in this chapter that the loss of some media institutions' financial independence has jeopardized their editorial independence and brought it under scrutiny over the past few years. As a result, donors affiliated with parties, politicians, influential people, and sectarians use the media as a tool to advocate for their policies and goals. The biggest losers have

been the media's independence on the one hand, and the public's right to receive true and accurate information on the other.

#### **Chapter Four:**

The fourth chapter investigates the idea that the media serves as a platform for democratic discourse, assessing the extent to which political and sectarian conflicts are control the course of media coverage. This is due on the one hand to sectarian conflicts and on the other to terrorist groups like ISIS that have destroyed Iraq, with journalists endangered by both. Because the media is a reflection of its environment, it has been completely affected by the conflict, especially because of its financiers.

A large part of the Iraqi media audience continues to hew toward Iraqi media discourse that is biased towards their sect, which they believe defends, protects, and supports it.

The study noted that the Iraqi Constitution guaranteed "the freedom to establish associations and political parties, or join them, and it was not permissible to force anyone to join any party, association, or political entity, or force him to continue his membership in it" in accordance with Article (39) of the Constitution. The study also discussed the plurality of union representation for journalists.

The study found no text in the Iraqi laws governing journalistic work that prohibits or promotes a plurality of union representation for Iraqi journalists or self-organization through the formation of broad councils. Rather, the Iraqi Journalists Syndicate law makes it hard to determine who counts as a journalist in the first place. The law of the Iraqi Journalists Syndicate defines a "journalist" as "any member of the union for the purposes of this law", while imposing "a penalty of imprisonment for a period not exceeding fifteen days or a fine not exceeding fifty dinars on anyone who practices the profession among those who are not affiliated with the union," or whoever was prohibited from doing so by law. Newspaper owners may not appoint persons who are not members of the syndicate into a journalist position with a monthly salary, and they may appoint foreign correspondents abroad.

The Journalists' Rights Law defines a journalist as "anyone who practices a full-time journalistic work." The laws of the press in the Kurdistan Region follow the laws of Baghdad closely in determining who may be called a journalist. In Kurdistan, journalistic work law states that journalism is "the performing of journalistic work at different media channels," and defines journalist in the fifth point of the same article as "anyone who performs journalism at media channels." Moreover, paragraph (D) of the first article of the journalists' syndicate law in Kurdistan, defines journalist as "anyone performs journalism, is affiliated to the syndicate, and is obliged to his/her commitments."

The study confirms that one of the most important pillars for achieving self-organization for journalists is independence, and democratic legislation that guarantees freedom, the right to access information, and ensuring the availability of a political and legislative environment. The freedom of the press and media must be guaranteed, and it must come by decision by the members of the profession without any government pressure.

The Metro Center's report for the year 2021 reveals the extent of violations facing Iraqi journalists and the extent to which the personal safety of journalists is threatened, their media institutions subject to violent attacks by terrorist groups or mobs as well as closure orders, prevention of broadcasting and publishing. The safety of Iraqi journalists remained in real and ongoing danger for a number of reasons, including the laws that were left over from the previous regime. These laws' texts are used by some politicians and partisans to intimidate journalists, threatening them with going to the courts or being imprisoned.

Women journalists come under particular threat. "Out of 100 cases of murder, threats, kidnapping, injury, beating, and arrest, 32 of them were Iraqi female journalists who were subjected to threats, defamation, and extortion," according to the report on the monitoring of Iraqi female media professionals. For reasons of privacy and security, most respondents refused to reveal their identity.

#### **Chapter Five:**

The study examines the issue of building professional capacities and supporting institutions that promote freedom of expression, pluralism, and diversity in its fifth chapter. It questions whether Iraqi media professionals receive important training and concludes that journalists have been the target of numerous training and rehabilitation workshops conducted by Iraqi civil society organizations or by specialized regional and international organizations with the goal of rehabilitating Iraqi journalists and equipping them with a variety of skills necessary for their work.

In addition to the early establishment of the Iraqi Media Network and the Communications and Media Commission, which came into being in the era of democratic transition after 2003, the study found that the task of monitoring and evaluating the Iraqi media fell to civil society organizations. Some organizations specialize in monitoring violations against journalists, while others specialize in human rights in Iraq and the Kurdistan Region.

A quick look at the workshops and training courses that Iraqi journalists attended both inside and outside of Iraq reveals that the majority of those workshops and training courses dealt with journalists' safety, including how to incorporate human rights in news stories, how to cover conflicts in high-risk areas, issues pertaining to refugees, laws governing freedom of speech and the press, the right to information, the use of social media, and training for trainers' courses.

It was necessary to train journalists to use modern media and its multiple technologies, and it was also necessary to emphasize that those who cannot keep up with this development give their place to those who master the use of recent technologies. This opened the door to holding hundreds of workshops and training on how to use these technologies for the purpose of qualifying journalists and media professionals to adapt to modern media. The study shows that modern media and its various means are charting rapid technological leaps, such as social media platforms like "Facebook, Twitter, Instagram, YouTube, WhatsApp."

Further training is needed on "the need for Iraqi female and male journalists to organize a training program to build the capacities of male and female media professionals and bloggers on gender, taking into account women's issues, how to use the Internet as a source of information, organizing positive campaigns, and organizing training workshops on hate speech, and its impact on societal peace and gender discrimination," Dr. Nibras Al-Ma'amouri wrote in an exploratory study.

The study identified many qualified bodies in Iraq that can provide training, including the unions of journalists in Baghdad and Kurdistan, civil society organizations specialized in the field, the Communications and Media Commission, their Media Training Institute, the press institutions themselves, and universities, as well as international organizations and federations specialized in the media field.

Training journalists and professionals in the media will not be practical unless it is accompanied by the creation of legislation that regulates freedom of expression, media, publishing, and the promotion of freedom. Otherwise, the product and content will not be affected by any professional or technical training or qualification efforts.

Despite the fact that the public has retreated to strict self-censorship online for fear of being the accusation of defamation and its consequences, social media has nevertheless been liberated

from authority control, and laws and legislation attempting to control modern media are no longer fully adequate to mitigate its influence.

According to the study, the quality of the training, its impact on the daily work environment in newsrooms, who conducts the training, the degree to which training is linked to the work environment and practice, the development of Iraqi trainers' skills and capabilities, and the capacity of media institutions' departments to keep up with the training outputs received by journalists are among the most significant challenges in these trainings.

It is essential for Iraqi journalists to receive a variety of general and specialized trainings. Training on human rights coverage, international standards of human rights, the local and regional reality of human rights, and merging the human rights system with journalistic form and content are just a few examples. Trainings also need to be based on different modern media techniques, in fields such as television, radio, satellite broadcast, or online, production techniques like writing, photographing, making movies, and using social media and mobile journalism, among other things.

The study also suggested that training should focus on the best methods for addressing climate change, pockets of poverty, marginalized groups and minorities, as well as discuss laws, personal safety in conflict zones, legal protection, professional ethics, journalists' rights and responsibilities, how to deal with corruption, information verification mechanisms, testing sources and credibility, and using photos in written and electronic press.

#### **Chapter Six:**

Chapter six assesses whether or not the infrastructure exists to support media pluralism and independence. The study has pointed to the availability of the internet in Iraq in relation to the use of contemporary media techniques by Iraqi journalists. "The number of internet users in Iraq is up to (30.52) million users, with an increase of 700,000 users from 2020," according to state statistics for 2021. According to the Digital Media Center in Iraq, this shows that seventy-five percent of Iraqi residents use the internet.

Electronic journalism and social media platforms were found to be the most commonly used by journalists working for various Iraqi journals, with news websites coming in first with a percentage of 47.2%, search engines coming in second with 26%, and political websites coming in third with 22.1%. This suggests that news websites should take precedence when it comes to using cutting-edge media strategies. The same survey found that 99.7% of people use digital applications. Facebook came in first with a usage rate of 29.3%, WhatsApp came in second with a usage rate of 21.5 percent, Viber came in third with a usage rate of 20.9%, Instagram came in fourth with a usage rate of 10.8%, Telegram came fifth with a usage rate of 8.7%, and Twitter came in sixth with a usage rate of 7.1%.

Internet service was brought to Iraq in the year 2000, and this service developed after the year 2003. However, Internet service is relatively weak and suffers frequent interruptions in service, which has prompted the Ministry of Communications to improve the infrastructure, including the implementation of the optical cable project, as well as launching shock operations to prevent smuggling of capacities.

According to the study, successive Iraqi governments have blocked Internet service multiple times, particularly in areas where people were protesting against government policies and the economic situation. For example, broadcasting service from southern Iraq was cut off during the protests of 2021, and likewise in areas where people were protesting.

The study referred to the report published by the Iraqi Digital Media Center in February 2022 which shows an increase in the number of active social media users compared to 2021. The



number of social media users reached 28.35 million active users, an increase of 3 million and 350,000 users from the previous year, including 18.85 million users on Facebook platform, 15.45 million active users on Instagram, 13.8 million users on Snapchat, and 1.9 million users on Twitter, 1.4 million users on LinkedIn, in addition to 16.15 million users on the Facebook Messenger application. These statistics reveal the reach of social media platforms in Iraqi society, and the extent of their impact on the awareness and behavior of the public, as well as the volume of information that is circulated, in addition to its impact on the media, which raised the issue of the extent to which the media depend on information first published on social media, to what extent the media can benefit from it, how to verify its credibility, how to handle it, to what extent it affects the electronic and traditional media, and whether it can be considered modern media or not. Muayad Al-Lami, The Head of the Iraqi Journalists Syndicate, made this point clear, saying "social media has positively affected and rewarded citizen with the right to a broader view."

# Chapter one

## Introductory Preview: Media State in Iraq

Iraq's 2022 classification in the Media Freedom Index issued by Reporters Without Borders (RWB) is the country's worst ranking for the last 20 years. Iraq ranked 172nd out of 180 countries<sup>1</sup>, and fell a further 9 places in 2022, compared to 2021, when it ranked 163rd out of 180 countries.

This result indicates a significant decline in 2022. The country's ranking has fluctuated for several years, 160<sup>th</sup> for 2018, 156<sup>th</sup> for 2019, 162<sup>nd</sup> for 2020, and 163<sup>rd</sup> for 2021. But the collapse in 2022 represents a clear and worrying decline.<sup>2</sup>

RWB identifies several reasons for Iraq's poor ranking. Iraqi journalists face threats in light of government and state institutions that fail to properly protect journalists, making them vulnerable to the capture by political parties, and independent news is almost non-existent, with threats and political polarizations making objective reporting untenable.<sup>3</sup>

In its assessment of press freedom in Iraq, RWB asserts that, although the Iraqi constitution theoretically guarantees freedom of the press, laws in force in Iraq commonly contradict their articles. For instance, journalists are being prosecuted for defamation through the draft cybercrime law, which allows them to be sentenced to life in prison. RWB also sees inequity in media funding. Funding sources are generally closely linked to political and partisan affiliation, which pushes Iraqi media to give up its independence in exchange for financial support and sustainability.<sup>4</sup>

Furthermore, RWB notes that some religious figures and institutions are considered sacred and not subject to criticism. This makes journalists vulnerable to prosecution or publishing freezes on charges of "insulting national or religious symbols." In recent years, many journalists have also been killed, kidnapped and/or threatened by armed groups.<sup>5</sup>

RWB's analysis is merely a summary of the reality of media in Iraq, there are more problems and challenges facing journalists in Iraq.

According to the journalist Omar Al-Shaher "The state of chaos includes that weapons have become available to everyone, and they are used by many parties to settle their accounts with those they think are their enemies. So, while during Saddam's time this came from one party, it is now carried out by multiple parties."<sup>6</sup>

This situation of "freedom and chaos" took over the Iraqi media after the American occupation. It is clear that successive Iraqi governments were unable to preserve freedom and could not control the chaos that prevailed in Iraq. According to journalist Asaad Zalzali, "Since 2003, we have gained freedom of speech, and lost freedom of action. Today, there is chaos in the media. There is no

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<sup>1</sup> Bara'a Shaba'a, communication and media official at World Health Organization in Iraq, described media freedom in Iraq, according to international indicators as dangerous and in need for addressing – this was stated in her intervention during brainstorming session organized by Center of Freedom for Journalists with Iraqi journalists via zoom, dated 17/05/2022.

<sup>2</sup> Review of Iraq classification at journalism freedom indicator on Reporters Without Borders official website:

<https://rsf.org/ar/%D8%AA%D8%B5%D9%86%D9%8A%D9%81>

<sup>3</sup> Reporters Without Borders, available at the link:

<https://rsf.org/ar/%D8%A7%D9%84%D8%A8%D9%84%D8%A7%D8%AF/%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82>

<sup>4</sup> Previous Resource.

<sup>5</sup> Previous Resource.

<sup>6</sup> Journalist Omar Al-Shaher in an in-depth interview with Center for Defending Freedom of Journalists via zoom for the purposes of the study.

right to obtain or access information, and we have a shortage in independent media institutions unaffiliated with parties.”<sup>7</sup>

Journalist Amal Baglan believes that "One change has occurred regarding freedom of expression and the media in Iraq since 2003: only journalists affiliated with the authorities in Iraq have freedom of expression, and there are no independent journalists in Iraq. Everyone is affiliated with a party or an influential personality."<sup>8</sup> According to journalist Magda Al-Shujairi, "Iraqi journalists have freedom of speech, but it is not complete. We do not have a law that protects the journalist, and we lack laws that regulate the media and protect journalists."<sup>9</sup>

After 19 years of occupation in Iraq, and the resulting major political transformation, the reality of media in Iraq today can be analyzed as follows:

### **1. Uncontrolled freedom**

Iraq witnessed clear freedom after the occupation, but it was not restrained, and it moved closer to chaos. This was reflected in the press, the media, and its diversity.

### **2. Non-independent media revolution**

Iraq witnessed a real expansion of the media sector after the occupation. However, most of the new media organizations were not independent, rather affiliated and funded by political parties and influential individuals with political ambitions seeking to obtain a political role in the post-regime phase. This led to the general loss of Iraqi media independence. Media remained subject to guidance from stakeholders and funders.<sup>10</sup>

The Iraqi media environment opened up during the "American occupation, and by 2004, more than 200 newspapers began to publish, in addition to about 80 radio stations and 20 television channels. The Iraqi public also rushed to buy satellite dishes and receive broadcasts from abroad. A revised Constitution promulgated in 2005 provided freedom for the media, as well as initial optimism about a new era for Iraqi media."<sup>11</sup>

The Head of the Iraqi Journalists Syndicate, Muayyad Al-Lami, believes that "The media has changed from a stage of chaos to a stage of gradual maturity, going by the risks to which journalists were exposed—and I mean here the killing of journalists, and the lack of a safe environment for journalistic work. I stress that the Iraqi media has not fully matured, you could call it a relative maturity. As the Iraqi media has progressed since 2003 towards maturity, it has faced political and terrorism crises such as ISIS. During the war against ISIS, we lost 55 journalists."<sup>12</sup>

The Head of the Media Forum in Iraq, Nuri Hamdan, believes that "The political mind in Iraq does not see the media as anything but a tool to pass its policies and decisions. The political situation in Iraq today has reached the point of sterility, and this affects media work and freedom of expression." He adds that "the journalist in Iraq is not afraid of the laws, but he fears the decisions of the leaders of the armed factions and sects that are above the law. Sectarian discourse has

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<sup>7</sup> A comment during a brainstorming session organized by Center for Defending Freedom of Journalists with a number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>8</sup> A comment during a brainstorming session organized by Center for Defending Freedom of Journalists with a number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>9</sup> A comment during a brainstorming session organized by Center for Defending Freedom of Journalists with a number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>10</sup> Previous Resource

<sup>11</sup> Fanack institution, <https://bit.ly/3IKOfZ8>

<sup>12</sup> Iraqi journalists' representative Muayyad Al-Lami, during an interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

become a hate discourse imposed on the Iraqi media. There is no longer an independent media in Iraq, and there is no neutrality in the Iraqi media.”<sup>13</sup>

### **3. Weaknesses in media professionalism**

This is clearly reflected in the content produced by most media outlets at the expense of professional and objective reporting.

Journalist Omar Al-Shaher sees that “one of the reasons for the instability of media freedom in Iraq, is related to major weakness in professionalism.”<sup>14</sup> In his turn, journalist Dia’a Al-Nasri clarified that “There is professionalism in the Iraqi media, but we also have failures. Because of the lack of independence of the media, there is an impact on the independence and professionalism of the individual journalist.”<sup>15</sup>

### **4. External funding to serve an ambitious agenda**

External funding plays a major role in the work of many Iraqi media outlets, allowing foreign actors to influence Iraqi society and discourse.<sup>16</sup>

According to the Head of the Iraqi Journalists Syndicate, Muayyad Al-Lami, “Iraq has many Islamic, secular, and nationalist parties. Funding from these parties has created media that adopt a predetermined line, which those who work in these media outlets adhere to. So, these media institutions began to influence internal politics and the work of journalists. On the other hand, there were thousands of journalists working objectively and professionally, and there were great sacrifices at the national level, such as the sacrifices during the war against ISIS.”<sup>17</sup>

The Editor-in-chief of Freedom News Agency, Ahmed Al-Hamdani, believes that “many media workers are not qualified. Parties use media outlets to spread their propaganda to bring down their competitors, and the media is proceeding according to an agenda that is not only political but supported from abroad. The support provided to media outlets was from partisan interests trying to make their voice heard. The problem is that the Iraqi scene shifted after 2003 and moved from a unilateral system to a multipolar system without a clear vision and plan.”<sup>18</sup>

### **5. Absence of professional responsibility**

Many Iraqi journalists’ lack of familiarity with professional responsibility has led to the emergence of issues related to its impact on society. Real and relevant information is not provided to the public—especially regarding violations against citizens. This is often for reasons related to the policies of media funders, whether political parties or other interest groups.

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<sup>13</sup> A comment made during a brainstorming session organized by Center for Defending Freedom of Journalists with number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>14</sup> Journalist Omar Al-Shaher during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>15</sup> Journalist Dia’a Alnasri during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study

<sup>16</sup> Los Angeles Times published in 30/11/2005 that the American administration has a specialized budget to be confidentially distributed among Iraqi media in order to publish news and stories about the American army battling terrorists. These materials were written by officials of the American Army media department to raise America’s image among Iraqis. Lincoln group received the materials. Mohammed Al-Ta’ai, director of the “Faiha” channel confessed that the funding was shared between the Iraqi upper class, and the approved American congress grant. Abed-Alrahman Saloum Al-Rawashi (Media Scene in Iraq: Reality and prospects) Albayan journal, issue 343, December 2015 – Available at the link: <https://www.albayan.co.uk/MGZarticle2.aspx?id=4791>.

<sup>17</sup> Iraqi journalists’ representative Muayyad Al-Lami in an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>18</sup> A comment made during a brainstorming session organized by Center for Defending Freedom of Journalists with number of Iraqi journalists via Zoom, dated 17/05/2022.

## 6. Sectarian dominance, division, and hate discourse

Sectarianism, factionalism, and regionalism dominate many Iraqi media outlets. The previously discussed financial incentives on media have led to the consolidation of sectarianism, factionalism, and even ethnicity and regionalism as divisions in Iraqi society.

