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# Freedom House

# Freedom on the Net 2022 - Iraq

PARTLY FREE

42

/ 100

A Obstacles to Access 12 / 25 B Limits on Content 16 / 35 C Violations of User Rights 14 / 40 LAST YEAR'S SCORE & STATUS

41 / 100 Partly Free

Scores are based on a scale of 0 (least free) to 100 (most free). See the <u>research methodology</u> and <u>report acknowledgements</u>.

### Overview

Internet freedom in Iraq, including the Kurdistan region, is limited. While internet speeds and access have improved due to National Internet Project (NIP)–fostered telecommunications investments, Iraq still has some of the Middle East's weakest telecommunications networks and highest costs. Political parties spent heavily to disseminate sectarian and partisan propaganda during the October 2021 electoral period. While authorities do not block many political or social websites or restrict much online content, security forces use legal and extralegal measures to pressure journalists and activists against discussing certain topics online. Security forces routinely arrest internet users, and physical attacks against journalists, activists, and social media users due to their online activity are common. These violations, which have created an environment of fear, have forced many Iraqis to self-censor. Others—particularly reporters—have left the country.

Iraq holds regular, competitive elections, and the country's various partisan, religious, and ethnic groups generally enjoy representation in the political system. However, democratic governance is impeded in practice by corruption, militias operating outside the bounds of the law, and the weakness of formal institutions. In the Kurdistan region, democratic institutions lack the strength to contain the influence of long-standing power brokers. Increasingly, Iran has been able to influence politics in Baghdad. Civil liberties are generally respected in Iraqi law, but in practice the state has limited capacity to prevent and punish violations, and authorities routinely infringe upon the rights of residents.

# Key Developments, June 1, 2021 - May 31, 2022

- Political actors sought to manipulate the online information environment during the runup to the October 2021 parliamentary elections. Ahead of those polls, Facebook placed requirements on political advertisers while Iraq's Supreme Judiciary Council requested social media companies remove posts that "fuelled sectarianism" or "relied on defamation" during the coverage period (see B2, B5, and B6).
- In May 2022, the parliament passed a law criminalizing any form of "normalization" with Israel; anyone having relations with Israeli counterparts, including via social media, could face the death penalty (see C2).
- Multiple internet users were arrested during the coverage period, including a photojournalist
  for the Rojnews news site who was sentenced to seven years in prison for his journalism (see
  C3).
- Internet users remained wary of the government's potential surveillance capabilities. These
  concerns were validated following reports that several Iraqi journalists and activists were
  potentially targeted with Pegasus spyware, and after a government committee was created to
  monitor online outlets and social media activity (see C5).
- Several people were assassinated during the coverage period for their online activity (see C7).

 In April 2022, an Iran-affiliated group known as the al-Tahirah Team claimed responsibility for several distributed denial-of-service (DDoS) attacks targeting websites within Iraq and abroad (see C8).

# A Obstacles to Access

#### A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of 3 / internet connections?

Telecommunications infrastructure in Iraq is still relatively underdeveloped, and the country's internet penetration rate is one of the lowest in the region.

The Ministry of Communications has made efforts to improve telecommunications services through several projects that include extending fiber-optic cables outside of urban areas, installing new towers, and building the capacity of telecommunications staff.1

During the coverage period, several projects aimed at improving telecommunications infrastructure, internet access, and speeds were underway. In February 2021, the NIP began providing services to 2,000 homes in the Zayouna area of Baghdad and is expected to deliver high-speed service to 30 additional areas of the country by the end of 2022 (see A3).2 As part of the NIP, the Ministry of Communications is working to implement a modern fiber-to-the-home (FTTH) network and has deployed over 100 communication centers across Iraq as of June 2022.3 The project is expected to reach 2.7 million homes by 2023 and will be available in all provinces except the Kurdistan region.4

Since 2020, the Kurdish telecommunications company Asiacell has developed 13 data centers throughout Iraq, which has improved the quality of fixed-line and wireless services. In February 2022, Asiacell announced that 7,200 new communication towers were in operation. In August 2021, the UN Educational, Scientific, and Cultural Organization (UNESCO), the Communications and Media Commission (CMC), and service providers Asiacell, Korek Telecom, and Zain signed an agreement to provide internet access and Wi-Fi devices to 1,500 schools. An additional 1,500 schools are expected to have internet access by the end of 2022.

Despite these efforts, internet access remains relatively poor. Internet penetration stood at 49.4 percent as of January 2022, and there were an estimated 28.4 million internet users in Iraq. The number of mobile connections stood at 42.6 million, a 4.1 percent increase from January 2021. As of May 2022, the median mobile download and upload speeds were 46.5 megabits per second (Mbps) and 18.6 Mbps, respectively. The median fixed-line broadband download and upload speeds were 20.3 Mbps and 18.8 Mbps, respectively. 8

Much of Iraq's mobile infrastructure is based on third-generation (3G) technology. Service is threatened by constant power outages and a majority of schools and libraries still have no internet access at all. In the Kurdistan region, the Kurdistan Regional Government (KRG) provided no more than 12 hours of electricity per day during the summer months as of July 2021, restricting access to broadband service. Most cafés provide internet access as a free—but poor-quality—customer service.

Due to greater foreign and domestic investment, internet infrastructure in the Kurdistan region is more developed than in the rest of Iraq. 4G service has been available in the region's major cities in since 2015, meaning speeds are considerably faster, although rural areas may have poorer service (see A2). The fixed-line broadband market in the Kurdistan region is also more developed. Newroz Telecom provides such services and operates asymmetric digital subscriber line (ADSL) networks in Erbil and Duhok.11 While the two main mobile providers in Kurdistan, Asiacell and Korek Telecom, provide 4G services, their quality is poorer than ADSL services.12

# A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain 1 / segments of the population for geographical, social, or other reasons?

