

# Responses to Information Requests - Immigration and Refugee Board of Canada

Iraq: Media in Kurdistan, including social media; political affiliations of media outlets; treatment of journalists (2016-January 2019)

## 1. Overview

Sources indicate that the media landscape in Iraqi Kurdistan is mostly divided along political party lines (Soz 10 June 2016; Haksan 3 Aug. 2017; Hussein 2018, 5). In a doctoral thesis on the media's role in supporting democracy in Kurdistan, completed at Nottingham Trent University in the UK, Hataw Hama Saleh Hussein explains that Kurdish media can be divided into three categories (Hussein 2018, 113):

- Partisan media are directly affiliated with a political party, either a ruling party (Kurdistan Democratic Party, KDP or the Patriotic Union of Kurdistan, PUK) or to an opposition party (Hussein 2018, 114);
- "Shadow media" are "indirectly affiliated to the ruling political parties" (Hussein 2018, 117). They "claim" to be independent, but have links to a ruling political party and depend on it financially (Hussein 2018, 117);
- "Private" or "independent" media are operated by "individuals or private sector companies" and "have independent financial sources" (Hussein 2018, 121).

In their *Freedom of the Press* report for 2016, Freedom House indicates that commercial advertising is insufficient to sustain private or independent media, and as a result, they are "unable to compete" with media groups subsidized by Kurdish parties (Freedom House 27 Apr. 2017). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 1.1 Social Media

Information on social media use could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## 2. Legislation

### 2.1 Kurdistan Press Law

According to Hataw Hussein, in September 2008, the Kurdish government adopted the Kurdistan Press Law; it was amended from an original version that was enacted in 2007 (Hussein 2018, 144). Hataw Hussein explains that this law facilitates the process of opening a media outlet, prohibits censorship, guarantees freedom of expression and "protects journalist[s]' rights" (2018, 145-148). Freedom House indicates that the law requires officials to "investigate incidents in which journalists are injured or killed as a result of their work" (Freedom House 27 Apr. 2017). A copy of the English version of the law is attached to this Response.

Regarding the implementation of the law, Hussein reports that the interviewees met for her thesis agreed that implementation of the Press Law "is very weak in Kurdistan, especially by the courts" (Hussein 2018, 154). Further and corroborating information on the implementation of the Press Law, including examples of specific cases, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## 2.2 Law on the Right to Information

Sources note that, in June 2013, the Kurdish Parliament passed a law guaranteeing the right to access information in Kurdistan (Hussein 2018, 147; Freedom House 27 Apr. 2017). However, Hataw Hussein notes that the law is not enforced and that, according to Azad Hama Amin, the General Secretary of the Kurdistan Journalists Syndicate, there is a lack of guidelines on its implementation (2018, 80, 155). Similarly, Freedom House indicates that the law's implementation is "poor or biased" and, as such, journalists seldom exercise this right (Freedom House 27 Apr. 2017). The US Department of State's *Country Reports on Human Rights Practices for 2016* states that as of September 2016, the Kurdish government "had not made efforts to implement the law" (US 3 Mar. 2017, 30).

## 3. Media Outlets in Kurdistan and Their Political Affiliation

Sources provide the following information regarding media outlets and their political affiliation:

- *Al-Ahali*: Weekly magazine published in Baghdad that [translation] "presents itself" as liberal (*Courrier international* n.d.a). According to *Courrier international* [1], it is representative of the position of moderate Kurds (*Courrier international* n.d.a);
- *Al-Taakhi* [*al-Ta'akhi*]: Arabic-language daily, [published in Baghdad (*Courrier international* n.d.b)], it is a newspaper of the KDP (*Courrier international* n.d.b; Hussein 2018, 115);
- *Awena*: Independent newspaper published weekly in Sulaymaniyah by the former editor-in-chief of *Hawlati* [see below] (Hussein 2018, 122);
- Bas News: "Multi-language news website, widely believed to be affiliated with the KDP" in Erbil (BBC 8 July 2014);
- GK TV: TV channel founded by the PUK; it is considered the "first Kurdish satellite television news channel" (Hussein 2018, 115);
- *Hawlati*: Sulaymaniyah-based Kurdish daily newspaper, critical of the [translation] "local government" (*Courrier international* n.d.c). First private Kurdish newspaper (Hussein 2018, 112). According to Hussein, it closed on 23 February 2016 "due to financial difficulties" (Hussein 2018, 122);
- Kurdish News Network (KNN): Based in Sulaymaniyah (BBC 8 July 2014). According to Hataw Hussein, KNN is a news channel funded by the Gorran Movement, an opposition party (Hussein 2018, 117). According to the same source, KNN has played a "critical role in reporting on corruption and human rights violations" in Kurdistan (Hussein 2018, 117). Other sources also indicate that KNN is affiliated with Gorran (BBC 8 July 2014; US 3 Mar. 2017, 29);
- *Kurdistani Nuwe* [*Kurdistani Noué*]: Daily newspaper affiliated with the PUK