Journalist Ziad Al-Ajili believes that "Hate discourse and sectarianism are the result of professional errors that are considered in international standards to provoke sectarian strife. All media platforms claim to defend the trends they are associated with, and this defense generates mistakes,"<sup>19</sup> and that "[hate discourse] has significantly declined in the Iraqi media, and even if it is found, it is no longer influential."<sup>20</sup>

Some of these newspapers and media institutions played roles that deepened the differences between the people through their sectarian narratives. In addition, some practiced political or financial blackmail by threatening to publish damaging articles and videos about politicians and state officials and exposing them to the Iraqi public and the judiciary.<sup>21</sup>

Ignoring this trend in media outlets has resulted in failing to live up to "Media and press principles and charters which state that journalism is a social responsibility and a national, humanitarian and moral message, and that peoples have the right to have freedom of expression without compromising the freedom and beliefs of others, and their right to obtain truthful information, and work to confirm national unity and not stir up strife racism or sectarianism, commitment to objectivity, accuracy and professionalism, not exploiting the profession for personal gain, respecting the right of individuals and families to secrecy of their private affairs, human dignity, not spreading scandals, and adhering to the religious and moral values of society."<sup>22</sup>

"The great confusion between sects' rights and sectarian media has become the most prominent feature in the Iraqi media."<sup>23</sup>

The hate discourse promoted by some Iraqi media "has become an integral part of their basic value, further, hate speech has become their goal through, and this is what made them raise their tone and their abhorrent rhetoric... donors have paid a lot of money to promote hate speech, and some of them have not only opened one media outlet, but have expanded to two, three or maybe more."<sup>24</sup>

These may be the most prominent phenomena that have emerged in the Iraqi media after 2003, but there are many other factors working in conjunction. Some of these additional factors have become intractable problems. The most important of them can be summarized as:

### Challenges that encounter media in Iraq

#### 1. Legal and legislative challenge

The main challenge facing the media in Iraq. Iraqi journalists face prison sentences because a number of laws including the Penal Code. The Iraqi parliament passed a law called the "Journalists'

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<sup>19</sup> Media Professional Ziad Ajilie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>20</sup> Journalist Ziad Alnasri during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>21</sup> Shtha Al-Amlī, "Iraqi journalism looking for freedom under restrictions" – published in 13/05/2022 – Arabic Independent – Available at the link: <https://bit.ly/3PetAix>.

<sup>22</sup> Hussain Saleh Al-Sabawi "sectarian media's role in devoting division" – available at the link: <https://rasammerkezi.com/estimate-position/9144/>

<sup>23</sup> Suhaib Alfalahi -Sectarian media in Iraq – Arabic 21 – available at the link: <https://bit.ly/3PBPJao>.

<sup>24</sup> Mustafa Sadoun – Hate discourse in Iraqi media – available at the link: <https://bit.ly/3yKPaEE>

Protection Law", but "it is not in line with international standards for freedom of expression and does not provide any serious protection for journalists. It imposes restrictions on who can qualify as a journalist and on how information is accessed and the nature of its disposition."<sup>25</sup>

Divisions in the journalistic body prevent any possibility of coming together with the aim of drafting legislation related to freedom of expression and the media. No attempts under the current framework matured. In addition, the loyalties of some media institutions to political parties prevented the presentation of any legislative proposal to Parliament."<sup>26</sup>

Al-Shaher points out that "Several attempts have been made to enact legislation for freedom of expression, including freedom of the media, but they have not succeeded. The goal was for the executive authorities to have tools to control the media, but they did not pass because of the resistance of Iraqi journalists. As a result, the Iraqi journalist is still being tried according to laws passed by the now-dissolved Revolutionary Command Council from the time of Saddam Hussein. There is also another problem besides the confused legal environment, which is the low awareness of journalists of legal sources, as few of them know the legal line between criticism and defamation. The judiciary tried to solve this issue by not arresting journalists and formed a court specifically for publishing issues in 2010, but it did not stand due to the absence of a clear legal reference and the chaos of legislation. So, it was dissolved, and the cases returned to the competent authorities."<sup>27</sup>

Human rights defender and journalist Hussam Al-Hajj notes that "there are 6 articles in the Iraqi Penal Code that allow the imprisonment of a journalist and deprivation of his freedom, and there are no articles in any other law that permit this,"<sup>28</sup> while Journalist Dia'a Alnasri believes that "legislations and legal provisions related to media are good, but they are not well-implemented"<sup>29</sup>. The Head of the media department at the Communication and Media Commission agrees with Al-Nasri and affirms that "legislation is good, but the implementation by the competent institutions is inadequate. They are not able to protect journalists or hold them accountable."<sup>30</sup>

## 2. Security challenge

The personal insecurity of Iraqi journalists remains one of the most difficult challenges they face. Dozens of Iraqi journalists have been killed, kidnapped, or forcibly disappeared since the occupation in 2003.

From 2003 until 2022, Iraq lost more than 500 journalists—men and women.<sup>31</sup> The Head of the Iraqi Observatory for Journalistic Freedoms, Hadi Glo Marei, confirmed in his speech to Al-Jazeera Net that these were due to numerous government violations, violations by foreign forces, the threats of extremist organizations, and finally judicial prosecutions, threats, and intimidation.<sup>32</sup>

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<sup>25</sup> Syrian Center for Media and Freedom of Expression, "Iraqi journalists' protection law, doesn't protect journalists"—available at the link: <https://bit.ly/3ze3S8z>.

<sup>26</sup> Journalist Omar Al-Shaher during an in-depth interview with Center for Defending Freedom of Journalists via Zoom the purposes of the study.

<sup>27</sup> Previous resource.

<sup>28</sup> Rights defender and media professional Hussam Al-Hajj during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>29</sup> Journalist Dia'a Alnasri during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>30</sup> Head of media department at the Communication and Media Commission during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>31</sup> Statements of the Iraqi observatory for journalistic freedoms, Hadi Jalu, to Al-Jazeera – published in 03/05/2022 – available at the link: <https://bit.ly/3PxzCuy>.

<sup>32</sup> Previous resource.

### 3. Personal safety of journalists

Regarding the personal safety of journalists, the main indicator remains Iraqi journalists' exposure to dozens of violations while engaging in press coverage.

According to the report issued by the Press Freedom Advocacy Association in Iraq on 3 May 2022, 280 cases of violations against journalists were observed from May 3, 2021, to May 2, 2022. Baghdad and Erbil ranked highest with 56 violations. As for Kirkuk governorate, it was ranked second in terms of violations, and such violations included assassination attempts, raids and armed attacks, kidnapping, death threats, injuries during coverage, filing lawsuits, arrests, and detention, as well as beatings, preventing and obstructing coverage, closing channels and laying off workers. The report stresses that this is similar to what it recorded last year in the number of violations that affect journalists and other media workers. It reached these statistics through daily and real-time monitoring of all violations.<sup>33</sup>

Violations disproportionately affect female journalists. According to a study for UNESCO titled "The Chilling: Global trends in online violence against women journalists" 73% of the women journalists surveyed had been threatened, intimidated and insulted online in connection with their work.<sup>34</sup>

### 4. Violations and impunity<sup>35</sup>

The Metro Center for Journalists Rights and Advocacy considered Iraq the third worst country in the world in 2021 "after Somalia and South Sudan, in terms of impunity for the killers of journalists, and impunity for journalists' murders and criminals not being held accountable, according to international rankings."<sup>36</sup>

Impunity for perpetrators makes it hard to conduct an accurate count of the total number of violations against journalists, as aggressors and violators are not brought to justice except in very rare cases.

Regarding the conditions of female journalists, media activist Amira Al-Jaber says that female journalists in Iraq face additional challenges and harms. These include from the traditional society that rejects women's work in the media, the turbulent political and security conditions of Iraq, and the armed factions that regularly attack journalists. She pointed out that attacks on female journalists include criminal and immoral attacks in addition to sexual harassment, stressing that the latter type is the most common. She also highlighted the lack of adequate documentation of attacks and threats against female journalists, attributing it to the inadequacy of the Iraqi Journalists Syndicate and the bodies concerned with protecting media workers.<sup>37</sup>

One of the most well recognized problems facing Iraqi female journalists is discrimination on the basis of gender. Several press reports have monitored this problem, as well as studies of public opinion and the opinions of female journalists themselves. A report published by the Iraqi Women Media Forum indicated that "At least 12 female journalists have been subjected to gender-based

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<sup>33</sup> Press Freedom Advocacy Association in Iraq (World Press Freedom Day/ Iraq... The Fall of Constitutional High Ceiling on The Freedom of Journalistic Work in Iraq) published in 03/05/2022 – The association has made it clear in her report that provinces that did not record violations, cannot be deemed as secure, this because that some journalists fear to report about violations against them. In addition, some provinces are semi-free of journalists, as a result of the direct assassinations, and threatens against them. Available at the link: <https://pfaa-iq.com/?p=5944>.

<sup>34</sup> United Nations (International Day to End Impunity for Crimes against Journalists) – Available at the link: <https://www.un.org/ar/observances/end-impunity-crimes-against-journalists>.

<sup>35</sup> United Nations General Assembly adopted decision RES / A / 68/163 in session 68, for 2013, which was declared on 2 November marked as the International Day to End Impunity for Crimes against Journalists.

<sup>36</sup> METRO center located in New York – USA – the report was issued to mark International Day to End Impunity, dated (02/11/2021) – Available at Annaba Organization: <https://annabaa.org/arabic/referenceshirazi/29012>.

<sup>37</sup> Previous resource

discrimination, harassment, and extortion, even during television programs with live broadcasts, with the continued absence or weakness of independent media institutions, and the dominance of parties over the media scene in general.”<sup>38</sup>

The report concluded that absence of women in the Iraqi media continued, reinforcing the stereotypical image of women in the media, neglecting the gender balance in the media, allowing exclusion of media women from assuming senior administrative positions to continue, exposing female journalists to blackmail and insults, and increasing the difficulty of addressing sensitive issues by female journalists because of the nature of the traditional environment, the dominance of uncontrolled weapons, and the rise in the phenomenon of harassment against female journalists, especially with the leaking of female journalists’ phone numbers<sup>39</sup>.

According to Fadil Al-badrani, professor of international media, the entities which target journalists remain anonymous. Since 2003, successive governments have not uncovered their identities. This puts each government in a tight situation, criticized from the international institutions and organizations concerned with human rights.<sup>40</sup>

In this context, the Director of the Iraqi Observatory for Human Rights, Mustafa Saadoun, adds that targeting most seriously affects freelance journalists who report on dangerous or controversial subjects without affiliation to partisan channels, or channels that are funded by political money.<sup>41</sup>

“Ending impunity for crimes against journalists is one of the most pressing issues to ensure freedom of expression and access to information for all citizens. Between 2006 and 2020, more than 1,200 journalists worldwide were killed in the course of their duties to report news and provide information to the public. According to the UNESCO monitor of Journalists who have been killed, killers go unpunished in 9 out of 10 cases, and the cycle of violence against journalists often points to weak rule of law and the judicial system.”<sup>42</sup>

## **5. Economic challenges, media funding and independence**

Widespread financial instability among media outlets means their financiers are the ones who determine editorial policy and the outlet’s political and ideological line. Funders impose their agendas on journalists working in these institutions and threaten journalists with the loss of their jobs if they do not adhere to the financier’s line. Journalists’ jobs are thus incredibly unstable.

## **6. Journalistic professionalism and training challenge**

The new openness of means of communication led to the entry of thousands of workers to the media profession. The freedom of social media platforms was a direct factor in achieving and perpetuating the chaotic state of media not only in Iraq, but in all Arab countries. Such unconditioned access allowed whoever owns a mobile phone to take the title “citizen journalist,” at the expense of professionally vetted and objective facts. With this broadening of access and loss of professionalism, the media lost part of its influence and credibility<sup>43</sup>.

With “the economic growth, the growth in the volume of oil exports, and the availability of huge financial resources, many newspapers, radio stations, news agencies, and satellite channels have been active, which have attracted many workers in the press, even with the lack of sufficient skills

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<sup>38</sup> Iraqi Women Journalists Forum – marking World Press Freedom Day, Iraqi Women Journalists Forum record more than 70 violations, as societal discrimination continues – Available at the link: <https://www.iwjf.info/?p=7160>.

<sup>39</sup> Previous resource.

<sup>40</sup> Previous resource.

<sup>41</sup> Previous resource.

<sup>42</sup> United Nations - International Day to End Impunity for Crimes against Journalists – available at the link: <https://www.un.org/ar/observances/end-impunity-crimes-against-journalists>.

<sup>43</sup> Citizen Journalism Program, implemented by UNDP in Iraq.



and experience, and the deterioration of their general culture, as well as the training they received was weak. It became possible for graduates of media colleges to work in unprofessional media, while the media outlet is run by unqualified people, but with political, material and authoritarian support.”<sup>44</sup>

### **7. Lack of knowledge of legal provisions and access to information**

Iraqi journalists face a problem in obtaining information.

According to independent journalist Ayoub Hassan, “if a political official wants to prove that he supports the media, he must pass the Right to Information Law, the Freedom of Information Law, and the Information Crimes Law.”<sup>45</sup>

Iraqi journalists are themselves in dire need of training to raise their knowledge of legal protections, the international human rights system that Iraq has signed onto, and how it interacts with local laws regulating media freedom and the right to freedom of expression. In particular they should know the contents of charters such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. They would also benefit from training on how to avoid hate speech: when is speech freedom of opinion and when does it become hate speech? They should also receive training workshops to develop knowledge of the journalism and media profession, its ethics, and its social responsibility.

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<sup>44</sup> Hadi Jalu Marei (Challenges facing Iraqi Media) Annaba Network – Available at the link: <https://annabaa.org/arabic/authorsarticles/9122>.

<sup>45</sup> Comment made during a brainstorming session organized by Center for Defending Freedom of Journalists with a number of Iraqi journalists via Zoom, dated 17/05/2022.

# Chapter Two

## Media Systems that Support Freedom of Expression and Media Pluralism and Diversity

### First: Local legislation in Iraq

Article (38) of the Iraqi Constitution guarantees freedom of expression, freedom of the press, printing, advertising, media and publication, freedom of assembly, and peaceful demonstration, within the limits of the law.

Article (40) of the constitution stipulates that “the freedom of communication and correspondence, postal, telegraphic, telephone, electronic and others is guaranteed, and may not be monitored, eavesdropped, or disclosed, except for a legal and security necessity and by a judicial decision.”

Article (42) of the Constitution affirms that “everyone has freedom of thought, conscience, and belief.” This provision is consistent with Article 18 (1) of the International Covenant on Civil and Political Rights (ICCPR), which states that “every person has the right to freedom of thought, conscience, and religion.”

Article (46) of the Iraqi constitution states that “the restriction or limitation of the exercise of any of the rights and liberties contained in this constitution shall only be by a law or based on it, provided that such limitation and restriction does not affect the essence of the right or freedom.” This same obligation is confirmed in Article (1/2), which says that it is not permissible to enact a law that contradicts the principles of democracy, and it is not permissible to enact a law that contradicts the basic rights and freedoms stipulated in this Constitution.

In this context, journalist Omar Al-Shaher says that it is not only about freedom of expression and the media, but about the fulfilling the conditions for the democratic process in Iraq after 2003. Al-Shaher adds “studying the reality of freedom of expression and freedom of the press is directly related to the maturation of the democratic experience. It is true that today you can criticize any party in Iraq, or open any file, but you do not know what the consequences of that are.

The Iraqi Constitution, which was approved in 2005, affirmed the guarantee of freedom of opinion and expression in line with international standards governing freedom of opinion and expression, as stipulated in Article (19) of the Universal Declaration of Human Rights, which states that “Everyone has the right to enjoy freedom of opinion and expression, and this right includes his freedom to hold opinions without interference, and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Certainly, the legislative framework regulating media in Iraq needs a comprehensive review to bring it in line with international standards for media freedom and expression. Further, the parliament needs to adopt policies that a) prevent the executive authority from interfering in media affairs, b) grant it the independence it seeks, and c) not violate the rights of journalists.

From 2015 to 2022, Iraq has markedly declined in the Press Freedom Index, ranking 172 out of 180 countries, with 9 points less compared to 2021, in which it ranked 163 with a difference of only one point from the 162 points scored in 2020, a score which had risen 6 points from 2019’s score of 156.

In 2016, Iraq's scored 158 points, only two points ahead of 2015 in which it scored 156 points. The country rose back to 158 points in 2017.

The annual report of The Press Freedom Advocacy Association in Iraq counted 280 cases of various violations, including assassination attempts, raids and armed attacks, kidnapping, death threats, injuries during coverage, filing lawsuits according to laws formulated during the era of the former regime, arrest and detention, beatings, preventing and obstructing coverage, closing channels and terminations of employees' contracts.

According to the Head of the Iraqi Observatory for Journalistic Freedoms, Hadi Glo Marei, Iraq lacks a safe environment that enables journalists to cover current events objectively.

## **Second: Defamation laws and fundamental liberty restrictions**

Penalties restricting or depriving freedom of opinion and expression are defined as types of penalties and violations that citizens, journalists, media workers, writers, and artists are subjected to as a result of expressing their opinion.

The laws restricting media freedom are many and diverse. It is possible for a journalist to be tried under a number of intertwined and intersecting local laws. The penalties accompanying these laws and restricting journalists' freedom aim to immunize the authorities and influential people from criticism. These are penalties for crimes of libel, slander, and defamation, as well as crimes related to terms that are often ill-defined, such as national security, patriotic feeling, national unity, and many others.

According to the Iraqi human rights defender and journalist Hussam Al-Hajj, "The problem of the legal system in Iraq is that it is inherited across all systems. The accumulation of amended laws is very large with regard to freedom of expression and freedom of the media. Al-Haj recounts how "Since 2003, no new law dealing with media and journalistic work has been legislated, with the exception of the Journalists' Rights Law, which does not rise to the need in dealing with the organization of journalistic work in general for many reasons. It grants journalists privileges, such as pieces of lands, and in some of its texts talks about organizing journalistic work and includes loose terminologies."<sup>46</sup>

International covenants penalize governments if they place restrictions on freedom of expression or allowed them to be restricted, but only within very strict limits. Paragraph (3) of Article (19) of the International Covenant on Civil and Political Rights permits limited restrictions on freedom of expression and links them to respect for the rights or reputations of others, and for the protection of national security, public order, public health or morals,<sup>47</sup> while Article (20) of the same Covenant prohibits any propaganda for war, and any act of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.<sup>48</sup>

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<sup>46</sup> Rights defender and media professional Hussam Al-Haj, during an in-depth interview with Center for Defending Freedom of journalists via Zoom for the purposes of the study.

<sup>47</sup> Article (19) of the international covenant on civil and political rights states that:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
  - A. For respect of the rights or reputations of others.
  - B. For the protection of national security or of public order (order public), or of public health or morals-  
<http://hrlibrary.umn.edu/arab/b003.html>

<sup>48</sup> Article (20) of the international covenant on civil and political rights – previous resource.