Iraq's internet costs are among the highest in the region, despite the poor quality of service. Small companies must spend more than \$1,000 a month to secure connections with multiple internet service providers (ISPs) to avoid disruptions and ensure reliable access.13

There are no clear pricing policies in Iraq, and neither the Ministry of Communications nor the CMC have set any pricing conditions for ISPs. This has allowed providers to push prices for low-capacity data packages and SIM cards upward. 14

A range of internet packages are available to customers under the NIP, though contracted providers have the right to change their prices at any time. 15 EarthLink and Symphony offer four monthly packages; the least expensive option costs 35,000 Iraqi dinars (\$23.74) for a 15 megabyte (MB)

package, and the most expensive is 100,000 dinars (\$67.82) for a 150 MB package.<u>16</u> In terms of mobile service pricing, a monthly 30 gigabyte (GB) 4G long term evolution (LTE) package from Zain costs 30,000 dinars (\$20.34).<u>17</u> Korek Telecom offers a monthly 30 GB package for 35,000 dinars (\$23.74),<u>18</u> while Asiacell and Zain offer an unlimited subscription for 40,000 dinars (\$27.13).<u>19</u>

Internet service is relatively better and prices are more affordable in the Kurdistan region. 20 A monthly 15 GB package from Newroz Telecom costs 10,000 dinars (\$6.78). 21 A monthly 40 GB 4G LTE package from FastLink cost 15,000 dinars (\$10.17) in August 2021. 22

Rural areas suffer from particularly poor internet service. Many regions of Iraq are still using 2G technology due to the Ministry of Communications' inability to deliver 3G to these areas. Even in areas that have 3G access, the service quality can be poor.23 In the Kurdistan region, there is a large gap in access and quality between major cities and rural areas, despite prices remaining the same across the region. According to the Iraqi Digital Media Center, most of what is provided to citizens is a "fake" internet, based on its standards of processing and operation, and it is sold at more than 50 times its actual value.24

Internet smuggling, which occurs when companies illegally transport telecommunications connections across borders, has cost Baghdad billions of dinars in recent years. 25 During the coverage period, the Ministry of Communications discovered internet smuggling operations in governorates bordering the Kurdistan region. In June 2021, approximately 4 billion dinars' worth of services were effectively smuggled out of the national budget, according to a ministry spokesperson. 26

### A3 0-6 pts

# Does the government exercise technical or legal control over internet infrastructure for 4 / the purposes of restricting connectivity? 6

Score Change: The score improved from 3 to 4 because no internet access restrictions were experienced amid protests during the coverage period, although disruptions still occurred during exams in the Kurdistan region.

The Iraqi government and the KRG exercise control over the internet infrastructure and regularly restrict connectivity during times of protests or unrest. Iraqi authorities have admitted in the past to cutting internet access during national exams, elections, and mass demonstrations. 27 The government has historically halted access during elections, though the internet remained accessible during the October 2021 polls. 28

Because the Kurdistan region has some ISPs that operate separately from those in the rest of Iraq, it is not necessarily affected by internet disruptions in the south. 29 However, the KRG has implemented its own network disruptions. In July 2021, internet access was curtailed for four hours during exams to prevent students from using electronic devices to cheat. 30 In September 2021, an internet shutdown was implemented for four hours every day over a 10-day period, coinciding with the second round of exams. 31 Access for government and businesses was unaffected.

Authorities in the Kurdistan region have disrupted internet access in recent years during protests. In December 2020, thousands of people participated in peaceful protests, demanding payment of their salaries and calling on the government to hold snap parliamentary elections. The demonstrations turned violent as security forces mounted an excessive response. The KRG responded by shutting down an opposition media channel and restricting internet access across the region for about eight hours. 32

In October 2019, antigovernment protests erupted in several Iraqi cities. The government instituted a massive internet disruption to quell the demonstrations, and social media and communications platforms were blocked nationwide aside from the Kurdistan region. 33 Access to social media was not restored for up to 50 days in some places. 34

The fiber-optic backbone in Iraq is centralized under the government and the Ministry of Communications rents out fiber-optic infrastructure to private ISPs. The state's Informatics and Telecommunications Public Company (ITPC) is the only entity that has the right to own and operate fiber-optic infrastructure, and no company can plan fiber-optic cables without ITPC approval. 35 This policy discourages investment and allows the government to more easily limit access to communications services.

Similarly, in the Kurdistan region, the two ruling parties' ownership of ISPs and the fiber-optic backbone can facilitate government-ordered internet shutdowns. For example, O3 Telecom, which has close ties to the Barzani family and the Kurdistan Democratic Party (KDP), is based in Erbil and Duhok and is the only company allowed to import fiber-optic services through Turkey, which it then distributes to smaller companies like Newroz and FastLink. Several major companies in Sulaymaniyah Governorate, such as IQ Group, Kurdtel, and Fancy Net, have close ties to or are owned by members of the Talabani family and the Patriotic Union of Kurdistan (PUK).36

The development of the NIP, specifically the Ministry of Communications' management of the fiber-optic network, could further centralize the internet backbone under the government (see A1). The Ministry of Communications has already said that the contracted companies will not bear any responsibility for any service disruptions. 37 In November 2021, Nokia announced that EarthLink would use its products for build-out operations under the auspices of the Iraqi National Backbone project.38

#### A4 0-6 pts

# Are there legal, regulatory, or economic obstacles that restrict the diversity of service 3 / providers? 6

There are several legal obstacles that restrict the diversity of service providers in Iraq. The Ministry of Communications owns and operates much of the telecommunications infrastructure, and the CMC is responsible for regulatory oversight of the sector. The KRG's Ministry of Transport and Communications oversees the telecommunications sector in the Kurdistan region, but the regulatory framework there is more relaxed, and the ministry has sought to promote investment and market diversity.39

Three major companies—Zain, Asiacell, and Korek Telecom—operate over 90 percent of the mobile tower infrastructure in Iraq.40 EarthLink is the most popular ISP and provides service to 60 percent of Iraqi internet users;41 the government imposes a 20 percent income tax on the company, which delivers connections via the national fiber-optic network.42 Newroz Telecom and FastLink operate solely in the Kurdistan region.43 Many ISPs have close ties to the government and security services. For example, Korek Telecom is owned by KRG military commander Sirwan Barzani.44 While the entry of foreign investments in recent years has helped increase market competition, government-affiliated companies are still dominant.45

Service providers are often able to operate without any legal cover due to poor regulation and oversight, and some companies provide internet connections without a license. There is currently no telecommunications law in Iraq or its Kurdistan region.46 The Ministry of Communications and the CMC oversee licensing but employ a complicated application process under which ISPs must acquire security approvals from more than one ministry.47 ISPs face legal consequences for contract noncompliance, but the conditions of said contracts remain unknown.

