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FREEDOM OF THE PRESS

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Iran

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The government sustained its crackdown on the media in 2012, as scores of journalists were threatened, beaten, arrested, subjected to unfair trials, and imprisoned, particularly in the run-up to parliamentary elections in March. The authorities extended the use of intimidation and harassment to journalists' family members. The media environment in Iran, which remained one of the most repressive in the world, was also affected by further outlet closures and systematic internet censorship.

Constitutional provisions and laws restrict what can be covered in the press and fail to provide protections for the media. The government regularly invokes vaguely worded laws to criminalize dissenting opinions. Article 24 of the constitution guarantees freedom of the press, but with a broad exception for content that is deemed "detrimental to the fundamental principles of Islam or the rights of the public." The Press Law, first drafted in 1986 and amended in 2000, states that "publications and news media shall enjoy freedom of expression provided what they publish does not violate Islamic principles of the civil code."

Article 3 of the law states, “The press have the right to publish the opinions, constructive criticisms, suggestions and explanations of individuals and government officials for public information while duly observing the Islamic teachings and the best interest of the community.” Article 500 of the penal code states that anyone who undertakes any form of propaganda against the state will be sentenced to between three months and a year in prison, but the code leaves “propaganda” undefined. Under Article 513, certain offenses deemed to be an “insult to religion” are punishable by death, or prison terms of one to five years for lesser offenses, with “insult” similarly undefined. In 2010, the government broadened the definition of the crime of *moharebeh*, or “enmity against God,” in order to convict activists and journalists. Iranian law also provides for sentences of up to two years in prison, up to 74 lashes, or fines for those convicted of intentionally creating “anxiety and unease in the public’s mind,” spreading “false rumors,” writing about “acts that are not true,” and criticizing state officials; however, many prison sentences have been arbitrarily harsh, ranging from 6 to 10 years or more. A government decree issued in April 2012 made it mandatory for news outlets to reveal their sources for any information they publish. Furthermore, news agencies are prohibited from quoting content from blocked websites or suspended newspapers.

The judiciary frequently denies accused journalists due process by referring their cases to the Islamic Revolutionary Court (IRC), an emergency venue intended for those suspected of seeking to overthrow the regime. Cases against journalists before the IRC have featured closed-door hearings and denial of access to an attorney or a fair jury. In 2010, Ayatollah Mohammad Emami Kashani, a member of the powerful Assembly of Experts, forbade lawyers from defending political suspects, making it difficult for members of the legal profession to assist arrested journalists. Several prominent human rights lawyers who have defended journalists and others in political cases have themselves been prosecuted in recent years.

Amid strict censorship rules, more than 40 newspapers and other publications have been forced to close for various lengths of time since 2009, and officials continued to shut down publications throughout 2012. *Shahrvand-e Emrooz*, a weekly reformist newsmagazine that was shut down in 2011 for violating press laws after printing articles critical of President Mahmoud Ahmadinejad’s policies, remained closed during 2012. In February, leading reformist daily *Rouzegar* was temporarily closed for the second time in six months for allegedly publishing

antiregime propaganda. *Etemad*, another reformist newspaper, was banned for two months in November 2011 after publishing an interview with Ahmadinejad's press adviser, Ali Akbar Javanfekr. In the interview, Javanfekr criticized hard-liners within the regime who opposed the president. The authorities said the paper had been shut down for "publishing falsehoods and insulting public officials." *Etemad* was allowed to resume publishing in 2012, but access to its website has been blocked within Iran. Javanfekr was taken into custody in September 2011 to serve a six-month prison sentence stemming from separate charges of "publishing materials contrary to Islamic norms"; he had written an article in August 2011 that challenged Iran's dress code for women. The reformist newspaper *Shargh* was shut down in September 2012 after publishing a cartoon that allegedly mocked veterans of the Iran-Iraq war. *Shargh's* editor, Mehdi Rahmanian, was arrested and released on bail. In December, a court acquitted both *Shargh* and Rahmanian. In order to remain in business, many news outlets and journalists practice self-censorship and attempt to abide by official restrictions.

In addition to the print media, blogs and news websites—particularly those in the Persian language—were increasingly targeted for censorship during 2012. The regime imposes systematic controls on the internet and other digital technologies. According to the OpenNet Initiative, the Iranian government has become one of the most sophisticated and pervasive filterers of online content in the world, and it has the technological capability to produce its own monitoring and filtering software. Connection speeds were slowed or internet service cut off entirely during critical moments throughout the year, such as the February anniversary of the 1979 revolution or the run-up to the March parliamentary elections. The government has forbidden any reporting on the economic sanctions imposed on Iran by the international community in response to its nuclear program, and it has blocked websites that monitor currency exchange rates. Furthermore, the government routinely blocks social-media websites including YouTube, Twitter, and Facebook, and carefully monitors the activities of Iranians who manage to reach such platforms.

The government has targeted journalists' associations and civil society organizations that support freedom of expression. The authorities also use official or loyalist media outlets to propagate false claims about activists. The semiofficial Fars News Agency often publishes fabricated confessions or resignations, while the official Islamic Republic News Agency (IRNA) continues to monitor articles produced by Fars prior to publication to ensure that they do not violate its rules or

contain prohibited information.