Many Iraqi laws include freedom-depriving penalties, the most important of which are:

### **1. Penal Code No.111 of 1969<sup>49</sup>**

Many articles of the Penal Code of 1969, which was retained from the former regime, violate international standards governing freedom of opinion and expression, as well as the text of the Constitution which pledged to guarantee that freedom.

### **2. Cybercrime Law**

In November 2022, the Iraqi parliament postponed the adoption of the draft cybercrime law submitted by the following committees: Security and Defense, Higher Education, Legal and Culture, Tourism, Human Rights and Services, Construction, Communications, and the Media Committee, due to the strong wave of criticism and widespread rejection of the draft law. The draft law included "21 articles that include freedom-depriving penalties, of which 63 are subdivided in which the citizen is subject to penalties according to the description provided by the draft law, including 10 cases that require life imprisonment with a fine ranging from 25 to 50 million Iraqi dinars (from 17 thousand to 34 thousand US dollars)." At the beginning of June 2022, the Security and Defense Committee announced its aim to re-present the draft law to the parliament, despite the pledge of Iraqi Parliament Speaker Muhammad Al-Halbousi not to pass the draft law before Western ambassadors and heads of international organizations."<sup>50</sup>

The draft law was widely criticized by journalists and international organizations because its enumeration of harsh penalties. Article (6) of the law stipulates that "Whoever uses computers and the information network to spread chaos with the intent of weakening confidence in the state's electronic system shall be punished with life or temporary imprisonment and a fine of no less than 25 million dinars and not more than 50 million dinars."<sup>51</sup>

The draft law defines cybercrime as "any criminal act committed using a computer, a computer network, or other information technology systems prohibited and punishable according to the provisions of law". The law defines a computer as any fixed, or moving, wired or wireless electronic device which consists of a data system that processes, stores, receives, sends, browses data, and performs specific commands as ordered. Data was defined as digits, letters, symbols, shapes, sounds, pictures, and everything can be stored, proceed, created, produced, or sent by the computer or any other electronic device.<sup>52</sup>

A number of international organizations have sent a letter to the Iraqi parliament expressing their concern about the sanctions and articles that allow the Iraqi government to use the protection of the right to privacy as an excuse to not publish information. The organizations assert that individuals may also face prison sentences for simply conducting searches for articles that criticize the government or public officials or sharing it in various news stories of public interest, including crime and health reports. Private family matters can become important topics in public discourse; but under this broadly worded law such reports may be subject to censorship. Without the freedom to discuss private issues in public, few civic campaigns will ever take place. While the state is obligated to protect the right to privacy and the reputation of all individuals, allegations of abuses

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<sup>49</sup> After 2003, coalition authority administrator suspended the applicability of most of the articles related to publication offences in the penal code no. 111 of 1969. However, the temporary government of Iraq put it back to work, while Kurdistan canceled most of the articles related to publication existing in the penal code for incompatible with the democratic system, depriving of freedoms, and lack of most of its provision clarity.

<sup>50</sup> Safa'a Aiad – Cybercrimes law in Iraq: suspended until now? Available at the link: <https://bit.ly/3cpst1e>.

<sup>51</sup> Article (6) of chapter (2) of Cybercrimes law – available at the link: <https://bit.ly/3AZYyql>.

<sup>52</sup> Article (1) of Cybercrimes law – Previous resource.

of this kind, whether of public figures or individuals, must be dealt with as a matter of civil litigation as the use of criminal law is therefore disproportionate.<sup>53</sup>

Furthermore, the Kurdistan territory adopted law on the Prevention of Misuse of Communication devices, no.6 of 2006). Article (2) of the law imposes “a punishment plus a fine to those who use cellular telephones or emails (or a broader use of the internet) to threaten, curse, publish personal conversations or photographs contrary to public manners and ethics, perform any deeds that offend honor, or incite the committing of crimes, or publish information about private lives even if they are correct.”

### **3. The right to access information**

The Iraqi Constitution does not guarantee Iraqi citizens the right of access to information, in contrast to Paragraph (2) Article (19) of the International Covenant on Civil and Political rights,<sup>54</sup> which states that “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”<sup>55</sup>

Despite demands of Iraqi journalists and Iraqi civil organizations for the Iraqi parliament to adopt a law guaranteeing the right to access information, such demands remain on hold. As of time of writing, Iraq is still without an access to information law, although the draft law was already proposed to the Iraqi parliament in 2015. However, the Kurdistan parliament did adopt a law guaranteeing the right to access information in 2013,<sup>56</sup> with the stated aims of enabling the citizens of the region to exercise their right to access information held by public and private institutions, to support the principles of transparency and effective partnership to consolidate the democratic process, and to secure a better climate for freedom of expression and publication.<sup>57</sup>

Yet Article (14) of Kurdistan’s law also provides exceptions that allow a public or private institution to refuse to give information. These exceptions include information related to defense secrets and the security of the region such as military equipment, secret military and security missions, defensive moves and tactics, or intelligence information. Further protected from freedom of information requests is information whose disclosure may influence negotiations conducted by Kurdistan with any other party, or exchanging information if the two parties agree on its confidentiality.

The Kurdistan Law also precludes access to information whose disclosure would affect the conduct of investigations and trials, information whose disclosure might influence parliamentary discussion, copyright and intellectual property rights, persons’ educational, medical, or employment information, their bank accounts, or their professional secrets without their consent, or anything that may endanger a citizen’s life, or data whose disclosure would cause penetration of protected electronic networks, and expose their contents to erasure or theft.

The range of exceptions included every exception mentioned in other laws in force in the region, while limiting confidentiality protection to twenty years for information related to

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<sup>53</sup> An open letter to the Iraqi chamber of deputies: Don’t criminalize vague definitions of “Cybercrimes” – dated 11/12/2020, it was signed by: Access Now, Amnesty International, Article (19), Committee to protect journalists, Iraqi observatory for Human Rights, Iraqi network for social media, MENA Rights Group, Peace and Freedom Organization, PEN Iraq, Tahrir Institute for Middle East Policy (TIMEP)

<sup>54</sup> Iraq signed on the international covenant on civil and political rights in 25/01/1971, as this commitment has not been reflected on the Iraqi constitution, 2005m especially Article (38).

<sup>55</sup> International covenant on civil and political rights – Human Rights Library – Minnesota University – available at: <http://hrlibrary.umn.edu/arab/b003.html>.

<sup>56</sup> In 05/06/2013, Kurdistan Chamber of Deputies adopted law no.11 of 2013, right to access information law.

<sup>57</sup> Article (2) of Kurdistan right to access information law.

information related to defense and security, the conduct of negotiations, and the progress of investigations and trial.

### **Third: Radio broadcasting systems and licenses for paper and electronic publications, as well as satellite and radio broadcasting**

The Iraqi Media and Communications Commission was entrusted with regulating information technology. “The Commission is solely responsible for licensing and regulating telecommunications, wired and wireless services, broadcasting and transmission, information services, and other media services in Iraq.” As for the region of Kurdistan, there are no laws regulating the work of satellite channels, radio stations, and websites.<sup>58</sup>

Under the law named after it, the Media and Communications Commission is charged with “Setting and issuing the rules and regulations necessary to provide competition in Iraq in the fields of providing telecommunications services, broadcasting, transmission and information services, and setting up a system for licensing operators of telecommunications networks, those in charge of broadcasting and transmission operations, and providers of telecommunications and wireline, broadcasting, radio and information services.”<sup>59</sup>

According to the CMC, the current number of licensed outlets in Iraq includes 55 radio stations, 37 satellite channels, and 40 companies and media offices.

#### **1. Request for a license for radio, television, and satellite broadcasting**

To obtain a radio, television, or satellite broadcasting license, the CMC requires that an application be submitted to the Commission and obligates the licensee to begin broadcast within (90) days from the date of its issuance, unless granted a special extension for this period by virtue of an official letter.

The licensee must obtain legal approval before publishing and broadcasting copyrighted material, including music. This includes the reproduction, rebroadcasting, or simultaneous broadcasting of received transmissions, whether from remote local radios or programs taken from satellite. All broadcasters are required to have valid contracts for broadcasting copyrighted broadcast material and must produce these contracts upon request.<sup>60</sup>

#### **2. Procedures for obtaining a satellite TV license**

To obtain a license for satellite, radio, or television broadcasting, applicants must submit an application, a letter of endorsement from the Municipal Council for the channel’s site, and a copy of the contract concluded with the satellite company. If the applicant is a government entity, it must provide the authority with a letter issued by that governmental authority confirming the ownership of the station. If the applicant is a non-governmental organization or institution, they must provide a valid letter issued by the General Secretariat of the Council of Ministers confirming that the institution is a non-governmental organization.

If the applicant is a private company, the CMC must be given a letter issued by the company confirming the ownership of the station, in addition to providing it with a certified copy of the company’s founding papers, including the incorporation contract, company meeting minutes,

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<sup>58</sup> Kurdistan journalists’ representative, Aza Sheikh, during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>59</sup> The official website of CMC: <https://bit.ly/3PthkuE>.

<sup>60</sup> The official website of CMC: <https://cmc.iq/ar/lic-2/>.

incorporation certificate, a copy of the owners' identity cards, or the unified national card of the manager and the authorized person, or a passport for non-Iraqis.

Furthermore, licensees must fill in application forms on CDs. These include an administrative form, a technical form, a terms and conditions form in both languages Arabic and English, and program tables (if there are any). After completing the forms, they should be signed and stamped by the channel manager. Forms should be Scanned and typed on a CD and handed over along with papers to CMC.

If a company or non-governmental institution, the license applicant must also provide a tax clearance letter and provide the CMC with a clearance letter from the Ministry of Labor, and Social Affairs confirms the inclusion of employees of the entity with social security based on Cabinet Resolution No. 15 of 2015. In the event that all required forms and procedures are not completed, the license will not be approved.<sup>61</sup>

### **3. Terms and conditions for applying for a radio, television, and satellite broadcasting license**

The CMC sets the conditions for the granting of a broadcasting license. Granting of a license amounts to a binding contract for the license applicant, meaning that all conditions, orders, and instructions issued by CMC must be complied with. The list of conditions includes obligating the licensee to start the radio broadcasting process in the license application for a period of 90 days from the date of its issuance and informing the CMC of any delay within a period not exceeding 7 days after the end of the specified date. The licensee must then submit a request for an extension, stating the reasons for the delay. The licensee's failure to comply with this condition may lead to the loss of the license. The licensee is not entitled to transfer or relinquish any part to any third party and may not under any circumstance pay or accept any financial compensation for the transfer of the license. Any change in ownership of the company's shares must be with the written approval of the CMC.

The conditions obligate the licensee to ensure that the programs comply with the standards of society, and respect the ethnic, cultural, and religious diversity in Iraq. They must ensure accuracy, justice, and impartiality, and the broadcast must be legal, decent, real, honest, and precise.

The owners of broadcasting stations are beholden to general standards of decency and public morals, in particular to protect religious and national interests, and to protect children and minors by not broadcasting material that is inappropriate for them, including material directed at adults, or that includes scenes of unjustified violence, or material that is indecent at timeslots when large numbers of children can be expected to be viewing or listening. The owners of broadcasting stations must show the necessary amount of consideration when reporting on the aftermath of natural disasters, accidents, or acts of violence, and the owners of broadcasting stations must balance the goal of delivering the truth with the danger causing distress, or the possibility of unjustified intrusion into the private lives of citizens.

The licensee shall provide CMC with information when required and shall keep the programs broadcast for a period of no less than 30 days, and information on the station's address, telephone number, name and address of the director, any changes in operating times, any changes in broadcasting programs, and administrative or financial changes. The licensee must also display the broadcasting license on its website and must receive complaints from the public. The licensee is required to introduce the station regularly. When re-broadcasting programs produced by

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<sup>61</sup> Previous resource

stations or other sources, the name of the station must be clearly and consistently displayed, and the use of more than one logo is prohibited.

The licensee must remain compliance with terms and conditions of the license. If the CMC finds that licensee did not follow the aforementioned regulations, the CMC have the right to revoke the license. The CMC may also impose various sanctions in addition to sanctions stated in the laws, including the requirement to broadcast an apology or correction, issuance of warnings to the station, financial penalties, suspension of license, entry into the station premises and seizure of equipment, closedown of station operations, termination of license, and more. Recipients of such a decision issued by CMC regarding sanctions of suspensions for broadcasting or permanent revocation of licensee's authorization has the right to submit a formal request to appeal to CMC within 30 days of receiving notification of sanctions.

The CMC obligates the licensee to provide accurate information to Iraqi citizens and agree to provide full, accurate, and fast coverage for all CMC declarations in addition other public information. The licensee further agrees that it shall broadcast for a minimum of (10) hours a day. The license incorporates legal commitments to any additional regulations promulgated by CMC or by other responsible authorized institutes.<sup>62</sup>

#### **4. List of media broadcasting rules**

In 2019, the CMC issued "Regulations and Rules for Media Broadcasting," which it asserted was based on the principle of respect for freedom of expression as stipulated in Paragraph 1 of Article (38) of the Iraqi Constitution, Article (19) of the International Covenant on Civil and Political Rights, and Article (19) of the Universal Declaration of Human Rights. The rules contained in this regulation have the explicit goal of fairness, accuracy, balance, decency, non-discrimination, and the dissemination of civilized and human values derived from the principle of freedom and human rights, and the priority of the public interest.

The CMC said in the regulation that its aim is to regulate forms of expression in a way that does not allow incitement to violence, hatred, racial, national, religious, or intellectual intolerance, or anything that nurtures conflicts and crises to be produced in audio-visual media.

The regulation includes a general outline of basic principles and rules binding all media agencies licensed by the CMC, in addition to a detailed explanation of how to apply them, and how all parties are bound by them. The CMC tracks the performance of the licensed media outlets and holds them accountable in light of the principles and considering the broadcasting franchisees responsible in their moral capacity for the content of the materials broadcast by their licensed media outlets, whatever their source. The CMC follows up on violations and determines penalties in accordance with its law and procedures.<sup>63</sup>

The stated rules were roundly criticized by the media sector and international and local human rights organizations, especially in the aftermath of the protests that began in October 2019. During the protests, the CMC ordered the closure of eight television broadcasters and four radio stations for three months for allegedly violating the media licensing rules and issued warnings to five other broadcasters over their coverage of the protests.<sup>64</sup> Journalist Omar Al-Shaher says that the "October movement confused and destabilized journalistic institutions as well as the political

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<sup>62</sup> Previous resource

<sup>63</sup> Media list of rules, available at: <https://cyrilla.org/en/entity/efu4mjvp0c>.

<sup>64</sup> "We Might Call You in at Anytime", expression freedom is threatened in Iraq, Human Rights Watch, <https://www.hrw.org/ar/report/2020/06/15/375258>.



class.” He added that “essential institutions were damaged as a result of the movement, because October movement was for settling matters with many sides.”<sup>65</sup>

In April 2020, the CMC imposed a three- month suspension period against the Reuters Agency with a fine of 25 million dinars (21 thousand USD) after revealing figures of Iraqis testing positive for COVID-19 which Reuters claimed exceeded the official count. The CMC accused Reuters of spreading fabricated information about the coronavirus situation in Iraq, obstructing the work of the government, and endangering public safety.<sup>66</sup>

According to a report issued in early 2021 by the Press Freedom Advocacy Association in Iraq, within the last decade, a number of violations by the CMC were observed. For instance, the CMC issued a set of closure orders to broadcasters, as well as suspended licenses and other unjust decisions. The Advocacy Association’s monitoring team recorded 128 cases including closures, license suspension, fines, and termination of employees by the CMC in that period.<sup>67</sup>

In June 2021, the CMC issued an official letter directed to media organizations. The letter outlined 11 conditions for guest selection for talk shows. The CMC required media to host known experts, and refrain from hosting unknown or amateur voices. In addition, CMC requested that media avoid hosting members from prohibited groups whose speech constitutes a direct threat to the democratic system. The media must also avoid topics that could endanger peace, national security, or target a political operation. The criteria included avoiding any form of terrorism, not revealing confidential documents when unauthorized, avoiding dialogues that fail to take into account the feelings of people with special needs, as well as respecting Iraqi, religious and sectarian diversity, refraining from putting forward anything that offends the divine self, divine religions, apostles, doctrines, religious symbols and all beliefs, in addition to prohibiting dialogues that are immoral or clearly offensive to modesty or public taste and profanity.<sup>68</sup>

According to journalists Ziad Ajelie, the aforementioned prohibitions stand as “red lines that cannot be neither crossed nor criticized, not only in Iraq, but in the Middle East, including religious sanctities, and clerics. There is a strong caution against journalists and media institutions against approaching religious references, which are the most dangerous when criticizing them.”<sup>69</sup>

The state’s instructions are not novel for multimedia. The instructions were already found in the media broadcasting list rules, and most of the regulations are stated in CMC law. Nevertheless, the instructions in the letter were sharply criticized by media professionals and law experts describing the CMC decision as “trespassing” the constitution. Journalists and law experts affirmed that media needs protection, not restriction.<sup>70</sup>

The CMC responded to the controversy by pointing out that the requirements contained in the letter are articles contained in the list of media broadcasting rules approved on May 19, 2019 by Resolution No. (8) of 2019, which was approved in the presence of the UNESCO Office in Iraq, as well as trusted national media centers. They reiterated that the rules have been in force for years,

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<sup>65</sup> Journalists Omar Al-Shaher, during an in-depth interview with center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>66</sup> Previous resource

<sup>67</sup> Press Freedom Advocacy Association in Iraq, available at: <https://pfaa-iq.com/?p=5881>

<sup>68</sup> Communication and Media Commission sets 11 conditions for Talk Shows guests’ selection, RUDAW: <https://www.rudawarabia.net/arabic/middleeast/iraq/2907202113>

<sup>69</sup> Journalists Ziad Ajelie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>70</sup> Al-aalem Al-jadeed, specialists: CMC decisions violate the constitutions, and implement election agendas- available at: <https://bit.ly/3Oeq3zB>

and further these regulations were based on Law (10) of 2004 of the CMC, which is the exclusive and independent regulator of the media sector in Iraq.<sup>71</sup>

In its statement, the CMC added that the media broadcasting regulation is part of the conditions for licensing Iraqi and foreign media, and that it is grounded in the articles of the Iraqi constitution, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights. It aims to regulate forms of expression to prevent incitement to violence and hatred, ethnic, national, religious, or intellectual intolerance, and everything that leads to nurturing conflicts. They said that the aim of the media broadcasting regulation is not to restrict or obstruct freedoms, foremost of them freedom of expression, but rather comes with the aim of immunizing and regulating media discourse, keeping society away from any spasms and sensitivities that lead to conflict, violence, and lawbreaking.<sup>72</sup>

## **5. Newspapers and publication licensing**

According to the Publications Law,<sup>73</sup> obtaining a license to issue a publication in Iraq requires a license application submitted to the Ministry, which includes the applicant's name, nickname, age, place of residence, nationality, profession, the name of the editor-in-chief, his nickname, age, place of residence, nationality, and profession and his written approval, provided that he is the editor-in-chief of the periodical publication whose approval is required, the name of the periodical publication, the language in which it is issued, and the address of its management office—which must be in the place of publication, the frequency and dates of publication, and all official documents in compliance with the legal conditions on the editor-in-chief.