- (*Courrier international* n.d.d.; Hussein 2018, 115);
- Kurdistan Post: Sulaymaniyah-based news website, with articles in Kurdish and in English written by local journalists; it [translation] "can be critical" of the regional government and of local politicians (*Courrier international* n.d.e);
  - Kurdistan24 (K24): Erbil-based media group, launched in October 2015, which includes a news website, a television channel and a radio station (*Courrier international* n.d.f; Hussein 2018, 119). *Courrier international* indicates that Masrour [Masrur] Barzani, the son of Massoud [Masud] Barzani [former President of the Kurdistan Region], is the founder of K24 (*Courrier international* n.d.f). Similarly, Hataw Hussein states that K24 is "sponsored" by Masrour Barzani (Hussein 2018, 119);
  - Kurdistan Satellite TV: Erbil-based television channel owned by the KDP (BBC 8 July 2014);
  - NRT TV [Nalia Radio and Television, NRT]: Sulaymaniyah-based private television station (BBC 8 July 2014; Hussein 2018, 122). US *Country Reports 2016* describes NRT as "independent" (US 3 Mar. 2017, 29). Reporters Without Borders (Reporters sans frontières, RSF) describes NRT as an "opposition TV broadcaster," noting that it "describes itself as independent but it has close links to the political opposition" (RSF 28 Dec. 2017). According to the same source, NRT's owner advocated against the Kurdish independence referendum [2] (RSF 28 Sept. 2017);
  - Payam TV [Payama Television]: Islamic Kurdish satellite channel (Hussein 2018, 116). Founded by the Islamic Group of Kurdistan (IGK) (Hussein 2018, 116) or "affiliated with the Kurdistan Islamic Group" (US 3 Mar. 2017, 29). Its programs "reflect Islamic views" (Hussein 2018, 116);
  - Rudaw: Erbil-based media network that broadcasts in Kurdish and English and has a website, a weekly newspaper, as well as TV and radio channels (Hussein 2018, 118-119). According to *Courrier international*, it does not [translation] "hesitate to criticize" Kurdish politics (*Courrier international* n.d.g). The BBC describes Rudaw as "[p]rivate," but states that "it is widely believed to be affiliated with [the Kurdish] Prime minister, Nechirvan Barzani" (BBC 8 July 2014). Similarly, Hataw Hussein states that it is financially supported by Nechirvan Barzani (Hussein 2018, 118);
  - Speda TV is a Kurdish satellite channel, created and funded by the Kurdistan Islamic Union (KIU) (Hussein 2018, 116);
  - *The Kurdish Globe* is a weekly English-language newspaper based in Erbil (*Courrier international* n.d.h). Information on the *Kurdish Globe's* political affiliation could not be found among the sources consulted by the Research Directorate within the time constraints of this Response;
  - Xandan [Xendan]: Sulaymaniyah-based media organization (Hussein 2018, 115). The BBC indicates that it is a media site funded by a "leading PUK figure," Barham Salih (8 July 2014). According to Hataw Hussein, it is "completely directed" by the PUK (Hussein 2018, 115).
  - *Xebat* [*Khabat*, *Birayeti*]: Daily newspaper affiliated with the KDP (BBC 8 July 2014; Hussein 2018, 115; *Courrier international* n.d.i), published in Erbil (BBC 8 July 2014; *Courrier international* n.d.i).

#### 4. Treatment of Journalists

US *Country Reports 2016* states that, in 2016, journalists faced trial, conviction and legal action by the authorities, despite the "decriminaliz[ation] of publication-related offenses" in the Press Law (US 3 Mar. 2017, 28). The same source added that "local government, political parties, and officials, regularly discriminated against some media outlets regarding access to information based on party affiliation" (US 3 Mar. 2017, 30). According to Freedom House's *Freedom of the Press 2017* report, journalists are often charged with "libel and insult cases" by public officials using the Iraqi penal code, which "undermin[es] the protection provided in the Kurdistan Press Law" (Freedom House 27 Apr. 2017).

