

PRESS FREEDOM STATUS IN THE KURDISTAN REGION OF IRAQ

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Press freedom in the Kurdistan Region of Iraq (KRI) has declined significantly tarnishing the Region's long-established image as a stronghold of democracy and freedoms .

Journalists in the Kurdistan Region of Iraq find themselves besieged on all fronts. The Kurdistan Regional government has regained control over the means of communication in the Region, following the newly imposed restrictions on online press freedom outlined in Guidelines No.1 of 2023 by the KRG's Ministry of Culture, also known as Directives. The KRG has employed claims of hate speech, espionage, or risk to KRI as part of its arsenal against journalists putting them at an uphill battle to practice their profession. At the edge of KRG's drawn redlines, lawsuits that are brought against journalists critical of the KRG agenda or policies mostly have ended in imprisonment without fair judicial proceedings. This has negatively influenced journalists as they have no choice but to navigate their work within a very precarious environment, usually at the crossroads of tribalistic lines.

The recent surge in investigations, suspensions, censorship, and the imprisonment of journalists teeters the region on the edge of sharp declines of press freedom. Without a vibrant civil society and critical press, as Jacob Mchangama explains in his essay "The War on Free Speech," in Foreign Affairs, KRI is poised to face fierce challenges to its democratic institutions and values. Lack of free and critical press presents a formidable challenge for Kurdish society too. Given the government's control of information and opinion, Kurdish society is heading towards losing freedom and vibrancy.

The increasing crackdown on press freedom that has occurred under each of the successive KRG's cabinets sets a precedent for more centralization of control over information and public opinion. These hardline policy choices that suppress press freedom come at a time when the Region's democratic pillars have been in place for a decade longer than the Iraqi government's since the downfall of the Baath Regime in 2003.

A rising tide of regressive policies on freedom of expression comes in stark contrast to the past when the international community praised the KRG leadership for their commitment to the fundamental Human Rights principles, such as freedom of expression enshrined in Article 19 of the Universal Declaration of Human Rights.

Who Dictates What the Press Says?

The KRG's incisive use of various forms of violence, such as harassment, intimidation, threats, physical assault, and imprisonment, reveals its preference for control over freedoms, in stark contrast to its former position on free expression and press rights. The recent strengthening of libel laws can be seen as part of the ongoing challenge to press freedom. It sheds light on the KRG's lack of interest in upholding broader freedoms, despite their claims.

The presence of government control over communications in the digital era presents journalists with a new challenge in addressing issues related to electronic devices and online information. The recent implementation of Guidelines No.1 of 2023 mandates that media outlets must obtain government approval and take necessary actions to remove illegal content from their social media platforms, failure of which may result in substantial fines. However, the KRG holds the advantage in determining the definition of illegal content, irrespective of its reasonability. The Guideline's most discernible impact has been to serve as a blueprint for internet censorship, which is a direct threat to freedom of expression guaranteed by Press Law No.35 of 2007 and Article 38 of the Iraqi Constitution. However, it is likely that the Guidelines No.1 of 2023 is based on a manipulation of the meaning of Article 19, section 10 of the Kurdistan Region's Draft Constitution which states:

Instead, KRI's Press Law should be recognized as the cornerstone of responsible dissemination of information and opinion, which guarantees the freedom and diversity of the press and other media. Amongst the most blatant violations is the flawed proceedings against five Kurdish journalists and activists in 2021 after a peaceful protest demanding civil servant's rightful salaries to be paid. Sentencing these journalists, activists to six years has raised serious questions about the extent to which the KRG has gone to suppress dissenting voices, as observed by Human Rights Watch.

The potential dangers tied with the KRG's unchecked power and influence over press freedom present an alarming threat to the principle of freedom of expression. The lack of oversight over authority figures creates a risk for the freedom of speech in the civic space, as governments frequently exploit these areas to advance their own political interests. One example of this is their tendency to favor press and broadcast media that shares their political perspectives. This is particularly evident in KRI, where they effectively manipulate these media outlets into serving as tools of propaganda. Simultaneously, such governments ruthlessly censor and suppress dissenting voices, adhering to the logic articulated by Jacob Mchangama.

Regressive Digital Policies :KRG's New Intimidation Tool

The Ministry of Culture's directives allow the KRG to blacklist channels that have five violations within two years. Toughening libel laws in the face of online platforms in the KRI sets the region up for hard-core battles between the press and the government. This is especially true as innovative communication technologies in the modern digital era gradually integrate into the media system. While the digital age necessitates sound

legislation to safeguard individuals' rights by regulating media content, regressive policies such as the Guidelines No.1 of 2023 raise serious questions about the KRG's internet governance. Following this, online censorship could pose existential threats to the status of press freedom, given the KRG's unforgiving repressive measures. Currently, Guidelines No. 1 is the only regulatory legal code used to curb online information. However, with online information censorship rising in the spotlight, the next phase of government involvement could be concerning given the KRG's proven record of using every tool in its arsenal against dissenting press.

According to the Geneva Internet Platform (GIP), an organization that promotes internet governance and digital policy, digital threats to freedom of expression has become a sensitive topic throughout the world recently. Government content restriction, censorship, and surveillance are limiting freedoms in numerous countries, frequently due to political reasons. With the rise of internet users in Iraq from 20.58 to 33.72 million between the start of 2022 to 2023, according to Internet World Stats, the impact of online censorship on press freedom and the broader freedoms will be open ended. Internet governance will be yet another experiment for the 30-year-old KRG, which is struggling to balance its authoritarian practices with its claims of a free press and democratic governance.



ABOUT

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