The law grants the minister the right to authorize or reject the application within one month from the date of its registration for reasons of the public interest or the regulation of the press. If the period expires and the minister has not decided, the publication is considered licensed, with the exception of the daily political periodicals, or any publication issued more than once a week. This kind of publication is only granted upon a proposal by the minister and a decision of the Council of Ministers approved by the Revolutionary Command Council.

The law stipulates in Article (16) that the periodical publication may not publish anything considered an insult to the President of the Republic, members of the Revolutionary Command Council, the Prime Minister, or whoever takes their place, or that harms Iraq's relationship with Arab and friendly countries, or that insults the revolution and its principles, the republic and its institutions, or that promotes colonial, separatist, reactionary, regional, Zionist, or racism ideas, or that incites to breach the internal and external security of the state.

The law prohibits publications that incite crimes, disobedience to the law, denigration of the state economy, anything that may fuel enmity and feuds or spread separation between people, or its beliefs, secretions, and different religious, in addition to the prohibition of what incites separation of inner unity, challenging Iraqi religions, anything deemed as violations of ethics or morals, or influences judges' stabilities of decisions making, affects public prosecutors, attorneys, investigators, witnesses, or public opinion regarding a case before judicial.

Furthermore, the law prohibits publishing defamation or slander, news that could affect the national currency or government loans or weaken its internal and external trust. Article (17) of the law prohibits publishing, except with permission of the relevant official entity, any statement related to the republic's president, members of the revolutionary council, the prime minister, or their deputies. Also prohibited from publication are proceedings of the council of ministers, their

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<sup>71</sup> Modern Discussion, available at: <https://www.ahewar.org/debat/show.art.asp?aid=727097>

<sup>72</sup> Previous resource

<sup>73</sup> Publication act no. 206, Iraq Reality, number:1677 – date: 05/01/1969 – Pages:13 – Section:1

decisions, or other official decisions, courts secret sessions' decisions, revolution council's decision, official confidential communications, agreements, and treaties signed by the Iraqi government, laws and regulations, and instructions before published in the official newspaper. In addition to the prohibition of publishing crime investigation proceedings, armed forces and police movement commands, or any other national force, or what is linked with its formation, regulations, weapons, or decisions related to pricing, imports, currency exchange, or combined rarefication.

The law permits minister to suspend periodic publication for a period not exceeding 30 days in which to determine that the publication does not violate or contradict with articles (16) and (17) of the Publications Law. If the owner of the periodic publication, its chief editor, and essay writers are found responsible for the crimes mentioned in the law, they shall be obliged to pay a fine decided by the court.

The law permits imprisonment not exceeding 30 days and/or a fine not exceeding 50 for whomever contradict the law. If the crime is covered by another law where a higher sentence is allowed, then the provisions of that law shall be implemented. The law permits the public prosecutor, with a request of the minister and approval of the minister of justice, to initiate prosecutions in cases violating provisions of the law. Private prosecutions are initiated by the harmed party. The law does not permit prosecutions or fines if three months have passed since the publishing date. Prosecutions related to procedures and administrative sanctions are not heard before courts.

# Chapter Three

## Plurality and Diversity of Media: Economic Equality and Ownership Transparency

Media pluralism is one of the characteristics of a free democratic society, including pluralism of ownership and non-monopoly of print, audio, visual, and electronic media. According to UNESCO's indicators on media pluralism, it can be summarized as "The state taking positive measures to strengthen the media through effective systems to prevent an unacceptable concentration of ownership, to promote pluralism, and specific legislation on cross-concentration in the broadcasting sector, that this sector and other media sectors avoid control of the market, and the existence of regulations that recognize the distinction between small and large players in the media market."<sup>74</sup>

Other indicators include, for example, "establishing provisions for transparency and disclosure regarding media companies in terms of ownership, investment and sources of income, and that the licensing process promotes the allocation of specific frequencies to individual broadcasting organizations for the plurality of media ownership and programming content in line with international standards, and the authorities responsible for implementing laws against monopolies have sufficient powers such as the power to reject licensing applications, to halt existing media operations when pluralism is threatened, or when unacceptable levels of concentration of ownership have been reached, and government monitoring and evaluation of the effects of media concentration."<sup>75</sup> In addition, the extent to which the state adheres to measures aimed at strengthening pluralistic media through the administration of anti-monopoly laws by regulatory bodies to reject licensing applications or to stop existing media operations so as to avoid excessive concentration of media ownership, and that civil society groups and citizens in general participate in promoting measures leading to the promotion and application of media pluralism, regulators allocate digital licenses to a wide range of commercial and non-commercial operators."<sup>76</sup>

Media openness and its plurality and the accompanying debate on issues of freedom and democracy appeared shortly after the transformations that Iraq witnessed in April 2003, and the subsequent decisions and laws issued by the occupying authority, including the dissolution of the Iraqi Ministry of Information. The debate is ongoing between what Iraqis, politicians and partisans, and foreign parties want to impose on Iraqi society, which they found a role for themselves to play in the Iraqi political and social map to serve its ambitions and secure its influence.

These transformations necessarily influenced the media, which models Iraqi society after the occupation. The media, directed at the time by the authorities, wanted to reinforce Iraqi division on sectarian and partisan grounds, to help pacify the occupation, which had allocated millions of dollars to make the media the carrier of its message.

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<sup>74</sup> UNESCO media development indicators: A framework for assessing media development – page 22 - available at: [https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara)

<sup>75</sup> Previous resource.

<sup>76</sup> Previous resource.

In early 2004, Iraq witnessed the licensing of more than 200 daily or weekly newspapers, 80 radio stations, 20 television channels, and the spread of satellite dishes over the roofs of Iraqi houses. The 2005 Iraqi Constitution guarantees freedom of media in Article (38).<sup>77</sup>

According to the Head of the Iraqi Journalists Syndicate Muayyad Al-Lami, "The Iraqi media is vastly diverse and numerous at the highest levels. Everyone has private media institutions, and the constitution grants them the right and guarantees it in Article (38). As for independence: there are independent institutions, but the largest number of them belong to funding bodies, whether partisan or otherwise, the media is used to pass the agendas of these parties, especially since elections are held every 4 years and media is used to beautify the image of these parties and undermine others."<sup>78</sup>

According to the journalist Ziad Al-Ajili, it is not possible to develop an independent public media.<sup>79</sup> Further, Head of media department at the CMC Mujahid Abu Al-Hail confirmed that the first steps for media to prosper in Iraq are boosting its independence through supporting media with advertisement, and then to pass and implement proper media legislation.<sup>80</sup>

After that, the press revolution began a clear decline due to increased obstacles to obtaining funding both internal and external. At the same time as the number of papers, television stations, satellite channels, and media production companies decreased for economic, financial, and security reasons, while social media and online papers came to dominate.

According to official statistics published in early 2022 on the Iraqi Media Authority website, there are 55 licensed radio stations and 37 satellite channels,<sup>81</sup> in addition to 40 companies and media offices.

"There is no law in Iraq to prevent armed factions from owning media outlets, which they have used to incite sectarian fighting from 2003 to now." according to journalist Mohamed Latif.<sup>82</sup> This raises questions about the plurality and diversity of the media. To further interrogate this issue, we need also to address the extent of economic equality and transparency of ownership among outlets, the challenges facing public and private media in Iraq, the impact of donors on the independence of the Iraqi media, and the impact of the advertising market.

### **1. Absence of a public strategy to support media in Iraq**

The Iraqi constitution of 2005 guarantees freedom of media and expression, successive governments and chambers of deputies have not brought any new amendments or laws to fulfill that guarantee, leaving Iraq trapped by the prohibitions of the previous era.

The Iraqi government need to build a national media strategy that derives its authority from Article (38) of the Iraqi Constitution, in addition to the international treaties regulating human rights, freedom of opinion and expression, and also develop and enact legislation that prevents

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<sup>77</sup> Statistics mentioned in chapter two – available at: <https://fanack.com/ar/iraq/media-in-iraq/>

<sup>78</sup> Iraqi journalists' representative Muaied Al-Lami during an in-depth interview with Center for Defending Freedom of Journalists via zoom for the purposes of the study.

<sup>79</sup> Media professional Ziad Al-Ajelie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>80</sup> Head of media department at communication and media commission Mujahid Abu Al-Hail during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>81</sup> Official Iraqi CMC website – available at: <https://cmc.iq/ar/%d8%a7%d9%84%d9%82%d9%86%d9%88%d8%a7%d8%aa-%d8%a7%d9%84%d9%81%d8%b6%d8%a7%d8%a6%d9%8a%d8%a9>

<sup>82</sup> A comment during a brainstorming session organized by Center for Defending Freedom of Journalists with number of Iraqi journalists via Zoom, dated 16/05/2022.

discrimination, incitement and the spread of hate speech, addresses the issue of impunity, installs deterrent penalties for anyone who violates the safety of journalists and their freedom of expression and opinion. It needs to do a complete update on the system regulating the media in Iraq that was inherited from the former regime, in order to end the imprisonment and arrest of journalists in publishing cases. It must obligate political parties to comply with the Iraqi Constitution and Iraq's international obligations, among them ensuring basic human rights, foremost among which is freedom of opinion, expression, and publication. Finally, it should criminalize all partisan discourse that includes an invites hatred, sectarian, ethnic or gender discrimination, or incites conflict between groups.

According to media professional Mohammed Kazim "The most common of the violations practiced against media professionals is blackmail and public threats, putting aside violations committed by military factions: a normal occurrence in Iraq."<sup>83</sup> Furthermore, the Executive Director of the Press Freedom Advocacy Association in Iraq, Raya Ismaeel, affirmed that the Association counted 280 cases of violations against professional journalists, including 192 cases of beatings, preventing coverage, and many detention cases. The Kurdistan Region and Baghdad have the most recorded cases of violations, with high rates of attacks on female journalists in particular.<sup>84</sup>

## **2. The form and content of media pluralism and its diversity in Iraq**

Pluralism in the media refers to "the plurality and diversity of the media in terms of nature, ownership, and trends in a codified manner." Pluralism is one of the conditions for democratic practice, and it is completely incompatible with the existence of a totalitarian state. Rather, it presupposes a degree of neutrality on the part of the supreme authority, which should respect the forces and institutions that work to deepen the wellbeing of the country.<sup>85</sup>

After the occupation of Iraq in 2003, media multiplied and diversified. After 2004 the Iraqi media market became increasingly crowded, developing into three main categories of ownership: government media, party and sect media, and independent media.

Journalist Daa Al-Nasiri believes that it is necessary to "distinguish between Iraqi media professionals and the Iraqi media. The independence of Iraqi media professionals has greatly improved after 2003, but the media industry is very different, because most outlets are biased and affiliated with parties, or blocs, or personalities, including Government media."

Media pluralism appeared in Iraq quickly after the American occupation, but this pluralism did not reflect positively on the Iraqi social and cultural diversity, but was turned toward institutions perpetuating the division of Iraqi society, and its transformation into different sects, races, and sects. In this context, the Iraqi national identity was absent while multiple sub-identities appeared and fueled political conflicts, sectarian and ethnic divisions. A unified Iraqi cultural component could no longer confront the dominance of sub-cultures and regionalism.

The Iraqi media has not been able to overcome these problems, and despite being sometimes obscure, they remained apparent and clear to every observer, researcher, and journalist such as

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<sup>83</sup> An intervention during a brainstorming session organized by Center for Defending Freedom of Journalists with number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>84</sup> An intervention during a brainstorming session organized by Center for Defending Freedom of Journalists with number of Iraqi journalists via Zoom, dated 17/05/2022.

<sup>85</sup> Dr. Abedalrazaq Ghazal and Dr.Wafaa Burahli (media plurality devotion through the achievement of cultural plurality in digital media means: feature, elements and challenges) Media Researcher Journal – Baghdad University- College of Media, pages 46 – 119 – October – November – December.

Ziad Al-Ajili. “It is difficult to compare the media under a dictatorial regime and a “democratic” regime; everyone knows that after the process of change in 2003, Iraq was progressing towards being a democratic country, but on the ground, nothing has changed.”<sup>86</sup>

An exploratory study published in 2017 on media and diversity in the countries of the Levant, including Iraq, Lebanon, and Syria, and in which many media centers in those countries participated, said that the division in the Iraqi scene is between large sects, ethnicities, and nationalities.

The study highlighted that 18% of the media material monitored in Iraq showed the internal diversity in different ethnicities and religions, while 82% of it engaged in generalization and discrimination against the other. Also, systemic misuse of terms related to diversity and pluralism reached a high rate of 72%.

This diversity in the Iraqi media came as a natural response to the new situation in which Iraq and its people found themselves. Iraq began to plunge into chaos immediately after the occupation, accompanied by unprecedented chaos in the media. Although it did not continue for more than a few years after the occupation, this media chaos nevertheless successfully influenced the culture and behavior of Iraqi society, including fueling the sectarian strife that casts a shadow over Iraq. Journalist Omar Al-Shaher says that “There are attempts for diversity, but the problem is the lack of funding, therefore these attempts did not continue or succeed. And the political class kept its eyes on these attempts, especially since the journalists were the ones who moved the October demonstrations, and they were the basis for it.”<sup>87</sup>

According to the Head of the Journalists’ Syndicate in Kurdistan Azad al-Sheikh, “there is no diversity in the Iraqi media in general, but there are platforms for some groups, such as women and some others. We need a lot of work to develop the professionalism of journalists because it is a thorny issue.”<sup>88</sup> On the other hand, journalist Ziad Ajelie affirmed that “the media in Iraq now belongs to political and party figures and they are not interested in diversity.”<sup>89</sup>

Studies indicate that 270 newspapers, 47 licensed television and satellite channels, 110 FM radio stations, 11 AM radio stations, and 25 media offices<sup>90</sup> were opened less than a year after the occupation of Iraq.

At the time, this great momentum in the media was uncontrollable. It produced broad chaos, especially after the decision to dissolve and abolish the Ministry of Information. This allowed every party, every politician, and every businessman to issue their own newspaper if they had the funds without respect for the standards that must be met not only by journalists and media professionals, but also by the media institutions themselves.

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<sup>86</sup> Media professional Ziad Ajelie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>87</sup> Journalist Omar Al-Shaher during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>88</sup> Journalists’ representative in Kurdistan Azad Sheikh during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>89</sup> Media professional Ziad Ajelie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>90</sup> Dr. Abedulrahman Salloum Al-Rawashdi - The Media Scene in Iraq ... Reality and prospects – Albayan issue no.343, December 215 – available at: <https://www.albayan.co.uk/MGZarticle2.aspx?id=4791>.

This chaos did not end, though today it is less severe. Divisive and fragmented discourse still serves political, partisan, tribal, and sectarian interests, while journalists pay the price with their lives.

As of writing this study, most Iraqi media outlets remain affiliated with parties, donors, politicians, or Iraqi sects, ethnicities, and races. Thus, media pluralism in Iraq has been subject to monetary, sectarian, and party interests, falling in line to adopt and defend the positions of their funders. The issue of media dependence needs to be better investigated and addressed in light of the threat that affects the employees of press institutions and the institutions themselves.

**Major conclusions about the content and form of media pluralism in Iraq are the following:**

- Media is controlled by motivated donors.
- Media is threatened by the legal sanctions inherited from the former regime which are used by politicians of all kinds to threaten the press and the media.
- Media faces security threats and sectarianism, which mutes legitimate criticism.
- Few Iraqi press institutions are independent, and they currently suffer from financial breakdown that threatens their existence and may facilitate their disappearance from the media arena.
- Media has no protection and lack safety, with their fear for personal safety increasing self-censorship.
- The lack of job security for journalists keeps them in a constant state of fear for their jobs and leads to some accepting the fait accompli or fleeing outside Iraq.
- Media faces professional, legal, and legislative challenges under the harsh laws inherited from the former regime.
- Media does not have the trust of the Iraqi public in terms of content or discourse.
- Media faces a dilemma getting their audience to support free journalism and media.

The reality of the media in Iraq is that is hamstrung by repressive policies and laws, and controlled by the authority of donors who want a dependent media that never criticizes those in power, reveals corruption, or raises any of a number of issues that directly affect the reality of Iraqi lives. Iraq has witnessed the atrophy of its independent media. Any remaining independent outlets are the most vulnerable to threats, retaliation, obstruction, prevention, and all kinds of violations.

**3. Challenges facing public, private, and governmental media in Iraq**

**A. Challenges facing public and governmental media**

Iraq does not have public media in the complete sense. The government used to own a number of papers, satellite, and electronic media outlets which were funded from the state budget, but they remained government media “official media” and not public media. The only Iraqi law to address public media or broadcasting was the Iraqi Media Network Law, which was responsible for so-called public media, but really establishes government media, including magazines and newspapers issued by the government.<sup>91</sup>

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<sup>91</sup> Iraqi media network law no. (26) of 2015 approved by the House of Representatives – May 2015, available at **Ministry of Justice website, - Realities of Iraq – issue no. 4378 – 30/08/2015 -** <https://www.moj.gov.iq/view.1758/>



The Iraqi Media Network Law defines a broadcasting service as broadcasting information or programs via television or radio communications, or any other means for delivering them directly to the public, such as broadcasting stations, satellite or terrestrial, free of charge. The law also defines independence as “the financial, editorial, and administrative ability to practice work, in a manner that is consistent and commensurate with the privacy of media work, and without being subject to external influences, subjective tendencies or personal biases, and in an impartial manner. Citizens and different segments of Iraqi society at home and abroad.”<sup>92</sup>

The Network was established on the basis of Article (108) of the Iraqi constitution. The order was issued by the Coalition Provisional Authority of 2004 which established the “Iraqi General Authority for Broadcasting and Transmission Service, as stipulated in Article (28) of the Network Law, which stipulates that it operates in accordance with the principles of independence, comprehensiveness and diversity, distinction, and reflect the democratic, social, cultural and Islamic values of the Iraqi society and are linked to the House of Representatives.”<sup>93</sup>

The Network aims to work in accordance with the internationally recognized principles of public broadcasting, which are characterized by independence, impartiality, integrity, credibility, objectivity, and transparency, impartial and detached from all parties in the political process, providing its services to Iraqis and others, and ensuring that the public broadcasting service is delivered to all people in Iraq free of charge. It also aims to secure media programs that serve the interests of all kinds of people, adhere to international professional standards and rules, provide cultural information and entertainment programs in a diverse and distinguished manner, shed light on Iraqi heritage, thought, arts and creativity, contribute to their development, and facilitate and encourage citizen participation in the democratic process. Furthermore, the Network aims to present reports and news programs on political, security, and other events that are comprehensive, impartial, and objective, cover cultural, political, sports and other activities, and covering official national and religious occasions in a way that preserves national unity and cultural and civilizational diversity within its framework, and contributes to spreading and strengthening the cultural diversity of Iraqi society, the culture of human rights, women’s freedom and rights, religious and moral values, democracy, and the Islamic identity of the majority of the Iraqi people, remembering the martyrs of Iraq, spreading and consolidating the culture of tolerance, dialogue, love and peace, and deepening the spirit of citizenship among the general Iraqi people with its various components.<sup>94</sup>

The law stipulated that the nine members of the network’s Board of Trustees be completely independent. Membership is for four years, renewable once. They must declare their financial solvency and they must meet the condition of the exclusion of their interests for them and their relatives up to the second degree. The board is obligated to inform public of the decisions and recommendations taken in its meetings.