Regulatory obstacles often arise due to the unorganized management of infrastructural resources. The Ministry of Communications owns infrastructure and sells access to ISPs, often for high prices. As a result, some ISPs resell services illegally acquired from the KRG in the rest of Iraq.48

Many telecommunications companies operating in Iraq and the Kurdistan region are linked to powerful political parties or militias, which provide them with the necessary protection from any legal accountability for disruptions (see A5).49

Telecommunications companies have faced obstacles due to the arbitrary restrictions and decisions of regulatory bodies.  $\underline{50}$  For example, after ISPs noted that the speeds of their services in Kirkuk were reduced, they were expelled from the city on the pretext that they did not have licenses from Baghdad.  $\underline{51}$ 

### A5 0-4 pts

# Do national regulatory bodies that oversee service providers and digital technology fail 1 / to operate in a free, fair, and independent manner?

The CMC oversees and regulates the Iraqi telecommunications sector, but it fails to work in a fair and independent manner. There is no clear separation of powers between the CMC and the Ministry of Communications and overwhelming political interference limits their independence. These bodies are often subject to requests, such as requests to disrupt internet access, from the government.

There is no legal framework regulating the telecommunications sector in the Kurdistan region, and the Ministry of Transport and Communications oversees the sector in practice. The Barzani family has been criticized in recent years for their control of the sector. 52

An explicit constitutional guarantee protects the independence of any entity tasked with regulating the internet. Article 61/2 of the Iraqi constitution calls for the parliament to supervise the performance of the regulator. Ordinance No. 65 of 2004 defines the functions and powers of the CMC's board of directors.53 Despite these guarantees, board members are not chosen in an independent manner in practice, as the government directly selects them. The body lacks transparency and impartiality in its work, and it is subject to both political and commercial interference.54

Regulatory decisions are neither fair nor transparent, but rather are subject to political and partisan pressures and government directives. 55 The Association for Defending Freedom of the Press in Iraq monitored violations committed by the CMC over 10 years, noting a pattern under successive

governments in which the agency closed satellite channels and media outlets that were considered critical of incumbent political forces. The association's report found that most of the CMC's decisions against the media were based on political interests.56

Corruption remains a problem for the telecommunications sector. Most directors are appointed by political parties, such as the appointment of politician Ammar al-Hakim's nephew Ali Hussein al-Muayyad as head of the CMC executive in May 2021.57 Additionally, ISPs have been known to bribe the CMC to ensure consumer prices stay high.58 A 2022 report found that telecommunications company Ericsson had a long history of bribery and corruption in Iraq, including giving the Barzani family \$1.2 million for "facilitation to the chairman" to maintain and expand their cellular networks in Iraq.59

## **B** Limits on Content

## B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights  $\frac{5}{6}$  / standards?

Under Saddam Hussein, censorship was extensive and website blocks were common. While the Iraqi information landscape opened after the fall of Hussein's regime in 2003, the Iraqi government occasionally blocks websites and—more frequently—social media sites, usually citing security concerns or the need to maintain stability during times of unrest (see A3).60

The government rarely blocks political websites, but it has blocked some gambling, video gaming, and pornography sites in the past. In 2019, the parliament banned some video games with significant online play elements, including *Fortnite* and *PlayerUnknown's Battlegrounds*, as well as certain pornography sites on the grounds that they had a negative impact on the health, culture, and security of Iraqi society.61 In January 2019, clerics in the Kurdistan region petitioned the Ministry of Transport and Communications to block pornography websites.62

During the reporting period, reports emerged that the government had attempted to ban TikTok due to its promotion of videos that allegedly offend public values, incited violence, and contained pornographic content.63 The Ministry of Communications denied these reports and as of the end of the coverage period, TikTok was still available in Iraq.64

In August 2022, after the coverage period, the KRG's Ministry of Transport and Communications issued a directive requiring companies provide "family packages" that would block online content that includes pornography, incites violence, or promotes drug or weapon use. Family packages should also prohibit access to online gambling; weapons sales; the promotion of alcohol and other drug use; child abuse; gender-based violence (GBV); and violence against animals. The KRG vowed to punish companies that do not comply.65

The Iraqi government and KRG authorities frequently block social media sites during times of unrest. Amid the 2019 antigovernment protests, the central government blocked Facebook, Twitter, WhatsApp, and Instagram. In some parts of the country these sites remained inaccessible for 50 days (see A3).66 During protests in July 2018, the Iraqi government blocked major social media networks and requested that the KRG do the same. However, some users were able to use virtual private networks (VPNs) to circumvent the blocking.67 Authorities have justified these restrictions by claiming they want to protect citizens from violent imagery.

During the war with Islamic State (IS) militant group, the government stopped internet connectivity in certain regions, blocked social media websites, and instituted restrictions on VPNs as part of their defense strategy (see A3).68 Authorities also banned VPNs in 2014, and while it is still technically illegal to use circumvention tools, the ban is not strongly enforced.69 Iraqi internet users are able to use Psiphon, TunnelBear, and other secure and unsecure VPNs to bypass censorship attempts by the government.

There is little or no formal oversight regarding internet usage, and there is no legislation that requires the blocking of certain websites (see B3).70 Advanced technology to automate censorship is not used outside the banking sector in Iraq.71

## B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material 4 that is protected by international human rights standards?

Officials often use pressure or harassment to compel journalists who publish articles online to take down content, particularly criticism of the government. During the reporting period, the government, often acting through the CMC, pressured social media companies to remove accounts or delete specific content.