Freedom House states that although the Press Law requires officials to investigate injuries to or killings of journalists that occur "as a result of their work," "few journalists' deaths have been investigated" (Freedom House 27 Apr. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. According to the International Federation of Journalist (IFJ), the Kurdistan Journalists Syndicate notes in its annual report on media freedom violations that in 2017, "[f]our journalists were killed ... , 30 journalists were arrested, 5 were wounded, 39 suffered from physical attacks, 111 were restrained and 18 were threatened" (IFJ 6 Feb. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

US *Country Reports 2016* and US *Country Reports 2017* state that in Kurdistan, media workers experienced "numerous beatings, detentions, and death threats" (US 20 Apr. 2018, 23; US 3 Mar. 2017, 29). The same sources add that some assailants wore "military or police uniforms" (US 20 Apr. 2018, 23; US 3 Mar. 2017, 29). US *Country Reports 2016* notes that "[m]any attacks targeted independent and former opposition media, mainly" NRT, Payama Television and KNN (US 3 Mar. 2017, 29).

Freedom House's *Freedom in the World 2018* report indicates that journalists and media outlets that "reported critically on the KRG leadership or the independence referendum crisis faced arrests, threats and closure orders from security forces and regulators, and attacks by partisan thugs" (Freedom House 4 Jan. 2018). According to RSF, NRT TV, a media outlet whose owner was against the 2017 independence referendum, was "the target of several attacks and restrictions" in the weeks leading up to the referendum (RSF 28 Sept. 2017). The same source indicates that the media outlet was suspended for a week on 25 September 2017, "on the culture ministry's orders," and was again suspended for eight hours on the eve of the referendum (RSF 28 Sept. 2017). RSF adds that in August 2017, NRT TV's office in Erbil was raided by security forces as it was preparing to open a new studio to air "referendum-related programmes," and that, on the day of the referendum, NRT TV journalists were "prevented from entering three voting stations" in Erbil (RSF 28 Sept. 2017). RSF also states that three other Kurdish media outlets - Roj News, KNN and Payam TV - were also prevented from covering referendum-related events (RSF 28 Sept. 2017). According to the same source, an NRT reporter was detained from 22 to 27 December in Sulaymaniyah and another NRT employee was arrested on December 24 at Sulaymaniyah airport (RSF 28 Dec. 2017). RSF indicates that "NRT's journalists have been particularly targeted," but that other media outlets have also been affected, noting the case of a Roj News reporter based in Qaladiza who was "detained for several hours on 19 December" (RSF 28 Dec. 2017). Corroborating

information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Human Rights Watch reports that, in December 2017, three journalists were detained for covering protests, respectively in Koy Sanjaq, Halabja and Sulaymaniyah (Human Rights Watch 28 Feb. 2018). The Committee to Protect Journalists, an NGO with headquarters in New York City that "promotes press freedom worldwide" (CPJ n.d.), states that security forces "assaulted at least four journalists" from KNN while they covered protests in the Kurdish cities of Chamchamal and Qaladze (CPJ 20 Dec. 2017). According to RSF, when covering a protest in Chamchamal on 19 December, two KNN employees were injured, including a cameraman who "sustained an ankle injury that was inflicted by the security forces, and his equipment was smashed" (RSF 28 Dec. 2017).

Sources report that during protests in late March 2018, security forces assaulted and detained journalists covering the events (Human Rights Watch 15 Apr. 2018; CPJ 26 Mar. 2018; Amnesty International 28 Mar. 2018). According to sources, the protests were against austerity (CPJ 26 Mar. 2018; Amnesty International 28 Mar. 2018) or against reduced salaries (Human Rights Watch 15 Apr. 2018). CPJ adds that during a protest in Erbil on 25 March 2018, security forces "assaulted" four media workers from NRT TV (CPJ 26 Mar. 2018). According to the same source, during a protest held in Erbil on 26 March 2018, two journalists from Payam TV were assaulted and detained, and a reporter from the independent news website Dwarozh was "slapped and kicked" by security forces who also threatened to send him to prison for six months and seized his camera and SIM card (CPJ 26 Mar. 2018).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

## Notes

[1] *Courrier international* is a France-based weekly news publication that provides a curated content from foreign media sources, translated into French (*Courrier international* n.d.j).

[2] According to sources, in September 2017, a referendum on the independence of Kurdistan was held in the Kurdistan region; 92 percent voted in favour of Kurdistan's independence, although the referendum was opposed by the Iraqi government (BBC 27 Sept. 2017; *The Guardian* 28 Sept. 2017).