The law gives the network an independent budget approved by the House of Representatives, which allows it to produce, sell and broadcast advertisements, programs, audio, video, print and electronic works, and to sell broadcasting and publishing rights for audio, video and print works produced by the network for use by other parties.

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<sup>92</sup> Previous resource.

<sup>93</sup> Article (2) of the network law -previous resource.

<sup>94</sup> Previous resource.

The law stipulates that service advertisements shall be free, and in a manner that serves the public interest, provided that they are not used for propaganda by a minister, official or party, with duration of commercial advertisements not exceeding 30 minutes per day. The network's work is not subject to review by the Media Authority, a condition meant to achieve its independence.<sup>95</sup>

When it was introduced, the law faced much criticism. The Iraqi parliament and the presidency were called on not to approve it because of its contradictions, lack of transparency, the proposed network's lack of independence, and that it would not help organize media work nor enhance standards of independence and professionalism for the media, but rather threaten religious diversity. These criticisms pushed executive and legislative authorities to propose new amendments for some clauses to allow a wider scope for political interference and interpretation in the network's work in the future, saying that the law in its current form does not provide a clear model to ensure the independence of the network's journalistic work. Despite liberating it from the hegemony of the executive authority, it granted the Parliamentary Subcommittee on Culture and Media a large and wide authority to impose its guardianship over the Board of Trustees and the Head of the network, allowing interference with the work of the authorities, as the law grants the Parliamentary Committee executive powers contrary to the principles of the Iraqi constitution.<sup>96</sup>

The Iraqi Media Network, which manages and supervises state media, owned several television channels, radio stations, and weekly and daily newspapers and magazines. This Network was established after the fall of the previous Iraqi regime, and although it was funded by public money, in theory the Iraqi government has no authority over it, neither in terms of appointing its head, nor interfering in its politics, and this means that it should be an independent body like the judiciary. Among the television channels affiliated with the Iraqi Media Network are Al-Iraqiya satellite channel, Al-Furqan, and Al-Iraqiya Sports. Network-owned radio stations include Republic of Iraq Radio, Holy Quran Radio, Scheherazade Radio, and others, in addition to Al-Sabah daily newspaper and Al-Shabaka weekly magazine.<sup>97</sup>

The establishment of public media, or the media of the public broadcasting service, needs many safeguards. These must begin with a sufficient guarantee of the independence of public broadcasting from any interference or authority of the government. It also needs broadcasting to be free for the general public, while ensuring the editorial independence, and the independence of the commissioners with representation of the public in the management.

This study is not about discussing the details of those procedures that guarantee the independence of public broadcasting, but it is important to note that funding for the sustainability of public broadcasting must come from the state's general budget as well as the contributions of the public. They must adopt a completely transparent policy in the management of public broadcasting institutions, and their submission and accountability by special bodies in which the public is represented. Many other conditions and characteristics should be applied to ensure legal, and logistical independence for the public broadcasting service and ensure its success.

Establishing public media in Iraq may come up against a number of problems: 1) the lack of a legislative environment supportive of such broadcasting outside the Iraqi media network, 2) existing parties, political and sectarian groups that may see this type of public broadcasting as a

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<sup>95</sup> Previous resource.

<sup>96</sup> Statement issued by the Journalists Freedom Observatory – Elaph Website - available at: <https://elaph.com/Web/News/2015/6/1014744.html>

<sup>97</sup> Previous resource.

threat to their interests and narratives, and 3) the lack of a safe political and social environment that protects freedom of broadcasting, freedom of opinion and expression, and freedom of communication.

## **B. Challenges facing the private media**

The vast majority of Iraqi media outlets are privately owned, with the exception of those owned in an official capacity by the Iraqi government.

The Head of the Journalists Syndicate in Kurdistan Azad Al-Sheikh believes that the most important challenges facing the Iraqi media are the lack of a clear vision for the press in Iraq, the exploitation of the press in political conflicts, the difference in the legal structure between the Kurdistan Region and the central state in Iraq, and the relationship of social media to professional media and journalism.<sup>98</sup>

According to the journalist Ziad Ajeili, the most important challenges facing the Iraqi media are security: “in previous years we were afraid of militants, businessmen and sects, but now we fear the laws and the way the Iraqi judiciary deals with journalists and the media, and it is also difficult to obtain information from any Iraqi institution. Even the websites of public institutions and ministries do not provide information, but rather take the nature of news websites. There is no transparency and provision of information.”<sup>99</sup>

The Head of the Media Sector in the Media and Communications Commission, Mujahid Abu Al-Hail, believes that “the most important challenges facing the media are the lack of independent media through which we can build an Iraqi media school or an Iraqi media space. In addition to the fact that there are no financial resources to support independent media, and there is no career or livelihood security for journalists.”<sup>100</sup>

The low contribution of commercial advertising to securing funding for truly independent media exacerbates this existential challenge. These outlets’ disappearance from the market gives way to the control of political and partisan media and its propaganda.

## **4. Advertisement and its political impact on media in Iraq**

There is no documentation on the contribution of commercial advertisement to Iraqi media, nor the total financial value of the advertising market and the share of the media as a whole in the value of commercial advertisement.

A few years ago, a study was conducted by the Iraqi Media House on advertising in the Iraqi press.<sup>101</sup> It concluded that “one of the decisive factors in determining the features of the press advertising market in Iraq, is the intermediary that controls the process of selling ads, determining the percentage of commission and the newspapers that get them, as well as controlling the allocated quantities of advertising. The intermediary often cuts any link between publishers and advertisers through a network of relationships, because of which it is impossible to achieve transparency and proper communication between two parties. The broker also enjoys strong

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<sup>98</sup> Journalists’ representative in Kurdistan Azad Sheikh during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>99</sup> Media professional Ziad Ajeili during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>100</sup> Head of media department at the CMC Mujahid Abu Al-Hail during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>101</sup> Iraqi Media House – Alwasaet Network Destroy Paper press – available at: <https://bit.ly/3cqcb0A> .

influence within government institutions and advertisers from outside the government, particularly the business sector, trade, and the stock market. It has become a significant obstacle in the advertising market—newspapers can obtain advertising resources only by succumbing to the broker’s conditions and options in terms of distribution rates. The advertisements that Iraqi newspapers can obtain without an intermediary are almost non-existent, or that they are at very low prices and quantities.”<sup>102</sup>

The study, which monitored the distribution of commercial advertisements to Iraqi newspapers, said that the crisis makes paper newspapers the most vulnerable to the risks of a stifling financial crisis, some of which threaten to close, or lay off their employees and reduce costs, particularly newspapers funded by publishers or franchisees outside the circle of government or party institutions. The financial crisis was caused by mismanagement in the distribution of government advertisements, and poor advertising materials obtained by newspapers from commercial institutions and private financial interests.<sup>103</sup>

The Iraqi Media House study noted that Iraqi newspapers fail to cover their minimum costs through the funding provided by advertisements. There is no mechanism that adheres to transparent administrative and legal standards for distributing advertisements to Iraqi newspapers fairly according to rates of distribution and spread. The study indicated also that there is a clear failure to pay newspaper dues for publishing advertisements, for reasons related to routine, or the financial crisis that the country has witnessed since the beginning of 2015. This has forced Iraqi press institutions to reduce the cost of publishing the advertisement and agree to be paid on credit, to save themselves from bankruptcy. This causes an imbalance in the advertising market, imposed by the double and unclear standards of distribution.<sup>104</sup>

The mediator controls everything in the press advertising market. It manages the market via a network of different and influential relationships across the whole process, through distribution, sale, and commissions. It is difficult for a press institution to get out of the mediator’s circle because to do so is to face almost certain financial losses. The mediator can sometimes control the editorial policy of institutions and imposes conditions on publication which the newspaper must accept. In addition, some Iraqi newspapers, both daily and weekly, receive advertisements at high rates. These are limited in circulation and take advertising from other, larger papers. Some of them are issued only on the day the advertisement is published, and with a number allocated to the advertiser.<sup>105</sup>

The Media House study recommends the formation of a joint committee concerned with supporting independent media, a committee including chief editors of the main newspapers and a government coordinator representing the General Secretariat of the Council of Ministers. It also recommends the state provide financial support for newspapers represented in subsidizing paper and ink, permanently abolish the mediator to instead establish equitable distribution of government advertising without the need for a third party “intermediary”, establish a public national distribution company, cancel preferential treatment for state-funded newspapers, invite the Iraqi parliament to open a dialogue with media institutions in Iraq to issue a series of laws

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<sup>102</sup> Previous resource.

<sup>103</sup> Previous resource.

<sup>104</sup> Previous resource.

<sup>105</sup> Previous resource.

regulating media work, and finally to invite human rights organizations to support independent media in Iraq to save it from partisan, political, sectarian and ethnic polarization.<sup>106</sup>

Commercial advertising in Iraq is still limited, while government advertisements are still distributed on unfair bases, and according to a network of interests that link media institutions to the government and exerts pressure on influential parties in the government, and the legislative authority on the other, which presided over the weakening of independent media institutions in favor of other media organizations with interest and service links with the government and political parties.

Most of the Iraqi media is politicized by local and external donors, which allowed those outlets to completely get rid of advertising, advertisers, and mediators. Financial funding reaches them regularly. Funding challenges have not affected these outlets, rather it has led to a reduction in the number of truly independent outlets.

The commercial advertising market in Iraq is still an emerging market. When commercial advertisement began to spread in Iraqi society, social media platforms were also opening up. Advertisers turned to the electronic press and social media platforms not only because of the lack of the financial cost, but due to their rapid and widespread, which allows them to reach broad segments of society at a speed that newspapers and even satellite channels cannot match.

There is now fierce competition between traditional “paper” media trying to survive through any funding source to sustain their publication and other electronic journalism and social media platforms that allow the advertiser to reach the public wherever he is without any need for an intermediary.

The advertising market in Iraq still has influence over the media. The government owns the largest share of the advertising market, which it distributes according to political and biased interests. While the partisan media have no desire to compete for advertising because they are satisfied with party or personal funding. The independent media remains the biggest loser under threat of being forced out of the Iraqi media market. At best, an outlet continues operating from a website that has a lower operating value. In addition to the economic crisis, security threats and other competition will likely push those newspapers to close and lay off journalists and their workers.

What is left is a situation in which ownership determines the extent to which these media outlets are able to survive. Hence, the media map in Iraq in terms of ownership is split among:

- a) “Public” government ownership: this includes media institutions that follow the Iraqi Media Network, are funded from the state budget, and receive the largest share of government advertising.<sup>107</sup>

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<sup>106</sup> Previous resource.

<sup>107</sup> The Iraqi Media Network Law defined service advertisement as (advertisements broadcast through visual or audio media, in newspapers, publications, or Internet sites, which are funded by official authorities to announce matters related to public services, which aim to educate the public and provide it with information). By Article (22) of the law service advertisements are displayed free of charge, according to regulations approved by the Board of Trustees in a manner that serves the public interest, provided that they are not used for advertising by a minister, official or party. Commercial advertisements do not exceed 30 minutes per day on television and radio channels, or a quarter of the volume of printed or electronic publications.) Iraqi Media Network resolution no. (26) of 2015 adopted by the Iraqi House of Representative, May 2015 – available at Iraqi Ministry of Justice – issue 4378 – 30/08/2015 <https://www.moj.gov.iq/view.1758/>

- b) Partisan ownership: media affiliated with political parties with influence in Iraqi society. They also receive a share of government and commercial advertising, but their main funding comes from the party. It should be noted that these parties either receive external international funding from Iran and some Gulf countries, or they are funded from within Iraq.
- c) Private political ownership: owned and usually funded by politicians, businessmen, influential people, and parliamentarians. They receive a share of advertisement according to the size of their political influence and their viewpoint.
- d) Independent private ownership: These independent media properties depend on advertising, distribution, and spread, and receive the lowest percentage of commercial advertising. They may be subject to the advertiser's or mediator's attempts to intervene in editorial policy in order to obtain the advertisement and ensure its sustainability and survival.

#### **5. Donors' impact on the independence of media in Iraq:**

Finances and the political funding of the Iraqi media remained one of the most worrying problems affecting media expansion after the occupation of Baghdad in April 2003. The subsequent decisions of the Civil Coalition Authority, foremost of them the abolition of the Iraqi Ministry of Information and the issuing of new legislation, established a new political reality, and a new media environment in Iraq.

Iraqi experts, politicians, and journalists do not hide the fact that the Iraqi media is subject to external interference through funding and sponsorship. "Foreign countries invested in Iraq's turbulent situation in the wake of the US invasion in 2003 to control media and media workers, and start trying to interfere in Iraqi affairs, money, and political influence. External influences forced some outlets to work for the occupying power, contrary to the media principles of revealing facts and censorship – instead influencing public opinion, taking advantage of the weakness of the law and covering up the work of the corrupt."<sup>108</sup>

This hegemony appeared early and has continued in various ways, opening the door for political and sectarian interests to control the Iraqi media because of its dependence on party and political donors who use the media to serve their political discourse and influence the public. This was confirmed by the Head of the Media Forum in Iraq, Nuri Hamdan, who said that "the most important challenge facing the media in Iraq is the lack of independence and the control of sects and factions over the media," which led to a clear reduction in the independence of the media and the increased importance of the issue of media ownership and external funding, which comes from different countries pursuing their own political purposes.

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<sup>108</sup> Dr. Fadel Al-Badrani – statements to Al-Jazeera Net – available at: <https://bit.ly/3uYvAUJ> .

A study on the impact of funding on the future of the print press in Iraq concluded that “newspapers do not adopt an independent policy without the influence of the funding body in dealing with news.”<sup>109</sup>

Political money succeeded in recruiting influential media, including social media to implement its agenda. This negatively affected the principles and ethics of the media as a fourth authority. “Censorship, disclosure and media” became a means to mislead public opinion, and a tool for the corrupt.”<sup>110</sup>

The ambiguity of media funders in Iraq has remained one of the most serious problems faced by the Iraqi media sector, which “contradicts the independence of journalistic work, reduces the chances of media success, and faces us with a dangerous moral challenge.”<sup>111</sup>

In a study on the importance of news and transparency in funding, Iraqi journalist Daa Resan said that “the ambiguity of funding sources is incompatible with the independence of journalistic work and reduces the chances of media success, even as the phenomenon of financing media institutions by unknown parties, political forces, and regional bodies has become considered a normal thing by press institutions and a large number of journalists.” Daa suggested that “the spread of political and party financial support in Iraq is due to the ease of entry to the world of professional journalism and media in Iraq, the absence of a law making transparent the financial and commercial accounts of media outlets, as well as the political conflict between political parties of all kinds. It is difficult for the media to make progress in its demands from government agencies for transparency and for access to information while its sources of funding are unknown.”<sup>112</sup>

However, the matter did not last long after the covers have been revealed, but this does not mean that the Iraqi arena has become completely pure, on the contrary, it still embraces many challenges in this regard.”<sup>113</sup>

The political funding of the Iraqi media, the lack of transparency in donors and owners and their authority over the media discourse through their political, partisan, and sectarian influence has remained one of the most prominent problems facing the Iraqi media in the post-occupation years until today. It has been used to serve the agenda of donors and allows them direct impact on media discourse with the aim of influencing the public.

The problem of the independence of the Iraqi media has been a hot question over the past years, due to media institutions’ loss of financial independence, which opened the door for donors from parties, politicians, influential people, and sectarians to use media as tools that speak for their goals and policies and defend their interests and influence. The biggest loser in this space remained the independence of the media on the one hand and the public and its right to receive and access information on the other.

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<sup>109</sup> Rand Qusai Majeed, professor Anmar Waheed Faidee - the impact of financial funding on the printing press’ future – MA thesis Review – Al-Bahith Journal – volume 13, issue 51 (2021) – p. 154.

<sup>110</sup> Manar Al-Zubaidi – Media in Iraq... Between the Hammer of Money, and Anvil of Authoritarian Influence – International Journalists Network – available at: <https://bit.ly/3RHlyAx>.

<sup>111</sup> Hadi Hassan Aliwi – Funding media (a lesson of media work ethics – writings – available at: <https://bit.ly/3cjxecx>.

<sup>112</sup> Dia’a Rassen - the importance of news sources and transparency in the funding of the media among specialists and the general recipients and their role in media success – a study presented to Arizona – Journalistic Freedoms observatory – available at: <https://bit.ly/3aP1eww>.

<sup>113</sup> Dr. Shareif Darwish Al-Iaban – Laith Eiadah Al-Lahibi – Media Pluralism in Iraq: A tool for national unity, or a mean of conflict (1-2) - Arab Center for Research and Studies – available at: <http://www.acrseg.org/6921>.

# Chapter Four

## Media as a Platform for Democratic Discourse

Indicators for freedom and democracy in countries undergoing democratic transition measure the extent of freedom of the press and the media, the extent to which laws, legislation, and government practices guarantee freedom of opinion and expression, access to information, free elections, freedom of association, political pluralism, and gender equality.

These pillars signify the progress of democracy and its impacts in societies undergoing democratic transition. Any imbalances in these indicators will reflect negatively on the state of freedom and democracy in that country because they represent one complete package. A decline in any of them has repercussions on them all.

The freedom of the media and the press in societies undergoing democratic transition is among the most important indicators of true democracy. It plays a major role in influencing public opinion and building community support, in addition to its other effects on the overall political process of countries in democratic transition.

Hence, the media in its role as a platform for the manufacture and re-broadcast of democratic discourse acts as a mirror of all the transformations, conflicts and consensuses that are taking place in society.

UNESCO's indicators on the media as a platform for democratic discourse emphasize that public, private, and community media must serve all groups in society, and therefore all must use the language or languages that reflect the linguistic diversity of the target areas including marginalized groups, while community and written media must be accessible for local groups, tribes, and refugees. The state media, or public media, must represent the views of all political spectrums, and must cover a wide range of social interests. The information provided by the media must be available to women and marginalized groups, taking into account their accessibility including the level of literacy among different groups.<sup>114</sup>

### **A. How are political and sectarian conflicts reflected in Iraqi media?**

We discussed how Iraq entered into a cycle of conflicts, disagreements, and chaos following the onset of the occupation in April 2003. This chaos was quickly entrenched by the establishment and emergence of political parties, some of whom took on management of the Iraqi political scene on behalf of the American occupier. Iraq later also witnessed the emergence of radical extremist forces including, but not limited to, ISIS, who disrupted the country and violated basic human liberties.

Because of its role in influencing public opinion, the Iraqi media has become a manifestation of Iraq's difficult reality, and, consequently, political, partisan, and sectarian conflicts are reflected in the media in Iraq. This is especially true because much of it remains beholden to the policies of owners and financiers, part of a battle of agendas fought in the background by financiers with political, partisan, and sectarian leanings.

