

This statement is made on behalf of Press Freedom Advocacy Association a non-profit civil society organization that has been operating in Iraq since 2005.

This statement will address a series of challenges imposed by the Iraqi authorities to hinder the movement and freedom of journalistic work in the country and to antagonize independent media in a country that is supposed to have a democratic system and whose constitution clearly guarantees freedom of the press.

During the previous cycle, Iraq received 10 recommendations related to freedom of the press and media, and the protection of journalists and media professionals, including two recommendations that specifically refer to the killing of journalists – which were all accepted. However, practice has shown that Iraq has failed to implement these recommendations.

Between 2019 and 2023, the PFAA documented 1,555 violations against journalists, media professionals, and media outlets in Iraq and the Kurdistan Region of Iraq.

These violations include (assassination of journalists, assault and battery of journalists, raids on broadcasting stations and media offices, revocation of media licenses, coverage bans, and confiscation of equipment). These incidents occurred in all cities of Iraq without exception.

One of the main challenges in guaranteeing press freedom and enabling journalists to do their job lies in the laws that regulate these issues in the country. Although Iraq changed from a dictatorial regime to a democracy in 2003, the country is still governed by laws from the previous regime regarding freedom of the press, which is guaranteed by the constitution.

In its past five sessions, the Iraqi Parliament has failed to amend the laws inherited from the previous dictatorial era. The most

prominent inherited and enforced laws are (the Ministry of Information Law, the provisions of press offenses in the Iraqi Penal Code No. 111, the Publications Law, in addition to Order No. 65 issued by the US civil administrator of Iraq in 2004, Paul Bremer, concerning the Iraqi Communications and Media Commission).

Under these laws, the CMC has transformed into a Ministry of Information similar to the Ministry of Information under the dictatorial regime. It has imposed on media outlets matters that are not within its jurisdiction and has prevented the appearance of many opposition figures in Iraqi media. It has transformed from an independent body into a tool of repression in the hands of the government.

The CMC has issued dozens of decisions banning the hosting of Iraqi personalities who have a dissenting voice against a number of forces in the Iraqi state. It has issued dozens of decisions to close and suspend the work of local, Arab, and international media outlets, including the Reuters office. Iraqi journalists are subjected daily, continuously, and intensively to prevention from filming and covering current events.

This type of prevention increases in some periods to reach detention, arrest, or confiscation of equipment. The authorities resort to filing lawsuits against journalists under laws inherited from the past dictatorial era. The number of lawsuits filed against journalists across Iraq to date is around (70) in last 10 months. The authorities in the Kurdistan Region have issued prison sentences against 5 journalists in recent years, and two of them are still serving their sentences in Erbil .

Iraq recorded more than (500) journalists killed over the past 20 years (According to UNESCO statistics), and the authorities are still delaying the file of ending impunity. The security and judicial

authorities have failed to pursue the killers of journalists, and recently, the Iraqi government released one of those convicted of assassinating the writer specializing in the affairs of armed groups, Hisham al-Hashemi, and this person is currently working in the Ministry of Interior in Baghdad.

Another challenge restricting journalists and limiting their work, is the abolishment of the specialized Media and Publishing Court in 2015 by the Supreme Judicial Council.

The specialized court offered greater protection for journalists, imposing at most fines rather than the lengthy prison sentences now possible under ordinary courts. In practice, This decision shift has resulted in restricts and limits journalists work as they are now subject to the same criminal court procedures as other defendants.

In light of this presentation, we would like to suggest the following recommendations to Iraq:

1- Re-establish the Media and Publications Court, and ensure that journalists are not subject to harsh criminal penalties such as imprisonment, but to proportionate, non-custodial penalties, such as fines.

2- Immediately and unconditionally release journalists and media professionals detained for their journalistic work.

3- Lift Bans on News Websites

4- Establish an International Oversight Committee, composed by a joint judicial and security committee under international supervision, to reinvestigate the unsolved murders of journalists and ensure accountability.

5- Remove partisan quotas that compose the Media and Communications Commission.

6- Enact laws to guarantee the independence the Media and Communications Commission, which should include the prohibition of imposing censorship on media outlets by governmental authorities prevent the commission from interfering with media hosting and eliminate partisan influences.



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