Ahead of the October 2021 elections, the Supreme Judicial Council (SJC) asked Facebook to remove posts that "fuelled sectarianism" or "relied on defamation." Facebook denied these requests. The company also denied accusations that it had removed advertisements from political parties ahead of the vote (see B6).72

Content that contains commentary on government corruption or Iranian influence in Iraq is often removed. According to Google's transparency report, the company received requests from the Iraqi government to take down six items between July and December 2021.73 During the IS occupation, many social media pages affiliated with the IS and terrorism were removed.74

Authorities in Iraq and the Kurdistan region have threatened journalists and have compelled them to use government-approved narratives, and often summon or arrest those who stray from such topics (see C3).75 After posting a tweet about Shiite militias in Iraq, Erbil-based political commentator Emad Bajalan was threatened by members of both the Popular Mobilization Forces (PMF) in Baghdad and KDP in Erbil and told to refrain from further discussion (see C7).76 In July 2022, after the coverage period, the KDP forced him to delete his post.77 Also in July 2022, the Facebook pages of Zhyan News were taken down.78 According to an employee, the pages were not removed by Meta but rather by security forces who raided the outlet's office and gained access to the account through the journalists' computers.79 In November 2021, members of the Asayish security forces in the Kurdistan region raided the office of Gav News in Duhok. Gav News has made no Facebook or website posts since.80

There are no laws regulating online content, neither in terms of protecting free speech nor in terms of imposing penalties for those who commit electronic crimes. There is currently no legal liability for third parties or content hosts.81 During the coverage period, several social media accounts that were allegedly used for electronic extortion were removed.82 Similarly, nonconsensual photos that were posted online were removed.83

### B3 0-4 pts

# Do restrictions on the internet and digital content lack transparency, proportionality to 1 / the stated aims, or an independent appeals process?

Restrictions to online content are not transparent because they often fulfill the interests of the government and contradict the Iraqi constitution (see C1). There is currently no legal framework governing content restriction in either the Kurdistan region or the rest of Iraq.

There is no truly independent oversight body tasked with regulating or making decisions on online content restrictions. The Ministry of Communications and the CMC technically make decisions pertaining to network shutdowns and social media blocking, but they cannot be considered transparent or proportionate. For example, the Ministry of Communications has ordered network shutdowns amid protests (see A3)84 and the CMC has revoked the licenses of online media outlets due to their reporting (see B6).85 Content removal decisions are often linked to the influence of the government or powerful political parties.

Because there is no law governing content restrictions, online censorship is often imposed without accountability.86 While the government sometimes explains why it has restricted content or connectivity, its explanations are not transparent; the justification is usually to control "security chaos and conspiracy against the homeland." Some politicians, members of the media, and activists assert that the authorities have violated civil liberties by disrupting internet access and blocking social media during protests.87 International organizations have similarly called on the government to refrain from disrupting access during times of civil unrest and to stop interfering in the work of media outlets.88

In June 2022, after the coverage period, the KRG's Ministry of Culture issued a statement warning media organizations, including news sites and social media platforms, to abstain from publishing articles criticizing the Kurdistan region or any other content that they believe would incite fear among residents or raise concerns about the Kurdistan region's stability.89 The ministry also promised to sanction those who do not comply. Also in June, a joint ministerial committee was reported to be drafting media regulation legislation. If passed, television channels and social media pages would no longer be allowed to distribute content deemed to insult "the martyrs and the flag of Kurdistan."90

While the state rarely blocks or filters content, few avenues to appeal censorship decisions exist in practice. If the government requests the Ministry of Communications to block or filter online content, the ministry presents a "feasibility study" to the Iraqi parliament, after which a decision is made. 91 Someone who wishes to appeal a content removal decision could approach the CMC but this rarely happens in practice. 92 In 2014, the KRG issued regulations that it has relied on to block publications or ban "inappropriate" comments. 93

At times, social media companies remove Iraqi content without transparency or proportionality, a byproduct of their poor Arabic-language content moderation capabilities. 94

#### B4 0-4 pts

### Do online journalists, commentators, and ordinary users practice self-censorship? 1/4

Self-censorship is prevalent in Iraq, including in the Kurdistan region. Although the constitution guarantees freedom of opinion and expression, factors such as harsh criminal penalties for online content and harassment or intimidation by government authorities, political parties, and armed groups create an environment that encourages self-censorship.

Crimes against the media in Iraq push journalists to pursue self-censorship.<u>95</u> Iraq remains one of the most dangerous places for journalists, according to Reporters Without Borders (RSF); the lack of safety has had a significant impact on online speech.<u>96</u> Intimidation, arrests, and assassinations of social media users, online activists, and journalists are not uncommon, with social media posts sometimes triggering violent reprisals (see C7).<u>97</u> This has led users to refrain from publishing critical content or voicing opposition to the government, militias, and party policies online.

Certain topics are known taboos. For example, users avoid commenting on government corruption, criticizing officials, or denouncing armed groups due to a credible fear of reprisals by the government, political parties, ethnic and sectarian forces, terrorist groups, or criminals—especially because the perpetrators of such abuses typically enjoy impunity. 98 Journalist Imad al-Shammari, who has been threatened due to his Facebook posts in the past, noted that criticizing officials or talking about corruption may lead to threats of kidnapping aimed at both him and his publisher. In response to these risks, many journalists and news outlets have refrained from discussing public affairs or the political situation (see C7).99

While there is no law prohibiting the use of social media to express one's opinion, users fear government surveillance on social media platforms, leading them to self-censor (see C5).100 Self-censorship is not only driven by fear of government retaliation, but also by the fear of being targeted by other citizens. According to the Iraqi Center for Supporting Freedom of Expression, some violations against journalists, bloggers, and online commentators are committed by government agencies or their employees, while other "societal" violations are perpetrated by relatives or tribal leaders who persecute content producers and prevent them from carrying out their work.101

Some journalists continue to pursue their careers in Iraq despite the risks, but dozens have chosen to remain in the Kurdistan region or flee to Turkey or other countries after their colleagues were subjected to various violations or their outlets were shuttered. 102 While the Kurdistan region has been considered a relatively safe place for journalists and online activists for years, the KRG has recently cracked down on free speech, leading to more self-censorship. 103

Authorities in both Iraq and the Kurdistan region use a variety of laws to arrest and charge online users, at times to threaten outspoken critics into silence (see C2). According to a May 2021 report from the UN Assistance Mission for Iraq on freedom of expression in the Kurdistan region, "the legal system is being 'instrumentalized' in order to disrupt the activities of these individuals and subject them to pressure which may lead to self-censorship." 104

### B5 0-4 pts

# Are online sources of information controlled or manipulated by the government or 1 / other powerful actors to advance a particular political interest?