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<sup>114</sup> UNESCO, "Media Development Indicators: A framework for assessing media development" – page 37 – available at: [https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara)



“Sectarianism has become a tool used by political opportunists, where mutual suspicion and sectarian mobilization influence the behavior of the political elite that aspires to build an electorate and mobilize popular support. The media landscape in general is polarized along sectarian lines. Because of their increased financial resources, most of the major political parties have launched satellite television channels, the most popular media format in Iraq, and use them to spread the sectarian ideas of their donors. Sectarian prejudices and stereotypes were also reproduced through non-Iraqi media, especially Arabic-speaking channels, most of which are funded or sponsored by Middle-Eastern governments and political elites.

The sectarian bias of the Iraqi media led not only to an escalation of violence, but also reached the point that when it becomes known “The name of the party a journalist works for, he becomes a target for the enemies of that party. The issue has moved away from internal problems and the extent of patriotism to approaching organized political sectarian fighting. Journalists are the people who reveal themselves most in their work, according to the profession’s principles, and for this they are the most likely to be killed.”<sup>115</sup>

#### **B. The effects of media polarization on social cohesion**

No one denies the role of the media in promoting civil peace and social cohesion, directing society towards peaceful integration, resolving internal disputes, and rebuilding societies that witnessed internal conflicts that reached the level of armed civil conflict.

In previous chapters, we referred to the involvement of the Iraqi media in internal conflicts in service of the political agenda of the conflicting parties, which undertook to establish media platforms and support them financially and technically for the purposes of promoting their ideas and political agenda.

It must be emphasized that the Iraqi public has become more confident in social media platforms in recent years, and so-called "WhatsApp groups", are used as communication groups, some of which include thousands of participants in direct communication to broadcast and circulate news.

According to the results of a scientific study on the effects of new media in shaping public opinion about the crises in Iraq, these results showed a significant increase in the dependence of the Iraqi public on new media regarding crises in Iraq, which indicates its role in shaping public opinion. It also revealed that members of trade unions use mobile phones. Mainly in obtaining information about crises by using its applications, or by accessing social media and other new media, and the study also showed a decline in relying on printed newspapers in large proportions in favor of new media.

#### **C. The problems of self-organization and the plurality of union representation**

UNESCO asserts that “The best guarantee for ensuring high ethical and professional standards in journalism is voluntary self-regulation within and among news organizations. Effective self-regulation is a matter of both form and culture. National media cultures may have the apparatus of self-regulation, codes of ethics, ombudsmen, complaints commissions, the printing or broad casting of retractions and corrections, etc. but these may be ineffective without a prevailing culture.<sup>116</sup> Further, self-regulation can sometimes be effectively achieved without formal national structures or bodies but by local and internal vigilance, responsiveness and transparency on

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<sup>115</sup> Dia'a Rassen, “Sectarian media is a reason for targeting Iraqi journalists” – Iraqi Freedom Observatory – available at: <https://bit.ly/3OjDrCl>.

<sup>116</sup> UNESCO-Media Development Indicators: A framework for assessing media development – p.39 – Available at the official website of UNESCO: [https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara)

questions of news ethics and accuracy. Self-regulation is most successful where it properly engages all stakeholders within the media industry.”<sup>117</sup>

“Indicators of self-regulation enjoyed by the written and broadcast media include the presence of clear codes of ethics and a sound editorial line. Codes are distributed to journalists and discussed and reviewed periodically. Indicators also include the availability of systems that allow public complaints to be heard about alleged violations of ethical standards, and that self-regulatory bodies and ombudspersons are independent of government and away from commercial interests.”<sup>118</sup>

The Iraqi Constitution states in Article (39) that “The freedom to form and join associations and political parties shall be guaranteed, and this shall be regulated by law. It is not permissible to force any person to join any party, society, or political entity, or force him to continue his membership in it.”<sup>119</sup>

There is no text in the laws regulating journalistic work in Iraq that makes any statement about plurality of union representation for Iraqi journalists, or for self-organization by forming councils wider than what is stated in Iraqi laws. However, the Iraqi Journalists Syndicate law adds problematic restrictions limiting its definition of who can be considered a journalist.

The Iraqi journalists’ syndicate law identifies “journalists” as “any member of the syndicate for the purposes of this law.”<sup>120</sup> The law further identifies “the practice of the profession of journalism is the work in one of the professional heads of press institutions, owners of newspapers or magazines, editors-in-chief, managing editors, deputy editors-in-chief, assistant editors-in-chief, editorial secretaries, editors, translators, informants, listeners, photographers, calligraphers, designers, painters, reporter correctors, and archive organizers. In addition, accountants and collectors who completely quit journalistic work before the entry of this law into force shall be deemed to be covered under its provisions, and it shall not include those who have practiced the profession of accounting or collection after its entry into force.”<sup>121</sup>

According to Azad Sheikh, the Iraqi journalists’ representative in Kurdistan, the syndicate is working “on a proposal for amending press law 35 of 2007, in order to amend some articles, and add a definition of journalist to differentiate between professional journalists and citizen-journalists”<sup>122</sup> As a form of self-regulation, the law stipulates the formation of two committees in the syndicate, “the disciplinary and control committees, which shall consist of three original members and two reserve members for each committee. Further, the disciplinary committee shall investigate complaints referred by the council in accordance with the law. In addition, the disciplinary committee shall file cases that constitute a crime with the competent court and the issuance of the acquittal shall not prevent the Committee from issuing disciplinary decisions against the member in accordance with the law.”

Moreover, the law classifies journalists into three types: practicing journalists, working journalists, and participating journalists. Practicing journalists are those who take journalism as a profession and work at news agencies as their main profession and have not yet obtained membership in the syndicate by virtue of two continuous years of work. Practicing journalists do not enjoy any of the

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<sup>117</sup> UNESCO-Previous resource.

<sup>118</sup> UNESCO-Previous resource.

<sup>119</sup> Iraqi Constitution-Article (39)-The official website of The Republic of Iraq-Available at: <https://presidency.iq/info.aspx?jicare=1002#gsc.tab=0>

<sup>120</sup> Paragraph (6) of Article (1) of Iraqi Journalists’ syndicate law no (178) of 1969-Available at the official website for Iraqi Journalists’ Syndicate: <http://wiki.dorar-aliraq.net/iraqilaws/law/19675.html>.

<sup>121</sup> Article (34) of the Iraqi Journalists Syndicate Law-Previous resource.

<sup>122</sup> Iraqi journalists’ representative in Kurdistan, Azad Sheikh during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purpose of the study.

privileges of a working journalist until they have achieved the level of working journalists after the required period of work or training. The training period is reduced to one year for fresh graduates of press departments, and six months for higher degree holders. Working journalists are those “who actually work in journalism or news agencies as a main profession, with two years of continuous work.”<sup>123</sup> Participating journalists are those “who practice journalistic work, not as a main profession, or his/her main profession duties in media fields, were similar to those of journalistic work. The participating journalist gains the membership without being granted the rights of working journalist. When the participating journalist takes journalism as a main profession, he/she shall have the right to move his/her name from participants list into the working journalists list.”<sup>124</sup>

Furthermore, “Anyone who practices the profession of journalism and is not affiliated with the syndicate or is prohibited from doing so under this law, shall be punished by imprisonment for a period not exceeding fifteen days or a fine not exceeding fifty dinars, and newspaper owners may not appoint in permanent journalistic work with a monthly salary individuals who are not members of the syndicate, as they may appoint foreign correspondents abroad.”<sup>125</sup> The Journalists Rights Law defines journalist as someone “who performs a journalist work and has a full-time job.”<sup>126</sup>

The media laws in the Kurdistan Region are similar to Baghdad’s in defining the category of journalist. Kurdistan’s law defines journalism as “the practice of journalistic work in various media channels,” and it defined the journalist as “every person who practices journalistic work in media channels.”<sup>127</sup>

The Head of the Journalists’ Syndicate in Kurdistan, Azad Al-Sheikh, asserts that “The philosophy of the legislator in the Kurdistan Region is not to interfere in the media, and to keep the media a social and professional task that the state has no control over. For example, there is no Ministry of Information in Kurdistan, but in Baghdad there is regression. They established the Iraqi Media Network and the Communications and Media Commission after the adoption of the constitution in 2005, noting that the Kurdistan region is more developed in laws, as the law on the right to access information has been approved since 2011, but in Iraq there is no law until this moment.”<sup>128</sup>

Paragraph (D) of Article (1) of the Kurdistan Region’s Journalists’ Syndicate Law defines the journalist as “every person practicing journalistic work and who belongs to the union and fulfills their obligations.” Also, paragraph (2) of Article (15) of the law stipulated the formation of a disciplinary committee, consisting of a chairman and two members. Its task is to “investigate complaints referred by the Council for judgement in accordance with the provisions of this law.”<sup>129</sup>

Among international standards for human rights, the Universal Declaration of Human Rights guarantees that “everyone has the right to form and to join trade unions for the protection of his interests,”<sup>130</sup> and “no one may be compelled to belong to an association.”<sup>131</sup> In addition, the International Covenant on Civil and Political Rights<sup>132</sup> states that “Everyone shall have the right to

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<sup>123</sup> Article (7) of the Iraqi Journalists Syndicate Law-Previous resource

<sup>124</sup> Article (6), (7), and (8) of the Iraqi Journalists Syndicate Law-Previous resource.

<sup>125</sup> Article (36) of the Iraqi Journalists Syndicate Law-Previous resource.

<sup>126</sup> Paragraph (1) of Article (1) Iraqi Journalists rights law of 2011-Iraqi journalist syndicate website-available at: <http://iraqjis.org/law> .

<sup>127</sup> The first Article of law no.35 of 2007-journalistic work law in Kurdistan.

<sup>128</sup> Journalists’ representative in Kurdistan Azad Sheikh during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>129</sup> Law no. 40 of 2004, first amendment law of journalists’ syndicate law no.4 of 1998-journalists’ syndicate law in Kurdistan-available at: <https://www.kurdjs.com/ar/wp-content/uploads/2018/11/qanun-arabik-sandika.pdf> .

<sup>130</sup> Paragraph (4) of Article (23) of the Universal Declaration of Human Rights-available at the United Nations Website: <https://www.un.org/ar/universal-declaration-human-rights/> .

<sup>131</sup> Paragraph (2) of Article (20) of the Universal Declaration of Human Rights-previous resource.

<sup>132</sup> Iraq acceded to the International Covenant on Civil and Political Rights, dated 25/01/1971.

freedom of association with others, including the right to form and join trade unions for the protection of his interests, and states parties to the International Labor Organization Convention of 1948 concerning freedom of association and protection of the right to organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that convention.”<sup>133</sup>

One of the most important pillars to achieve self-regulation for journalists is legislation that guarantees freedom, the right to access information, and media independence, forming a supportive and free political and legislative environment. In democratic societies, pluralism and peaceful transfer of power cannot flourish and progress without ensuring freedom of the press and media.

“International organizations concerned with media freedom, such as the Council of Europe, UNESCO, or the Organization for Security and Cooperation in Europe for media freedom, have recognized that self-regulation is the form of regulation that best guarantees freedom for journalists, when combined with strict and limited constitutional and legislative safeguards, protects media freedom, and ensures freedom of access to information as well as protecting sources. The establishment of self-regulatory councils to monitor the ethical and professional standards of journalists cannot be established in a society that does not have mechanisms that respect the minimum level of political democracy.”<sup>134</sup>

Also, “self-regulatory mechanisms such as mediation boards and press boards bring tangible benefits to media users, as they provide an alternative to courts of justice, to which few citizens ultimately resort, for financial or cultural reasons, and grant the public the right to obtain quality information. The self-regulation councils did not come to enact legal rules or to hold journalists accountable via criminalization, but rather to find a professional formula for respecting the ethics of the press, and in the face of this situation that has become prevalent, self-regulation mechanisms must not become an alternative to the courts or “pre-trial” mechanisms that employ judges’ decisions in the courts.”<sup>135</sup>

The press laws in Baghdad and Kurdistan provide for the formation of a disciplinary committee to investigate complaints referred from the Syndicate Council and to decide on them as part of the field’s self-regulation, but the matter remained confined to this body. No progress was made achieving self-regulation in the way meant by international standards, which require the journalists’ unions in Baghdad and Kurdistan to take it up internally.

In this context, “self-regulation of the press must come by a decision from the people of the profession without any government pressure. Often, press regulation councils deal with the ethical and professional aspect of journalism, not the legal aspect. We find that most of the tasks assigned to these councils are to settle disputes and complaints related to the practice of the profession and its ethics, and not to adjudicate criminal suspicions that necessarily fall outside the jurisdiction of those councils. These councils determine honor codes and standards for practicing the profession for press workers and undertake the task of imposing penalties, which are often financial.”<sup>136</sup>

To emphasize: one of the necessary components for successful self-regulation via complaints councils is that none of the council members are representatives of or employed by the media

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<sup>133</sup> Paragraphs (1) and (3) of the International Covenant on Civil and Political Rights-Human Rights Library-University Minnesota- available at: <http://hrlibrary.umn.edu/arab/b003.html> .

<sup>134</sup> Mohammad Hadad, “Self-Regulatory Mechanism for journalists... Protection of the Profession, or of Authority?” Press Magazine-Al-Jazeera Net-available at: <https://institute.aljazeera.net/ar/ajr/article/1577>

<sup>135</sup> Mohammad Hadad, previous resource.

<sup>136</sup> Self-Regulation of Arabic Press... The Ecosystem is Missing

institution, so as to ensure the greatest degree of independent decision-making. This does not seem possible in the Iraqi media environment given the control over it exerted by parties, sects and donors, and the resulting lack of independent media.

Among the most important elements for successful self-regulation, in addition to the need for independent councils, is the commitment of journalists to professional and ethical standards aligned with the international standards for the profession of journalism and media, and to adhere to professional codes of honor and codes of conduct. Public representatives in complaints boards must be free from membership in media institutions so as to avoid conflicts of interest. Term limits must be set for members of the Complaints Board, and journalists and media institutions must agree to abide by all decisions issued by the Complaints Board.

“Self-regulation enhances the independence of the media, and with related guidelines it is a system independent of the state and legislation, aiming, but not limited to, to ensure honesty and accuracy in journalistic work, the rights of reporters and interviewees, and benefits journalists. It increases the reader's trust in the media, and protects the right of journalists to be independent, and to be judged for their professional mistakes by their colleagues, not the authority. Also, self-regulation benefits the reader, as readers can object to the content of the articles for free. The legal procedures are usually costly, the resolution of disputes in these frameworks is faster than in the courts, it reduces the power of the state over the media, and self-regulation is not a subject of self-censorship, but, on the contrary, efforts towards self-regulation create conditions that are beneficial to freedom of expression.”<sup>137</sup>

The principles of self-regulation are usually written in the ethical codes of journalism, a set of guiding principles often more nuanced than the law. Ethical codes define the rights of the reader, the journalist, and interviewees, and outline basic principles that guide journalistic work, such as honesty and objectivity. The ethical codes of journalism often have a special national character, due to the difference in cultures and legislation.

In March 2008, Iraqi journalists and media professionals signed a charter of professional media honor in Amman, by which they committed themselves to a wide range of professional principles and values, including 61 articles prohibiting the encouragement of violence, commitments to objectivity, accuracy, correcting errors, the right of reply, impartiality, integrity, respect for the diversity and values of society, and respect for personal privacy.<sup>138</sup>

However, the extent of the commitment of Iraqi journalists and media professionals to this charter remains questionable. After more than 14 years, questions have arisen about the continued commitment of journalists, the Journalists Syndicate, and media institutions to the charter.

Iraqi journalists have taken steps toward achieving self-regulation by starting to establish councils in accordance with international standards, making progress toward an important part of international standards for self-regulation.

Further, according to the Anchor Basheer Ali at Al-Amal radio station, “Judicial authorities treat journalists according to their syndicate membership, if a journalist is a member of the syndicate, he will be dealt with as a journalist, and if not then as a normal citizen.”<sup>139</sup>

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<sup>137</sup> Previous resource.

<sup>138</sup> Osama Mahdi, “Media Institutions sign the Professional Code of honor,” Elaph Website – available at: <https://elaph.com/Web/Politics/2008/3/314210.html>.

<sup>139</sup> An intervention during a brainstorming session organized by Center for Defending Freedom of Journalists with a number of Iraqi journalists via Zoom, dated 17/05/2022

#### **D. Requirements for fairness and impartiality**

Previous chapters discussed the radio and satellite broadcasting systems issued by the CMC and the conditions it set for granting broadcasting licenses. According to UNESCO's requirements for fairness and impartiality, the legal requirements for the preparation of fair press reports vary widely between countries. UNESCO and the international normative guidelines reject all censorship of the content of news and opinions in the press and on the Internet, however radio and television licensing systems often integrate rules of impartiality and professional ethics.<sup>140</sup>

UNESCO's requirements for radio broadcasting law set rules to allow political parties to obtain equitable coverage during the election period. While the patterns of electoral coverage can differ from one country to another, radio broadcasting laws should not override the editorial independence of the media by turning it into a center for censorship, or interference. There are multiple laws in this framework.<sup>141</sup>

One of UNESCO's main indicators is the establishment of an effective broadcasting law that enshrines the requirements of justice and impartiality. In this regard, the Iraqi Radio Broadcasting Law asserts these requirements for public and private broadcasting organizations, ensuring respect for the principles of justice, balance, impartiality, and non-compromise of the law in the editorial independence of the media outlet, by improving prior censorship systems and be in line with international standards.<sup>142</sup>

In accordance with the requirements of the CMC to obtain a radio, television, or satellite broadcasting license, an outlet must submit an application to the commission. It obligates the licensee to begin broadcast within 90 days of obtaining the license unless the CMC grants the licensee a special extension in an official letter. The licensee must obtain legal approvals for rights before publishing and broadcasting copyrighted material, including music. This includes reproduction, rebroadcasting, and simultaneous broadcasting of received foreign transmissions, whether from remote local radios or programs taken from satellite. All broadcasters are required to have valid contracts for broadcasting copyrighted materials and must be able to present these contracts upon request.<sup>143</sup>

As for the procedures for obtaining a satellite channel license, the CMC requires an application in order to obtain a broadcasting license, a letter of endorsement from the municipal council for the channel's site, and a copy of the contract with the satellite company. If the applicant is a non-governmental organization or institution, the CMC must be provided with a letter issued by the General Secretariat of the Council of Ministers confirming that the institution is a non-governmental organization.<sup>144</sup>

If the applicant is a private company, they must issue a letter addressed to the CMC confirming ownership of the station, along with approved copies of the company's founding papers (Foundation Contract, Company's Meeting Minutes and Foundation Certificate), a copy of the four founders' identity cards, or a unified residence card belonging to the manager and the authorized person, or a passport (for non-Iraqis). After completing the forms, they should be signed and stamped by the channel manager. Forms should be scanned and typed onto a (CD) disk to be handed over along with the papers to the CMC, the clearance certificate issued by tax authority for nongovernmental companies and institutes, and the clearance issued by the Ministry of Labor and Social Affairs endorsing the inclusion of workers in the authority in social security in

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<sup>140</sup> UNESCO - Media Development Indicators: A framework for assessing media development-p.42 – available at: [https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara).