Foreign media are unable to operate freely in Iran. They have been accused by the authorities of fomenting the unrest that followed the disputed 2009 presidential election, and they are often punished for airing criticism of the government. The government requires all foreign correspondents to provide detailed itineraries and proposed stories before visas are granted, and visas are regularly denied to foreign reporters who have previously been critical of the regime. Furthermore, foreign media are forbidden from shooting film or photography within Iran. In March 2012, the government suspended the accreditation of journalists affiliated with Reuters after the international news agency erroneously identified participants in an Iranian women's martial arts class as "female ninja assassins" in the headline of an article.

According to a December 2012 report by the Committee to Protect Journalists, Iran has the second-largest number of incarcerated journalists in the world, after Turkey. Of the 232 writers, editors, bloggers, and photojournalists imprisoned worldwide at the time of the report, 45 were in Iran, and 15 were put behind bars in 2012 alone. Prison sentences are often lengthy and accompanied by professional bans. The crackdown has prompted an exodus of journalists from the country. In February 2012, Mehdi Khazali, editor of the news website *Baran* and an outspoken critic of the government's human rights abuses, received a sentence of 14 years in prison, 10 years of internal exile, and 70 lashes. Khazali is the son of Ayatollah Abolghasem Khazali, a prominent member of the powerful Council of Guardians. Kouhyar Goudarzi, a veteran journalist with the Committee of Human Rights Reporters (CHRR) who had previously been imprisoned in 2009, was arrested in July 2011 and spent six months in solitary confinement in Evin Prison, which is notorious for its harsh conditions. He was sentenced to five years in prison in March 2012, but was released on bail in April. Also in March 2012, reformist journalist Nazanin Khosravani, who had been sentenced to six years in prison in 2011 for "assembly and colluding to act against national security" and "propaganda against the regime," began serving her sentence in Evin Prison. However, she received clemency in August in connection with the holy month of Ramadan. In September, blogger Shiva Nazar Ahari, a founder of the CHRR, began serving her sentence for *moharebeh*, "propaganda against the regime," and "acting against national security" at Evin Prison. She had originally been sentenced to six years in prison in 2010, but the sentence was reportedly reduced by an appeals court in 2011 to four years and 74 lashes. The cases of four reformist journalists

—Medhi Afsharnik, Ali Akrami, Mohamed Heydari, and Mohsen Hakim—who were arrested in 2011 and released on bail were still pending at the end of 2012.

Numerous accounts of abuse in custody have been recorded, and many prisoners are said to have been tortured to extract confessions. Blogger and political activist Hossein Ronaghi Maleki, who was arrested in December 2009 and sentenced to 15 years in prison, has reportedly been subjected to severe abuse in prison. Reformist journalist Issa Saharkhiz, who has been in prison since 2009 and received a three-year sentence in 2010 for “insulting the supreme leader” and “propaganda against the regime,” was reportedly attacked by plainclothes agents in a hospital in March 2012, where he was receiving treatment for a heart condition. Moreover, authorities added 18 months to his sentence as his original term was expiring, despite a doctor’s determination that his poor health left him unable to endure more time in prison.

Given the limited distribution of print media outside large cities, radio and television serve as the principal sources of news for many citizens, with more than 80 percent of residents receiving their news from television. Article 175 of the constitution forbids private broadcasting. The government maintains a monopoly on all domestic broadcast media and presents only the official political and religious viewpoints. The newspapers with the widest circulation and influence adhere to a conservative editorial position or are directly operated by the government. A state-run English-language satellite station, Press TV, was launched in 2007. The powerful Islamic Revolutionary Guard Corps (IRGC) largely controls the Fars News Agency. An increasing number of people own satellite dishes and access international news sources, though this is technically forbidden. Since the 2009 presidential election, the government has tightened its control over illicit satellite dishes, making a greater effort to confiscate them and fine their owners. The IRGC reportedly has a budget of \$10 million dedicated to jamming foreign satellite signals for viewers in Tehran and other cities. Iran has repeatedly jammed the Persian television service of the British Broadcasting Corporation (BBC) since it was founded in 2009. The channel is considered such a threat that a website identical in design to that of BBC Persian has been created to spread allegations against BBC employees. The fake site has a .ir domain name, which cannot be used without government permission. Reporting on BBC Persian has challenged government portrayals of both the domestic political scene and Iran’s foreign relations. Iranian officials often cite the work of the channel as evidence of a foreign plot against the regime. Throughout 2012, Iran-based relatives of BBC

Persian employees were subjected to intimidation, harassment, and detention by authorities.

According to a parliamentary commission investigating Iran's privatization process, a private corporation linked to the IRGC bought 51 percent of the Telecommunications Company of Iran in October 2009 with little outside competition. The government retains direct ownership of the remaining portion. The transaction gave the IRGC control over Iran's telephone systems—both the fixed-line network and the two mobile-phone carriers—as well as internet service providers.

Although subject to a range of threats and restrictions, the internet remains an important source of diverse news coverage and analysis. In an acknowledgment of its inability to completely silence online dissent, the regime has stepped up its efforts to hack sites—including those based abroad—that it cannot disable by other means, and to foster the large-scale creation of progovernment blogs, commentary, and news content. Approximately 26 percent of the population had regular access to the internet in 2012.

Throughout 2012, the government made progress toward launching a national intranet service known as Halal Internet. According to the deputy minister for economic affairs, Ali Agha Mohammadi, the Halal Internet would be extensively censored and monitored by the Iranian authorities. Watchdog groups have expressed concern that the project is intended to cut off Iranians from the global internet.

2013 SCORES

PRESS STATUS

Not Free

PRESS FREEDOM SCORE

92

LEGAL ENVIRONMENT

30

POLITICAL ENVIRONMENT

38

ECONOMIC ENVIRONMENT

24

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