## References

Amnesty International. 28 March 2018. "[Iraq: Violence Against Protesters and Journalists in Kurdistan Region Shows Blatant Disregard for Freedom of Expression.](#)" [Accessed 25 Jan. 2019]

British Broadcasting Corporation (BBC). 27 September 2017. "[Iraqi Kurds Decisively](#)

[Back Independence in Referendum.](#)" [Accessed 28 Jan. 2019]

British Broadcasting Corporation (BBC). 8 July 2014. "[Iraqi Kurdistan Profile - Media.](#)" [Accessed 25 Jan. 2019]

Committee to Protect Journalists (CPJ). 26 March 2018. "[TV Crews Assaulted, Detained Covering Protests in Kurdish-Controlled Northern Iraq.](#)" [Accessed 25 Jan. 2019]

Committee to Protect Journalists (CPJ). 20 December 2017. "[Broadcaster NRT Closed, KNN Journalists Assaulted Amid Protests in Iraqi Kurdistan.](#)" [Accessed 25 Jan. 2019]

Committee to Protect Journalists (CPJ). N.d. "[What We Do.](#)" [Accessed 30 Jan. 2019]

*Courrier international*. N.d.a. "[Al-Ahali.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.b. "[Al-Taakhi.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.c. "[Hawlati.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.d. "[Kurdistani Noué.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.e. "[Kurdistan Post.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.f. "[Kurdistan24.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.g. "[Rudaw.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.h. "[The Kurdish Globe.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.i. "[Birayeti.](#)" [Accessed 25 Jan. 2019]

*Courrier international*. N.d.j. "[Qui sommes nous?](#)" [Accessed 29 Jan. 2019]

Freedom House. 4 January 2018. "Iraq." [Freedom in the World 2018.](#) [Accessed 25 Jan. 2019]

Freedom House. 27 April 2017. "Iraq." [Freedom of the Press 2017.](#) [Accessed 25 Jan. 2019]

*The Guardian*. 28 September 2017. Martin Chulov. "[More Than 92% of Voters in Iraqi Kurdistan Back Independence.](#)" [Accessed 28 Jan. 2019]

Haksan, Nawaf. 3 August 2017. "[Lack of Press Independence in Iraqi Kurdistan Undermines Public Dialogue.](#)" Center for International Media Assistance (CIMA). [Accessed 25 Jan. 2019]

Human Rights Watch. 15 April 2018. "[Kurdistan Region of Iraq: Protesters Beaten, Journalists Detained.](#)" [Accessed 25 Jan. 2019]

Human Rights Watch. 28 February 2018. "[Kurdistan Region of Iraq: Protesters.](#)

[Journalists Detained.](#)" [Accessed 25 Jan. 2019]

Hussein, Hataw Hama Saleh. 2018. [The Role of News Media in Supporting Democracy in Kurdistan Region.](#) PhD Thesis. Nottingham Trent University, United Kingdom. [Accessed 25 Jan. 2019]

International Federation of Journalists (IFJ). 6 February 2018. "[Iraqi Kurdistan: The IFJ Warns About Media Freedom Violations in the Region.](#)" [Accessed 25 Jan. 2019]

Reporters sans frontières (RSF). 28 December 2017. "[Journalists Arrested to Prevent Coverage of Iraqi Kurdistan Protests.](#)" [Accessed 24 Jan. 2019]

Reporters sans frontières (RSF). 28 September 2017. "[Media Targeted in Kurdistan Referendum Tension.](#)" [Accessed 25 Jan. 2019]

Soz, Jiwan. 10 June 2016. "[Challenges Facing a Developing Kurdish Media.](#)" Atlantic Council. [Accessed 25 Jan. 2019]

United States (US). 20 April 2018. Department of State. "Iraq." [Country Reports on Human Rights Practices for 2017.](#) [Accessed 25 Jan. 2019]

United States (US). 3 March 2017. Department of State. "Iraq." [Country Reports on Human Rights Practices for 2016.](#) [Accessed 25 Jan. 2019]

## Additional Sources Consulted

**Internet sites, including:** Australia – Department of Foreign Affairs and Trade; Doha Center for Media Freedom; eoi.net; EU – European Asylum Support Office; Denmark – Danish Immigration Service; France – Office français pour la protection des réfugiés et apatrides; Institute for War and Peace Reporting; International Crisis Group; Iraqi Journalists Rights Defense Association; Journalistic Freedom Observatory; Kurdistan Journalists Syndicate; Metro Center; Radio Free Europe/Radio Liberty; UN – Refworld.

## Attachment

Kurdistan Regional Government (KRG). 2008. [Press Law in the Kurdistan Region.](#) [Accessed 22 Jan. 2019]