<sup>141</sup> Previous resource

<sup>142</sup> Previous resource

<sup>143</sup> Official website of the CMC - <https://cmc.iq/ar/lic-2/>

<sup>144</sup> Previous resource.

accordance with cabinet resolution no. 15 of 2015. In the case that all the aforementioned forms and procedures required are not completed, the transaction will not be approved.<sup>145</sup> It is evident from the foregoing that there are several procedures and condition that must be changed for obtaining radio and satellite licenses so as to meet UNESCO requirements for fairness and impartiality.

Moreover, the Journalists' Syndicate Law<sup>146</sup> puts in place various mandatory requirements for members of the syndicate to ensure fairness and impartiality. For instance, Article (25) states that members of journalist syndicate may not use the means of press publication for slander, defamation, accusation of citizens unjustly or discrediting them without national or legal justification, special exploitation of the written or drawn word for a personal benefit, harmful to others or impersonate idea or action of others, violate private and public freedoms stipulated by law by press means, and not to mislead the public with incorrect information and dishonest portrayal of facts.<sup>147</sup> Further, the law states in Article (26) that the syndicate may impose direct sanctions or penalties based on the recommendation of the Disciplinary Committee beginning with a warning, rising preventing the member from practicing the profession for a period not exceeding six months, and culminating in the revocation of union membership.<sup>148</sup>

However, the Iraqi Media Network states that the network and its affiliated media institutions must be committed to different international and professional standards and regulations. They must reflect multiple scientific, religious, philosophical, and political opinions and orientations in a comprehensive, impartial, and subjective forms in accordance with the law. They further shall present news, reports and news programs of the security, political and other incidents with comprehensiveness, subjectivity,<sup>149</sup> and impartiality. They must work according to international recognized broadcasting general principles, marked by independence, impartiality, integrity, faithfulness, subjectivity, and transparency according to the regulations on network systems, and remain impartial to all parties of the political operation.<sup>150</sup> Media practices which do not align to these standards and regulations and impact fairness and impartiality remain common in Iraq for due to the bias of most Iraqi media toward owners and funders. This is clearly shown in the media broadcasting list of rules issued by the CMC in 2019. This list was heavily rejected and sharply criticized by Iraqi journalists at the time.<sup>151</sup>

#### **E. Safety of journalists and the violations they are exposed to**

According to a report conducted by Metro Center for journalists' rights and advocacy in Kurdistan in 2021, 2,160 violations were committed against journalists between 2011 and 2020. The Center observed 353 violations against 260 male and female journalists and media institutions in 2021 alone. Such violations included 189 freezes of coverage, 81 assaults, threats, and mockery, 25 arrests and detentions without a warrant, 13 cases of equipment confiscation, two cases of closure and attacks against media institutions, and one shooting case over a journalist.<sup>152</sup>

Azad sheikh, the Journalists' Syndicate representative in Kurdistan, criticizes the international classification of media freedom in Iraq. He asserts that the international classification is unfair, saying that although we cannot deny that there are several violations in Kurdistan, they are not

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<sup>145</sup> Previous resource.

<sup>146</sup> Iraqi Chamber of Deputies adopted an amendment on Iraqi journalists' syndicate law of 2017 which included the fourth amendment and changes to some articles.

<sup>147</sup> Journalists' syndicate law (178) of 1969, available at: <http://wiki.dorar-aliraq.net/iraqilaws/law/19675.html> .

<sup>148</sup> Previous resource.

<sup>149</sup> Article (6) of the Iraqi Media Network no. 26 of 2015 – published in Iraqi Alwaqaii newspaper – volume 4378 – 30/8/2015 – available: <https://www.moi.gov.iq/view.1758> . /

<sup>150</sup> Previous resource.

<sup>151</sup> Media broadcasting list of rules – CMCM, 2019 - available at: <https://cyrilla.org/en/entity/efu4mjvp0c>.

<sup>152</sup> Metro Center-available at: <https://www.metroo.org/arabic/dreja.aspx?hewal&jmare=7087&Jor=6>.

correctly portrayed in international reports. He indicated that the outstanding committed violations in the territory are detention, prevention of journalistic practice, assault, and workplace closure.<sup>153</sup>

This is the volume of violations that Iraqi journalists are exposed to, and it reveals the extent that such violations threaten journalists' personal safety, along with that of media institutions, which face another set of violations including violent assault by terrorist groups, or anonymous attackers, in addition to forced closure, and being prevented from publishing or broadcasting. Further, the dilemma of Iraqi journalists' safety remains serious and under continuous risk. According to president of the Iraqi freedom observatory Hadi Jalu, Iraqi journalists have been encountering these violations since 2003. Since then, Iraq has lost more than 500 journalists under various circumstances because of government violations, violations by foreign actors and military, and violations by extremists. Mr. Jalu also pointed to other forms of violation against Iraqi journalists, like equipment confiscation, coverage prevention, destroying journalists' equipment such as cameras, theft of video recordings, discrimination between media institutions, arbitrary forced firing of employees, delay of salary, refusal to fulfill financial obligations, discrimination between employees, bullying, and marginalization and harassment of women.<sup>154</sup>

It is clear that these laws and legislations are not used or implemented for the sake of journalists. The unstable political and security conditions inside Iraq have led to increasing rates of human rights violations in Iraq, especially against journalists. Further, it should be stressed that with the increase of Iraqi armed groups Iraqi journalists became their first target. When ISIS emerged and took over regions of Iraq, a new armed force was formed to confront and fight ISIS. Nonetheless, the killing, kidnapping, and threatening of journalists became normal. This allowed Iraqi journalists and media to be dominated by terrorist groups, while violations by the state against journalists continued.

ISIS has performed the harshest forms of terrorism against Iraqi journalists, such as killing, assassination, kidnapping, and threatening. In addition, it used a media platform to carry out further terror, not just against civilians, but also against journalists. For instance, communication technologies including social media platforms were used to direct terrorism and inflammatory messages against journalists and several Iraqi media institutions.

Other armed organizations also intimidate journalists, with tens of violations observed against journalists practiced by various Iraqi armed groups. Impunity from punishment remains a major driving factor in the ongoing increase of violations against journalists in Iraq and Kurdistan. This was stressed by the United Nations: "According to the International Freedom of Expression Exchange (IFEX), in nine out of ten cases, the perpetrators of these crimes are never prosecuted. Impunity, which may be understood as the failure to bring perpetrators of human rights violations to justice, perpetuates the cycle of violence against journalists and must be addressed. However, the safety of journalists and the struggle against impunity for their killers are essential to preserve the fundamental right to freedom of expression, guaranteed by Article (19) of the Universal Declaration of Human Rights. Freedom of expression is an individual right, for which no one should be killed."<sup>155</sup>

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<sup>153</sup> Journalists' representative in Kurdistan Azad Sheikh during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of study.

<sup>154</sup> Taha Alanai, "What is highlighted suffering of Iraqis journalists on World Press Freedom Day?" -Aljazeera Net-Available at: <https://bit.ly/3Bkgdtp>

<sup>155</sup> UN Plan of Action on the Safety of Journalists and the Issue of Impunity-available at: [https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists\\_ar.pdf](https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists_ar.pdf) .



A key UNESCO indicator is that journalists, media personnel and media organizations should be able to practice their profession in a safe manner.<sup>156</sup>

Among the means of verification adopted by UNESCO to measure the safety of journalists are statistics counting confirmed threats, physical assault, murder and unlawful detention, documented cases of closure or threat of mandatory closure of media institutions, evidence of investigations and prosecutions or the lack of investigation and prosecution in crimes against journalists, evidence of a discussion among the journalist community and the wider public about the security of those working in the media, surveys of journalists and media managers about the atmosphere in which they work, and analysis of media content by credible agencies in order to explore the degree of self-censorship exercised by journalists themselves and documented cases of journalists who were obliged and forced to disclose their sources.<sup>157</sup>

The Journalists' Rights Law of 2011 states that "A journalist may not be held accountable for his opinion or the publication of information, and this shall not be a reason to harm him unless his act is contrary to the law. Anyone who assaults a journalist during the performance of his profession or because of the performance of his profession shall be punished by the penalty prescribed for anyone who assaults an employee during the performance of his job or because of it. In addition, a journalist may not be interrogated about a crime attributed to him related to the exercise of the journalist's work except by judicial decision. A journalist may not be arbitrarily dismissed and if he is he can claim compensation in accordance with the provisions of the Labor Law in force. It is forbidden to prevent the publication or confiscation of newspapers except by a judicial decision."<sup>158</sup> However, the Journalistic Work Law in Kurdistan states that "anyone who insults a journalist because of his/her work is punishable with adopted sanctions for anyone who assaults an employee during the performance of his job or because of it."<sup>159</sup>

According to the Iraqi Observatory for Human Rights, hundreds of journalists and media professionals have been killed, pursued, detained, and even disappeared since 2003, with raids on media centers and the closure of several because of their coverage and editorial line. From May 3, 2021, to May 2, 2022, the Iraqi observatory for Human Rights observed a rise in the influence of parties with an interest in stifling freedom of expression and eroding the space for journalistic activity in Iraq. Testimonies of journalists revealed they were exposed to violations by "the authorities, influential parties, and extremist groups restrict press freedoms and expression of opinion and withheld no effort to silence and deter journalists from researching issues such as corruption, misuse of state resources, and their exploitation for narrow interests, as well as the absence of opponents, coverage of popular protests, and other issues", in addition to other journalists' testimonies who were exposed to violations.<sup>160</sup>

Iraqi female journalists are also exposed to various forms of violations. In an opinion poll conducted by Empowering Women in Media of a sample of 100 Iraqi journalists, the survey showed that 91 percent of female journalists in Iraq have difficulties in accessing information. This hinders their work and constitutes a major challenge to the profession. Almost half (46%) of female journalists who responded had been threatened or blackmailed. Of the different kinds of threats, death threats ranked first and made up 36% of all threats. Around a quarter (26%) of all threats included threats to journalists' families. Other threats included kidnapping and sexual assault. 79% of the

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<sup>156</sup> UNESCO - Media Development Indicators: A framework for assessing media development – p.45-available at:

[https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara).

<sup>157</sup> Previous resource.

<sup>158</sup> Articles (7-10) and (14015) of Journalists' rights law of 2011 – Iraqi journalists' syndicate website – available at:

<http://iraqijs.org/law>.

<sup>159</sup> Paragraph (5) of Article (7) of journalistic work in Kurdistan of 2007 – the official website of the Kurdistan Parliament-available at: <https://bit.ly/3aVhTOT> .

<sup>160</sup> Iraqi Observatory for Human Rights – available at: <https://bit.ly/3aP03xh>.

female journalists who were threatened said they didn't go to law enforcement agencies because they either did not trust the agencies or feared escalating the situation, while 15% of the female journalists who were threatened said a lack of professional or familial support for them meant they didn't go to law enforcement, and 13% of the female journalists who were threatened said their families refused to go to law enforcement agencies and preferred to remain silent. Other variables were also brought up, such as the fear of losing work or being killed if the threat was disclosed as other reasons not to reach out to law enforcement.<sup>161</sup>

According to UNESCO, female journalists face “increasing dangers, highlighting the need for a gender-sensitive approach. In carrying out their professional duties, they often risk sexual assault, whether in the form of a targeted sexual violation, often in reprisal for their work; mob-related sexual violence aimed against journalists covering public events; or the sexual abuse of journalists in detention or captivity. Furthermore, many of these crimes are not reported as a result of powerful cultural and professional stigmas.”<sup>162</sup>

According to observatory reports of female media personnel, “among 100 cases of killings, kidnappings, threats, assaults, and arrests, there were 32 Iraqi female journalists exposed to threats, defamation, and blackmail. Some of the respondents refused to give their names for personal and security reasons. The targeting of two journalists did not see any governmental or security procedures to mitigate direct and indirect violence. Impunity has increased the systemic targeting operations of female journalists and media personnel.”<sup>163</sup>

The forum issued a report surveying violations in the period from 04/05/2021 until 03/05/2022. “The report observed more than 100 targeted of male and female journalists, as well as media institutions. Among the total, 26 cases of threatens, harassment, defamation, bullying, and blackmail against Iraqi female journalists. Some withheld their names for security and personal reasons. The report further observed a greater decline in freedom of expression and media in Kurdistan, and some conflict areas.”<sup>164</sup> Moreover, the forum added in the report that “There is a disparity in violence rates against Iraqi male and female journalists, and local and foreign media institutions. For instance, various forms of suppression, imprisonment, threatens, assassination attempts, closure of institutions, blackmail, and defamation of male and female journalists from different areas in Iraq, which hindered the execution of their work. In addition, some governmental and nongovernmental entities purposely sought to restrict freedom of media, and to ban male and female journalists from covering important events or accessing information. This was particularly true for information related to demonstrations and sit-ins, along with increasing the targeting rate via social media platforms.”<sup>165</sup>

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<sup>161</sup> Iraqi House Media-available at: <https://bit.ly/3uXI527>.

<sup>162</sup> UN Plan of Action on the Safety of Journalists and the Issue of Impunity-available at: [https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists\\_ar.pdf](https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists_ar.pdf).

<sup>163</sup> Dr. Nibras Al-Maomori, Dr. Ali Fares, Dr. Bushra Zuaini, and Dr. Nada Amran, Gender Strategy in Iraqi Media-Iraqi Women Journalists Forum-First Edition-Tunisia 2021-p.166-the observation took place between 05/04/2019 and 02/05/2020.

<sup>164</sup> Iraq Women Journalists Forum – observatory report iwjf on the state of press freedom in Iraq from 04/05/2021 until 03/05/2022 – available at: <https://www.iwjf.info/?p=7443>

<sup>165</sup> Previous resource.

# Chapter Five

## **Building Professional Capacity and Supporting Institutions that Promote Freedom of Expression, Pluralism, and Diversity**

### **A. Do media professionals and journalists in Iraq receive essential training?**

After 2003, the democratic transition in Iraq created a novel media reality. This media reality strongly imposed itself throughout the years of post-occupation era, because of the elements of the new era which was led in the beginning by the Civil Administration that issued a number of legislations that directly affected the media sector and its industry in the new Iraq.

Before the new Iraq ended its first year after occupation, hundreds of media institutions, including newspapers, satellite channels, and radio stations crowded the Iraqi space. This period witnessed also the passing and the adoption of the Iraqi Constitution in 2005, whose 38th constitutional article stipulated guaranteeing freedom of expression by all means, and freedom of the press, printing, publication, freedom of assembly and peaceful demonstration, and guarantees the freedom to establish associations and political parties in Article (39).

We have previously referred to the criticisms made by Iraqi journalists, media professionals, researchers, and politicians to the reality of the Iraqi media, which witnessed an unprecedented overcrowding, before this phenomenon began to recede, at a time when hundreds of journalists entered the media industry, some of them has no experience in journalism, a large part of which was controlled by political parties who funded dozens of institutions that remained in the service of these parties and were committed to their policies and ideologies.

Many Iraqi media outlets have entered the political battle and the internal political conflict, driven either by the orientations of the political donors and owners of these institutions, or by external parties that have worked to establish media outlets to influence the Iraqi public and local public opinion to serve their interests.

Within this atmosphere, journalists were also targeted by training and capacity enhancement programs by Iraqi civil society organizations, or by specialized regional and international organizations. The aim was to rehabilitate Iraqi journalists, and to provide them with many skills that would enable them to perform their tasks in a professional manner.

Whatever the positions of the many Iraqi laws regulating freedom of expression and the media, which most of it remained inherited from the era of the former regime, dozens of civil society organizations appeared at the same time and took on the task of monitoring the Iraqi press and evaluating its performance. Other organizations were also specialized in monitoring violations committed against journalists are subjected, and other organizations were concerned with human rights in Iraq and the Kurdistan Region, in addition to the early establishment of the Iraqi Media Network and the Communications and Media Commission, which became in the era of democratic transition after 2003.

According to UNESCO's indicators, there should be qualification programs for journalists, training programs by local and external service providers, opportunities for qualified journalists at all levels to update their skills and basic knowledge in their field of work, opportunities for exchanges, local and international programs, support for journalists who need to be specialized in specific fields, and training in technological skills, opportunities to access distance learning, in-person training for all journalists, training courses that combine production and training, training using local languages and appropriate technology, training materials should be available in local "Arabic and Kurdish"

languages, training accessible to women and marginalized groups, and training programs that evaluate participants appropriately, and training covering awareness of the need for good and transparent management systems and dialogue between management and employees.<sup>166</sup>

A quick review of the training sessions that Iraqi journalists participated in inside and outside Iraq reveal the volume of quantity and quality of the sessions throughout the past years. For instance, tens of programs specialized in satellite, and radio media, and production techniques organized by Iraqi Media Institution, and other courses organized by the Iraqi Journalists Syndicate in Baghdad, and others organized by the Syndicate of Journalists in the Kurdistan Region, in addition to civil society organizations that also participated in the training, as well as dozens of training courses for Iraqi journalists that were conducted in Jordan, Turkey, the Netherlands, France, Egypt, and Tunisia , Syria, and Lebanon.

The majority of these training courses concentrated on the safety of journalists, the integration of human rights in press stories, coverage of conflicts in conflict zones, refugee issues, laws regulating freedom of expression and the press, the right to access information, and training of trainers' courses.

### **B. What kind of training sessions must be provided to Iraqi Journalists on Modern Media?**

The United Nations in Iraq issued a press release in May2020, saying that more than 2,600 Iraqi journalists have lost their jobs since the start of the Covid-19 pandemic in 2020 until today, and the cause is due to the digital skills possessed by young creators of digital content that pioneering and senior journalists lack. This is one of the major challenges confronting Iraq's journalistic community. World Press Freedom Day underlines topics that address the digital era's impact on freedom of expression, the safety of journalists, access to information and privacy and how to develop concrete recommendations to address these challenges.

The digital era has also put media workers and their sources at greater risk of being targeted, harassed and attacked for instance, due to data retention, spyware and digital surveillance.”<sup>167</sup> Furthermore, Muhammad Al-Asadi, Executive Director of the Media and Communications Commission said “We still need to keep up with global development in the areas of digital inclusion, particularly in the press sector in Iraq. Our next goal as a body is to build the skills of journalists and women journalists to be able to keep up with digital developments.”<sup>168</sup>

According to journalists Abdallah Al-Najar there are two reasons for journalists' weaknesses in terms of ability and creativity in digital media. The first reason “Related to the fact that media and press institutions in Iraq after 2003 lost the capacity in producing and implementing training standards for journalists as well as employ them.” The second reason is “related to academia, whereas the academic teaching methodologies at colleges and Iraqi press departments do not provide students with the required imperial skills in the media field.”<sup>169</sup>

Faced with a new digital media reality, press and media institutions had to pivot to maintain their survival and competition, and it was necessary to train journalists to use modern media and its multiple technologies, and it was also necessary to emphasize that those who cannot keep pace with this development should vacate their place for those who mastered the use of new technologies, which opened the door to holding hundreds of workshops and training on how to

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<sup>166</sup> UNESCO - Media Development Indicators: A framework for assessing media development-p. 50-available at: [https://unesdoc.unesco.org/ark:/48223/pf0000163102\\_ara](https://unesdoc.unesco.org/ark:/48223/pf0000163102_ara).