Online sources of information are strongly manipulated by powerful actors. The government, political parties, and other influential forces spend large amounts of money to spread false or misleading news online and advance their political agendas. 105

The media environment has a progovernment bias due to political manipulation and a dearth of independent outlets. This is particularly evident around elections, when political parties flood the online sphere with misleading information and propaganda. 106 Ahead of the October 2021 elections, supporters of politician Nouri al-Maliki and the Dawa political party opened Facebook pages that linked to the party's website and published false election-related statistics. The account falsely claimed that turnout stood at 58.7 percent, citing a report from an independent organization. Mainstream media outlets then cited the page to report that Dawa won 57 seats, which was false. The organization in question told fact-checkers it had not produced the report, nor did it produce election polling. 107 Similarly, in early October 2021, Sabereen News, a pro-Iran outlet, claimed that a UN representative was affiliated with the Mossad, an Israeli intelligence agency. The claim was widely shared on Telegram and was then reported in mainstream media. 108

Inauthentic social media pages impersonated Iraqi news sources during the election period. According to the Digital Media Center, dozens of Facebook pages, often funded by political parties, presented themselves as Iraqi news agencies to influence potential voters. According to one

journalist, the proliferation of these pages and electoral propaganda was a result of weak oversight, especially in areas where political competition is particularly intense. 109

Online content is influenced by public officials who reward positive reporting with bribes including money, land, and other benefits. These rewards are typically given to state-affiliated journalists and outlets, such as members of the progovernment Journalists' Syndicate in the Kurdistan region. 110 The traditionally dominant parties in the Kurdistan region, the KDP and the PUK, own dozens of media outlets through which they promote their political narratives. 111 Online outlets owned by these parties are given prioritized access to public information, putting independent or opposition-aligned outlets at a disadvantage. 112

Self-promoting disinformation posted by powerful politicians on social media is rampant because it is spread by government-affiliated electronic armies.113 In June 2020, Facebook reported that it had removed 324 pages, 71 accounts, 5 groups, and 31 Instagram accounts that were tied to an inauthentic online network originating in the Kurdistan region. Facebook traced the activity to individuals associated with the Zanyari Agency, the PUK-affiliated intelligence service of the KRG. According to Meta, the network spent around \$270,000 to sponsor accounts that impersonated local politicians, political parties, and news organizations.114 These networks also train people to impersonate opponents, create disinformation, disseminate propaganda, manipulate political discourse, promote their strategies, and amplify political narratives while covering their misdoings.115

Inauthentic accounts impersonate political figures, parties, activists, and news outlets with the intent of spreading false information or defaming opposition forces. 116 In June 2021, Facebook reported that it had removed 675 accounts, 16 pages, and 10 Instagram accounts that targeted users and shared support of Iran and various Shiite militias active in Iraq. 117 Following the Russian invasion of Ukraine, an Iranian-affiliated Iraqi news organization was reported to have bought Facebook ads that disseminated pro-Russia disinformation about Ukrainian president Volodymyr Zelenskyy. 118

During the October 2019 protests, an influence campaign on Twitter encouraged support for a revolution, but it was determined that many of these accounts were fabricated with the intent to sow anti-Iranian and pro–Saudi Arabian sentiment; both Tehran and Riyadh have vested geopolitical interests in Iraqi politics. In response, progovernment "electronic flies" joined the debate, spreading propaganda against the protests online. 119

The Iraqi Media House, a watchdog group, has reported on the large role of politicized funding in shifting local reporting. Even small local outlets are influenced by the financial largesse of political parties and often promote sectarian discourse in their reporting. In addition, broadcast news outlets and their online presences are often partial and biased toward specific issues at the expense of other, general national issues.120

Media institutions that are established by political parties and formed on a sectarian basis work to shape the media landscape by attacking their ideological opponents. For example, certain outlets function as a countercurrent to the women's rights movement, producing content and advertisements that contribute to discrimination and GBV. In some cases, these bodies have become a tool for defamation campaigns that specifically target women journalists and activists (see C7).121

Authorities have issued gag orders or reporting guidelines in the past, particularly during politically sensitive times. These sorts of directives are a clear attempt to prevent critical coverage of important events and silence debate, particularly when the country is facing security or political crises. 122

# B6 0-3 pts

# Are there economic or regulatory constraints that negatively affect users' ability to 2 / publish content online?

Media outlets and service providers with favorable connections to government officials tend to be more economically viable. In many cases these connections extend to the officials' political parties or affiliated armed militias.

Privately owned media face financing obstacles. Patronage systems in Iraq and the Kurdistan region allow outlets that align their reporting with powerful figures to receive funding and advertising revenues that smaller, independent, or opposition-aligned outlets lack.123 Those outlets cannot afford the staff or facilities that government-affiliated outlets enjoy and are consequently uncompetitive against organizations like Rudaw, Kurdistan 24, and KurdsatNews, all of which receive funding from prominent KRG political figures or parties.124

There is no law regulating online advertisements or foreign investment. 125 No special taxes or licensing fees are imposed for the establishment or management of news outlets, blogs, or social media groups. However, owners of websites that provide commercial services may face some fees. 126 During the coverage period, Iraqi authorities sought to impose regulations, including taxes,

on social media and communications companies. Authorities argued that these companies were "violating the national security of the country." 127 The proposed regulations' status was unclear at the end of the coverage period.

The CMC's regulations lack criteria for licensing approval, but several international news outlets have had their licenses suspended in recent years. 128 For example, in April 2020, the CMC suspended Reuters's license after the news agency published a story suggesting that Iraq had a higher number of COVID-19 cases than was officially reported. The CMC fined Reuters 25 million dinars (\$21,000) and suspended its license for three months, claiming that it had violated media broadcasting rules (see B3).129

Ahead of the October 2021 elections, Meta placed restrictions on political advertisers; political advertisements could only appear if they were domestically sourced to prevent external parties from influencing the election. Advertisers had to confirm their official identity issued by the Iraqi government, their political affiliation, as well as the amount spent on advertising; Meta made this information publicly available (see B2).130

Website owners or bloggers seeking to obtain an Iraqi domain must submit an application to the CMC or accredited registrars and provide certain identification information (see C4).131

### B7 0-4 pts

### Does the online information landscape lack diversity and reliability? 2/4

Structural obstacles stemming from the country's history of media suppression have challenged the growth of independent media in Iraq. Partisan ownership of news outlets and lack of political will to encourage independent online media have left the sector without a diversity of voices. Furthermore, outlets with ties to powerful politicians and businesses tend to fare better financially, which has created a media environment that is largely co-opted by political actors (see B6).132

Online misinformation is rampant and has a serious impact on public opinion. A group of platforms and initiatives called the "Checkers" has emerged to combat false news. According to the Checkers, there are at least 291 news outlets in Iraq that share harmful misinformation, including hate speech.133

Independent media outlets struggle to compete with those affiliated with political parties (see B6). For example, many media outlets affiliated with political groups exist solely to improve their image or misrepresent opposing parties. Apart from progovernment media, there are also "civil media" outlets, which are owned by investors and businesspeople but are not necessarily independent. These outlets function as fronts for political parties and powerful authorities to achieve certain goals and sway public opinion on certain topics. Many of these civil media outlets focus on issues of nationalism and sectarianism, and most seek to manipulate the online discussion on religious and sectarian issues (see B5). They have headquarters, channels, newspapers, radio stations, websites, and electronic armies in different parts of Iraq.134

People usually rely on Iraqi state-owned websites and Arabic-language television channels to access news, but pan-Arab outlets based abroad, such as Al Jazeera and al-Arabiya, are popular as well. Increasingly, people have turned to social media for their news. 135

Users sometimes employ VPNs, though not necessarily to bypass censorship, as the government does not block many websites. Instead, users rely on them as a safeguard against surveillance or cyberattacks or to publish content anonymously (see C4, C5, and C8).136

Online content related to LGBT+ issues is difficult to access. According to an Iraqi human rights lawyer, because LGBT+ rights are not protected under Iraqi law, websites and blogs avoid publishing content on these issues for fear of retribution. 137

## B8 0-6 pts

# Do conditions impede users' ability to mobilize, form communities, and campaign, 3 / particularly on political and social issues? 6

Iraqi citizens rely on social media to organize and mobilize protests. However, authorities have blocked certain social media applications or internet access during times of unrest in the past.

During the reporting period, calls to boycott the October 2021 elections were organized online; a group of activists' calls for a boycott were especially notable. 138 Before elections in 2018, social media was also instrumental in calls to boycott that vote. However, in this case, authorities responded with localized internet shutdowns (see A3). 139

Social networking sites played a prominent role in the nationwide antigovernment protests of October 2019. Protesters and activists used social media to organize and plan assemblies, which prompted the government to disrupt internet access and block popular apps (see A3). When security

forces used violence against demonstrators, activists used hashtags on social media to call for peaceful conduct and urge the United Nations and international human rights organizations to pressure Baghdad to abide by the human rights charters it had ratified. 140

In December 2020, thousands of people in the Kurdistan region participated in peaceful protests, demanding payment of their salaries and calling on the government to hold snap parliamentary elections. The protests started on social media, where activists and citizens alike planned sit-ins and demonstrations. The KRG responded by restricting internet access regionwide for about eight hours (see A3).141

Recently, activists have taken to using the audio chat app Clubhouse to discuss and organize around political and social issues. While people have been able to communicate relatively freely on these issues, online trolls affiliated with the electronic armies of political parties and militias have recently started to co-opt these spaces and use the platform to harass activists.142

# C Violations of User Rights

### C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they  $\frac{2}{6}$  enforced by a judiciary that lacks independence?

The Iraqi constitution includes protections for the freedoms of expression, association, and communication, including electronic communication.

Article 38 of the constitution guarantees "freedom of expression of opinion by all means, freedom of the press, printing, advertising, media and publication."143 Article 4 of the CMC Law calls for adherence to the international principles of freedom of expression and freedom of the press, but these provisions are often violated in practice.144 While the KRG does not have its own constitution, one was drafted in 2009.145 Some national laws specifically constrain freedom of expression, contradicting the protections offered by the constitution and the CMC Law (see C2).

In the Kurdistan region, the 2007 Press Law protects freedom of expression and press freedoms, though a number of loopholes leave many of the articles open to interpretation. 146 Similarly, the region's Law to Prevent Misuse of Communications Equipment (LPMCE) protects the content of electronic communications (see C5 and C6), but vaguely worded articles allow for restrictions, and the law has been used to penalize journalists and activists in the past (see C2). 147

Neither the Iraqi judiciary nor the Kurdistan regional judiciary can be considered independent. 148 Judges and judicial proceedings are controlled by political authorities and external parties. Impartial judges are often manipulated or threatened if they rule against government decisions. 149 In the Kurdistan region, the Cassation Court's 10 judges are sworn in by the KRG's prime minister after being selected by the main parties, undermining the judiciary's independence. 150

At times, Iraqi and KRG courts have ruled against attempts to penalize journalists or activists for their online content. However, those who perpetrate crimes against journalists, bloggers, or online activists rarely face punishment, and armed groups—including Iran-backed militias—often operate with impunity.151

### C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, 1 / particularly those that are protected under international human rights standards?

Authorities in Iraq and its Kurdistan region use vaguely worded laws and penal codes to criminalize online activities.

The Iraqi penal code of 1969 includes various defamation-related crimes and is often employed to threaten or punish journalists, publishers, and internet users. Anyone convicted of defamation is subject to detention or a fine. Article 434 of the penal code prohibits newspapers, publications, or any other media outlets—including online media and social media—from disseminating defamatory material, which is considered an aggravating offense. 152 Article 435 criminalizes insulting another person, including in a telephone conversation or a letter, and prescribes punishments of up to six months in prison and fines of no more than 50 dinars (\$0.03).153 In addition, the penal code includes broader speech offenses such as insulting the "Arab nation" or any government official.

Although few individuals receive defamation-related prison sentences, the criminal process itself amounts to a form of punishment. Authorities often file charges as a way to intimidate activists and journalists, knowing that cases will eventually be dismissed or end in acquittal.