<sup>167</sup> Press Release issued by the UNESCO/Iraq office in 12/05/2022 titled “Journalism under Digital Siege”, UNESCO celebrate the World Press Day – The United Nations – Iraqi – Available at: <https://iraq.un.org/ar/181611-tht-nwan-alshaft-alraqyt-tht-alhsar-alrgmy-thtfl-ywnskw-alraq-balywm-alalmy-lhryt-alshaft>

<sup>168</sup> Previous resource.

<sup>169</sup> Previous resource.

use these technologies for the purpose of qualifying journalists and media professionals to adapt to modern media.

Scientific study findings on modern media impacts in forming public opinion about crisis in Iraq have shown a dramatic increase in the reliance of the Iraqi audience on modern media in news related to crisis in Iraq. This is evidence that modern media works on constituting public opinion. The results further showed that professional syndicates members use mobiles to access information about crisis via different applications, access to social media, and modern media means. The study found that syndicates members, journalists' union, and broadcasters' union do not fully count on blogs, forums, opinion websites, satellite channels websites, printed newspapers websites, which means that respondents still lack using modern media means. The study also found a significant decline in the reliance on printed newspapers in favor of modern media. As mentioned in the study, such result is compliance with the reality of newspapers, as daily newspapers' sales, such as Alsabab newspaper declined from 75000 daily copies in 2015, to 4000 copies in 2016.<sup>170</sup>

These findings of that study draw attention to the fact that modern media in Iraq has become present, pressing, and contributing to shaping public opinion, creating awareness, and disseminating information. However, journalists still need training and to master the use of modern media tools and platforms that have worked to bypass traditional media.

According to an observatory study on Iraqi female journalists' requirements "Female journalists who responded also listed professional needs, such as modern digital devices and equipment that kept pace with technology, workshops to develop further skills, such as investigative journalism, story styles (such as feature stories or portraits) and different writing styles, workshops on cybercrimes and how to secure personal computers and phones, better legal advice and more awareness of laws that protect journalists, and codes of conduct at work, as well as clear guidelines and potentially penalties regarding harassment at media institutions."<sup>171</sup>

### **C. Who are the parties that provide trainings, or qualified to train? "Iraqi Journalists' Syndicate/civil society organizations and institutions specialized in media/media institutions?"**

It was indicated earlier that many parties took the lead of Iraqi journalists' training, on the basis of journalistic profession and work ethics. Trainings started early after the democratic transition, and after the American occupation in 2003. The main goal was to raise the efficiency of Iraqi media personnel and boost their skills and experiences to stay in pace with the democratic transition. International organization handled the training operation, alongside tens of other international organizations and institutions. For this purpose, workshops and training sessions were held in Baghdad and Kurdistan, and other Iraqi cities, such as Karbala. In addition to training programs outside Iraq, like Jordan, Egypt, Lebanon, Syria, Tunisia, Turkey, Netherland, Germany, France, and other countries all over the world.

Training sessions were funded by both international financial support, and locally by Iraqi entities. Both Kurdistan and Baghdad journalists' syndicate held several specialized training sessions, CMC handled the mission of training journalists of modern media and audiovisual technologies, and Iraqi civil society institutions provided training inside Iraq for Iraqi media personnel. Organizations concerning Human Rights and press freedoms. For instance, Iraqi Press Observatory, Metro Center, Iraqi Media House, and Women Organizations. In addition to media institutions that

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<sup>170</sup> Engineer and doctor Ghaleb Kahzim Jiad Al-Da'ami-modern media and constitution of public opinion about crisis in Iraq-Ahil Al-Baiet magazine-volume 24-p.49-2017

<sup>171</sup> World Press Day: 91 percent of female journalists in Iraq have difficulties in accessing Information-Survey conducted by Empowering Women in Media-cited by Iraqi Media House-available at: <https://bit.ly/3IUZf6n> .

provided training to journalist, like Iraqi Media Network. On this regard, Iraqi Universities that teach journalism and media, chaired trainings provided to students on modern media technologies.

The Media Training Institute of the Iraqi Media Network, which was established in 1972, has undertaken the tasks of training on various types of radio and television arts inside and outside Iraq, as well as organizing courses in which broadcasters, program presenters and directors from all Arab countries have benefited from.

The Institute offers courses in the preparation of the broadcaster and program presenter, the editing of press releases, television directing, the basics of the Arabic language, graphic (effect after), press directing, the preparation of the reporter in radio, television and the press, public relations and negotiation, investigative journalism, the art of making visual advertisements, and editing the news, electronic in journalism, radio and television, television photography, interior design, directing programs and documentaries, script writing, media management for young people, inventory accounts, and workforce planning.<sup>172</sup>

Iraq journalists have received tens of training sessions on modern media, such as how to use social media platforms, personal safety, mobile journalism, conflict coverage, television and radio broadcasting technologies, documentary films industry, internet using, legal protection, coverage of refugees' issues and conflicts and wars' victims, marginalized people, woman and child issues, environment, work ethics, writing on modern media platforms, and electronic press. It is observed that regional, international, and Iraqi local efforts have devoted Iraqi media a clear attention through the several training sessions that were held inside and outside Iraq. In addition, Arabic and Iraqi civil society organizations, as well as international organization have put great, positive, and tangible efforts on this regard. However, the need for continuing training on modern media, remains urgent.

#### **D. Building professional capabilities for Iraqi male and female media personnel**

The issue of continuing to build the professional capacities of male and female media professionals in Iraq remains a constant need, especially in light of the rapid technological and technical leaps in the media and communications. This issue does not seem to be confined only to Iraqi media professionals, but rather extends to include all journalists in the world, specifically journalists from the countries of democratic transition, or those countries that are in a state of political instability, or political, ethnic, sectarian or partisan conflict.

It is certain that training journalists and media personnel would be pointless without being keeping up with legislations that govern freedom of press, expression, publication, and the spread of freedom. Without such procedure, all efforts of trainings, and professional, technical, and technological rehabilitation would be without influence on the product and content.

Within this framework, the amendments of legislations that govern media freedoms, is the key element to improve media or press profession, and to mitigate inner conflicts. Taking into consideration that media and communication technologies are nowadays available in front of the public, political authorities, however, became no longer influential in imposing comprehensive control over the flow of information.

The debate about "citizen journalist" is no longer an illusion as people have witnessed before. The internet and smart phones have allowed citizens with different cultures, interests, and abilities to become information producers and publishers. Information in different forms, written, visual, or

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<sup>172</sup> Iraqi Media Network-available at: [https://mti.imn.iq/?page\\_id=7](https://mti.imn.iq/?page_id=7)

audial, despite the extent of information compliance with media standards, is broadcast with data, videos, pictures, written messages, and direct comments.

One of the most critical challenges facing free media is a professional challenge, as “media professionals were under a closed totalitarian rule and lacked a lot of qualifications, skills, mechanisms of work, vocational training and knowledge of the development and performance of the media in developed democratic countries, as well as they were isolated from contact with colleagues of the profession in the world and see the development of modern media technologies at the levels of editing and directing and the nature of the tools and mechanisms used in media work.”

Within this context, it is important that Iraqi journalists receive several training sessions, general and specialized. For instance, training on covering Human Rights and its international standards, its local and regional reality, insert human rights in content. In addition, journalists must be also trained on all modern media technologies, radio, television, satellite, and electronic, production techniques such as photographing, and films production. Certainly, journalists should also be aware of the manner for using social media platforms, and mobile applications.

# Chapter Six

## Sufficient Infrastructural Capacity to Support Independent and Pluralistic Media

### A. The extent to which modern media technologies are available and used by Iraqi media professionals

With technological advances, every citizen regardless of his level of education or the nature of his work, can create communicative content and broadcast it regardless of its value and ability to influence, and without having any knowledge of media, its components, origins, conditions, and ethics.

Internet in Iraq is widely available, and according to the statistics of the year 2021, “the number of Internet users in Iraq reached (30.52) million users by the year 2021, an increase of 700 thousand users over the year 2020”, according to the Center for Digital Media in Iraq.

The results of an exploratory study on the implications of the digital environment and its effects on journalists working in the Iraqi press, conducted on journalists working in a number of Iraqi newspapers, showed the extent to which Iraqi journalists use modern media technologies, electronic journalism, and social media platforms, which reveals the availability of this technology in the Iraqi environment, and in press and media sector. The study stated that news websites came in the first place with (47.2%), search engines came in the second place with (26%), and political websites came in the third place with (22.1%).<sup>173</sup>

The results of the study showed that respondents from the sample use digital applications in the mobile phone at a rate of (97.7%) because this technology provides the journalist with a great service through filming, recording meetings, or any event of interest for journalists, which saves a lot for press institutions, and contributes to reducing expenses in the event of not using large cameras and media documentation devices. Facebook ranked first in terms of usage (29.3%), WhatsApp (21.5%), Viber (20.9%), Instagram (10.8%), Telegram (8.7%), and Twitter (7.1%).<sup>174</sup>

The study indicated the need for journalists to have digital skills in their journalistic work, in order to keep pace with the scientific and technical development that has appeared in all institutions, including media institutions.<sup>175</sup>

The study revealed that (91.5%) of Iraqi journalists rely on the Internet to obtain information due to the high speed of digital media in the process of transmitting information, and that (90.4%) of Iraqi journalists believe that digital media has contributed to the development of traditional media<sup>176</sup>. Moreover, the study indicated that press institutions should reconsider the matter of not encouraging affiliated journalists to depend on digital media. On this regard, the study showed that (62.8%) of the Iraqi journalists acquired the skill of dealing with digital environment through self-learning. In addition, the percentage of abilities in dealing with digital environment through

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<sup>173</sup> Dr. Jamal A. Namoos - The Repercussions of the Digital Environment and Its Effects on Journalists Working in The Iraqi Press - A field study on journalists working in the newspapers Al Zaman, Al Mada, Al Sabah, Al Mashriq, Al Zawra and Al Sabah Al Jaded – International Journal of Humanities and Social Science – college of humanities and social sciences, Beirut – Volume 13, June 2020 – p.204 and after: <https://www.ijohss.com/index.php/JoHSS/article/view/95/95>

<sup>174</sup> Previous resource.

<sup>175</sup> Previous resource.

<sup>176</sup> Previous resource.



media institutions was (30.8%), and (72.3%) of journalists are encouraged by their institutions to rely on digital content, and (27.7%) receive zero encouragements by their institutions.<sup>177</sup>

The study concluded that newsrooms are encountering a deep technological gap, technology experts in newsrooms are few, managers are more skilled in digital media than their employees, and journalists use only a limited set of digital skills. The survey found that among 23 digital skills exposed to journalists and newsrooms managers, only 4 skills were used<sup>178</sup>. The study further called upon media institutions and media professionals to adopt technology as an important and influential approach in improving and confronting various challenges. The study of a widening of the digital gap if media professionals and their institutions did not keep pace with digital technologies.”<sup>179</sup>

## **B. The Influence of social media on media freedom in Iraq**

In February 2022, the Digital Media Center revealed that the number of users of social media sites during this year reached 28.35 million (active) users, with an increase of 3,350,000 users from last year. The Center pointed out that there are 18.85 million users on Facebook platform, 15.45 million active users on Instagram, 13.8 million users on Snapchat, 1.9 million users of Twitter, 1.4 million users on LinkedIn in addition to 16.15 million users on the Facebook Messenger application. It also noted that the increase occurred in all platforms, especially Snapchat and Instagram, except for Facebook and Messenger, as both platforms lost two million users compared with last year’s statistic.<sup>180</sup>

These statistics reveal the reality of the effects of social media platforms and social media in Iraqi society, and the extent of their impact on the awareness and behavior of the public as well as the volume of information circulated in addition to its impact on the media that made social media a source of information that the media derive from it.

The issue of the extent to which the media depend on the information broadcast and disseminated by social media platforms, and to what extent the media can benefit from it, how to verify its credibility, how to address it, and to what extent it affects the electronic and traditional media, has been raised and continues to be raised.

According to Head of the Iraqi Journalists Syndicate Muayad Al-Lami, “Social media affected society in a positive manner, and granted citizens the right to access. However, the negative side is that information providers are not as professional as they should be. In addition, social media increased the spread of hate and sectarian discourse, which happened in so many countries, not Iraq only.”<sup>181</sup> Media professional Ziad Ajelie believes that “Social media platforms have increased hate and incitement discourse in Iraq. However, since nearly 3 years, things changed since platforms became more precise in the broadcasted information. WhatsApp groups on the other hand which emerged in Iraq in 2012, have a magnitude impact in exchanging information, and communication as some of these groups gather tens of officials, journalists, and activists.”<sup>182</sup> Journalists Dia’a Al-Nasri pointed out that “WhatsApp platform is important in Iraqi media, as it provides information to the Iraqi media, and became a public opinion creator. In addition to

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<sup>177</sup> Previous resource

<sup>178</sup> Previous resource.

<sup>179</sup> Previous resource

<sup>180</sup> Digital Media Center – 28 million social media users in Iraq – available at: <https://dmc-iq.com/2022/02/19/%d9%85%d8%b1%d9%83%d8%b2-%d8%a7%d9%84%d8%a5%d8%b9%d9%84%d8%a7%d9%85-%d8%a7%d9%84%d8%b1%d9%82%d9%85%d9%8a-28-%d9%85%d9%84%d9%8a%d9%88%d9%86-%d9%85%d8%b3%d8%aa%d8%ae%d8%af%d9%85-%d9%84%d9%85%d9%88>

<sup>181</sup> Iraqi Journalists’ representative Muayad Al-Lami during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

<sup>182</sup> Media Professional Ziad Ajelie during an in-depth interview with Center for Defending Freedom of Journalists via Zoom, for the purposes of the study.

citizens, political elite, media professionals, and activists use WhatsApp as a mean of communication, and sending and receiving information.”<sup>183</sup>

Digital statistics published by the Digital Media Center in June 2022 about the most viewed satellite channels pages on Facebook, reveal the amount of influence, and the importance of media means to be on social media platforms. The statement of the center called upon satellite channels to focus on its pages on the Facebook, updates broadcasted news, diverse publications, and not to be confined to a specific type of news.<sup>184</sup> According to the Center’s data, Al Sharqiya channel page topped the list with (5.6 million), followed by Al Furat TV with (5.3 million) and then Karbala TV with likes amounting to (4.7 million).

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<sup>183</sup> Journalists Dia’a Alnasri during an in-depth interview with Center for Defending Freedom of Journalists via Zoom for the purposes of the study.

<sup>184</sup> Digital Media Center announces the most liked satellite channels on Facebook in Iraq – published in 22/06/2022-available at: <https://bit.ly/3ojXkPr>

# Recommendations

## Addressed at legislative powers:

1. Reconsidering the Journalists' Rights Law so that it becomes binding to all governmental and media institutions in a manner that effectively guarantees the rights of journalists.
2. Amend the Penal Code, the Journalists Syndicate Law, and other similar laws to be in line with the letter and spirit of Article 38 of the Iraqi Constitution of 2005
3. Adopt and pass the law on the right to access information that has been in Parliament since 2012,
4. Reconsider legislation inherited from the previous regime, especially legislations that include harsh penalties for freedom of opinion and expression and deprivation of freedom.
5. Define the concept of prohibited behavior in the draft cybercrime law, taking into account the opinions, assessments and suggestions submitted by journalists and CSOs about it.

## Addressed at executive powers:

1. The study recommends that the Iraqi government, through the Ministry of Communications, determine the controls that guarantee the freedom of the Internet, and not to withhold the broadcasting service from journalists, press institutions, and citizens.
2. Reconsider the Law of the Media and Communications Commission to ensure more flexibility and transparency, in a manner that does not violate the provisions of Article (38) of the Iraqi Constitution.
3. Achieve gender equality without any discrimination between male and female media professionals.
4. Activate the role of the Communication and Media Commission to be an incubator for the Iraqi media.
5. Adopting a declared policy that ensures accountability for all those who attack journalists.
6. The study recommends the government to develop a clear media strategy for the next three or five years, and to select specialized bodies to implement it in partnership with the Journalist Syndicates in Iraq. The study also recommends that the government allocate a financial budget to support media institutions to ensure their continuity and survival within clear terms and conditions.

## Addressed at the Judiciary:

1. Train judges and attorneys on publication lawsuits, and freedom of opinion and expression.
2. Promote positive networking between journalists, judges, and lawyers in Baghdad and Kurdistan, through participatory workshops and training.

## Addressed at journalists:

1. Encourage journalists to avoiding any political, sectarian, or national polarization, and maintain neutrality during coverage.
2. Encourage journalists to develop their skills and capabilities through specialized training in modern media, legal protection, and personal safety and agree to establish a code of conduct and honor for journalists and media institutions in Iraq.

**Addressed at the Journalist Syndicate:**

1. Develop a media strategy for the Journalists' Syndicate focusing on training programs and improving the experiences and practices of journalists.
2. Draft a new draft law for the Journalists Syndicate law in line with Article 38 of the Iraqi constitution.
3. Establishing an observatory in the Journalist Syndicates in Iraq to monitor hate speech in the Iraqi media.

# Indexes

## **First: Iraqi journalists who participated in in-depth interviews from Iraq via the “Zoom” platform:**

1. The Head of the Iraqi Journalists Syndicate – Muayyad Al-Lami.
2. The Head of the Journalists Syndicate in Kurdistan – Azad Al-Sheikh.
3. The Head of the media department at the Communication and Media Commission – Mujahid Abu Al-Hail.
4. Journalist – Dia’a Al-Nasri.
5. Journalist – Omar Al-Shaher.
6. Journalist – Ziad Ajeili.
7. Human rights defender and Journalist – Hussam Al-Hajj.

## **Second: The participants in the focus group discussion organized by the Center for the Defending Freedom of Journalists with Iraqi media professionals and journalists via the “Zoom” platform on 17/5/2022:**

1. The Head of the Iraqi Women Media Forum – Nibras Al-Maamouri.
2. Investigative Journalist – Asa’ad Zalzali.
3. Journalist – Mohamed Latif.
4. Journalist and TV Presenter – Majida Al-Shujairi.
5. Journalist and Writer – Amal Baglan.
6. Editor-in-chief of Freedom News Agency – Ahmed Al-Hamdani.
7. Founder of Ansem Network for Digital Rights – Haider Hamzouz.
8. Journalist – Mohammad Kazim.
9. Executive Director of the Press Freedom Advocacy Association – Raya Ismail.
10. The Head of the Media Forum in Iraq – Nuri Hamdan.
11. Communication and Media Official at World Health Organization in Iraq – Bara’a Shaba’a.
12. Independent Journalist – Ayoub Hassan.
13. Anchor at Al-Amal Radio Station - Basheer Ali.
14. Journalist – Fatima Ali.
15. Professor at The Department of Mass Media at University of Baghdad – Irada Al-Jbouri.





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