Articles 210 and 211 of the Iraqi penal code assign criminal liability—including potential imprisonment—to anyone who publishes false news or provocative propaganda, particularly if it destabilizes public security, causes terror among people, or harms the public interest. Those found guilty under these articles can effectively be held criminally responsible for the consequences of the content they publish.154

In May 2022, the Iraqi parliament unanimously approved a law criminalizing any form of "normalization" with Israel. Under the law, those engaging in any connections with Israeli counterparts, including via social media, could face the death penalty.155

Iraqi lawmakers proposed draconian cybercrime legislation in 2019; it was ultimately withdrawn in December 2020 following pushback from civil society. 156 The draft law would have provided authorities with the legal backing to prosecute anyone for online posts that were deemed threatening to "governmental, social, or religious interests." It provided penalties for vague online offenses, and if found guilty, users could be sentenced to life in prison and a fine of roughly \$21,000.157

Authorities in the Kurdistan region use the regional penal code, the Journalistic Work Law, and the LPMCE to curtail freedom of expression. 158 Criminal proceedings have been directed either under Article 433 of the penal code, which prohibits "defamation," or under Article 2 of the LPMCE, which prohibits, among other things, the publication of defamation and misinformation, both of which carry fines and prison sentences.

Article 2 of the Kurdistan Press Law (Law No. 35 of 2007) states that a journalist may not be charged with defamation if "he published or wrote about the performance of an official or a person assigned to a public service" and "if what he published does not go beyond the affairs of the profession." Nevertheless, many journalists and online activists have been charged with criminal offenses under this article, especially when publishing content about corruption. 159 Regional authorities generally ignore the protections in the Press Law, frequently arresting and charging journalists and activists without legal backing (see C3).

Article 2 of the KRG's LPMCE includes criminal penalties for "misusing cell phones and email to: threaten someone, use profanities, spread misinformation, disclose private conversations or share images counter to the public's values, or take any other action that might harm someone's integrity or honor or motivate a crime or an immoral act, or share private information even if it is true." Those found guilty of these crimes can face steep fines or imprisonment.160

# C3 0-6 pts

# Are individuals penalized for online activities, particularly those that are protected 1 / under international human rights standards? 6

Online journalists and activists are routinely detained and arrested in Iraq and the Kurdistan region, although long prison sentences for online content are rare.

Several online journalists received prison sentences during the coverage period. In June 2021, Iraqi Kurdish photojournalist Qaraman Shukri of Rojnews was sentenced to seven years in prison in a trial where no lawyer was present; Shukri had been charged under the penal code.161 Also in June 2021, journalist Omed Baroshki was sentenced to one year in prison over social media posts that criticized KRG authorities.162 Baroshki had been previously arrested in Duhok in August 2020 during a crackdown on protests by local KDP-affiliated security forces and was released briefly before his June 2021 arrest.163 While Baroshki's sentence was extended by a year in September 2021, he was released in April 2022, serving 18 months in prison.164

In October 2021, a Kurdish journalist was sentenced to six months in prison in Duhok Governorate for a social media post about a member of the KRG parliament, Mullah Ehsan, who did not enter quarantine after travelling to the governorate. Following the post, Ehsan sued for defamation.165 In March 2022, journalist Qusay Shafiq was arrested by security forces and held for over a month after criticizing Baghdad's economic policies on Facebook.166 In February 2022, journalist Ahmed al-Fahd was arrested in Anbar on terrorism charges and was accused of managing inauthentic social media pages that defamed a government official. While he was acquitted, authorities refused to release him for over 15 days.167

During the coverage period, internet users were arrested for their online activism or critical social media posts. In March 2022, political activist Yazid al-Hassoun was given a three-month prison sentence after he was convicted of slander for criticizing a local head of government on social media. 168 Also in March, Ahmed Yahya, a professor at Basra University, was arrested due to his online criticism of organized criminal groups and militia factions in Basra. 169

In February 2021, three independent journalists in the Kurdistan region were sentenced to six years in prison by an Erbil criminal court after being found guilty of "undermining national security." The three journalists—Sherwan Sherwani, Guhdar Zebari, and Ayaz Karam—had been arrested in

October 2020, shortly after they expressed support for antigovernment protests and criticized government corruption on their social media accounts. 170 In June 2021, the KRG's Court of Appeals upheld the sentences. 171

Several online journalists were arrested for their coverage of protests in the Kurdistan region during late 2020. Harem Majed, a reporter for the website Bazianpress, was arrested in As Sulaymaniyah Governorate in December 2020 for covering demonstrations against political corruption and high unemployment rates. Zosk Ballak was arrested a few days later after writing two articles about the protests for Rojnews.172

Many other journalists, activists, and ordinary internet users have been arrested and charged with defamation, often for criticizing political parties or the government. In September 2020, journalist Bahroz Jafeer was arrested in the Kurdish city of Sulaymaniyah and charged with defaming the president of Iraq. He was arrested after the president's lawyer filed a complaint about an editorial Jafeer published on the Peyser Press website, titled "How long will the president keep going in the wrong direction?" In January 2021, a poet was accused by the KRG of "defamation and inciting violence" in a video clip that included criticism of the government.173 Hemin Mamand, a freelance journalist in the Kurdistan region, was arrested in March 2020 and held in detention for 13 days after publishing a Facebook post that called on the KRG to stop withholding the salaries of public servants. A few weeks later, he was arrested again after he posted on Facebook about the previous arrest, stating that he had been detained by officials who did not identify themselves or have an arrest warrant. Mamand was charged with defaming the police and encouraging people to break the COVID-19 lockdown under the penal code and the Kurdistan region's LPMCE.174

In March 2022, Nayef Kurdistani, a prominent KDP member, was arrested because of a social media post that was deemed offensive to the Iraqi Supreme Religious Authority. In a statement regarding the arrest, the KRG's Ministry of Interior said "freedom of expression does not mean daring to attack religious and national symbols and insulting them, especially the position of the Marjaiya" (see C7).175

### C4 0-4 pts

### Does the government place restrictions on anonymous communication or encryption? 3/4

The government generally does not place significant restrictions on anonymous communication or encryption services. 176 While there are some legal limits on anonymity, people in Iraq, including the Kurdistan region, are able to use encryption tools and VPNs in practice.

SIM card registration is required in Iraq, though unregistered SIM cards can easily be found on the informal market. 177 To buy a SIM card users must register with the CMC. Customers must submit information including their name, phone number, address, and other identifying information. 178

As part of the NIP, the Ministry of Communications and the contracted ISPs are building an information base for all subscribers (see A1 and A3). NIP users will have to submit personal information including their official residence address, full name, government identification number, and other identifying information. 179

Online users seeking to obtain an Iraqi domain must submit an application to the CMC or accredited registrars (see B6). If a university, company, government agency, civil body, or civil servant applies for a domain name, they are required to produce civil status identification such as a nationality certificate or a passport, in addition to a residence card.180

Online users rely on VPNs as a safeguard against surveillance or cyberattacks or to publish content anonymously (see C5 and C8).181 According to the Iraqi Network for Social Media, the use of VPNs is widespread, particularly by activists and journalists who publish content that could be deemed critical of certain political figures and who wish to prevent authorities from discovering their personal information.182

# C5 0-6 pts

# Does state surveillance of internet activities infringe on users' right to privacy? 3 / 6

Article 40 of the Iraqi constitution guarantees the freedom to communicate without surveillance or monitoring, "except for legal and security necessity and by a judicial decision." Article 47 of the CMC Law states that telephone calls and private communications may not be monitored, wiretapped, or disclosed except in accordance with the law and a court decision. 183

Despite this, there have been reports that the government monitors private online communications without appropriate legal authority. 184 The 2021 edition of the US State Department's *Country Reports on Human Rights Practices* found credible evidence that Iraqi and KRG authorities "monitored private online communications without appropriate legal authority." 185

In August 2021, the SJC announced the formation of a committee to monitor online publications. The committee includes SJC members, national security officials, the Security Media Cell, the CMC, the Journalists' Syndicate, and the Artists' Syndicate. The committee will be tasked with monitoring violations and issuing recommendations to investigative courts. 186

Neither the Kurdistan region nor the rest of Iraq has data protection legislation or a cybersecurity authority. As the Iraqi communications landscape lacks oversight or sufficient regulation, technical experts believe that the state may possess the ability to monitor online activities. Militias—specifically Iran-backed groups—are likely able to conduct surveillance of their own.187 However, Iraqi government departments generally lack modern electronic devices and applications and tend to use rudimentary methods of electronic communication, making it unlikely that they have the technical means to surveil private user activity.188

There is no legal framework that allows state security agencies to collect, keep, and examine users' personal data. The invasion of privacy—presumably offline and online—is a crime punishable under Article 438 of the Iraqi penal code, which prescribes "imprisonment for a period not exceeding one year and a fine not exceeding 100 dinars (\$0.08) or either of these two penalties." 189

In July 2021, the *Washington Post* and other outlets reported Iraqi citizens were among those who may have been targeted with Pegasus, spyware produced by the NSO Group of Israel. President Barham Salih's phone number was among those that appeared in a list of potential targets. 190 KRG prime minister Masrour Barzani was also allegedly targeted; people with ties to the United Arab Emirates had reportedly infected Barzani's phone with Pegasus and surveilled him for over a year. Individuals close to the KRG premier, including a security adviser, may also have been targeted. 191

Baghdad and foreign governments have reportedly used Pegasus to electronically surveil a large number of public figures. 192 For example, a phone belonging to the secretary of the Iraqi Ministry of Defense was targeted by an Emirati spyware user. Several journalists and activists were believed to have been targeted with Pegasus in recent years. The list of targets includes Faris al-Mahdawi, then an al-Arabiya correspondent. Sayyed Hamid, a correspondent for the Iranian-affiliated Asia satellite channel, was reportedly surveilled by an Emirati user for more than two years. 193

Authorities may have purchased spyware from vendors outside Israel. According to a former KRG intelligence service member, spyware was purchased from Italy in 2021. Surveillance technology was also purchased from the Chinese company Xiaomi. 194

## C6 0-6 pts

# Does monitoring and collection of user data by service providers and other technology 3 / companies infringe on users' right to privacy? 6

There are no data protection or privacy laws in Iraq or the Kurdistan region. While telecommunications companies do not systematically collect user data, the information they do store may be vulnerable to abuse given the lack of legal safeguards.

While the Iraqi government may not request user data without a judicial order,195 experts agree authorities may carry out such activities without legal cover due to the lack of data protection or oversight.196 Some telecommunications companies in Iraq are required to retain user data, including call records, for a period of five years.197 There are currently no data localization laws in Iraq or the Kurdistan region.198

ISPs in the Kurdistan region, many of which have close ties to the ruling political parties, may also monitor online activity. 199 According to a local ISP employee, telecommunications companies store and monitor user data and information. Specifically, technicians have been able to access old Facebook accounts belonging to customers and monitor how many times they were logged in and out, how many devices were logged in, and the location of users' devices. 200 If presented with a judicial warrant, ISPs are required to send information such as the user's name and location of the device to authorities.

Intelligence services in the Kurdistan region, specifically the Parastin and Zanyari agencies, which are controlled by the KDP and PUK respectively, are known to monitor communications, including the phones of employees. In September 2021, the president of the PUK confirmed that the Zanyari Agency had monitored phone calls in the past. In a press conference, he stated that member of the PUK were afraid to use Asiacell to communicate for fear of surveillance. 201

### C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state 0 / authorities or any other actor in relation to their online activities?

Iraq, including the Kurdistan region, is one of the most dangerous places for online journalists, activists, bloggers, and social media users.

Journalists and activists are frequently harassed and intimidated online, and they are at times subjected to physical violence—including assassinations—by state and nonstate actors in reprisal for the content they post. Those who perpetrate physical attacks and assassinations often go unpunished (see C1). As a result of the violent attacks, journalists have resorted to changing their addresses or in some cases leaving Iraq.

Activists and human rights defenders are frequently threatened or harassed in retaliation for their online content. This was particularly prominent during the 2020 protests; many activists fled to the Kurdistan region. For example, Ali Kadhim, an online activist from Basra, fled for Erbil after militias threatened him. 202 Kadhim frequently criticized the Sadrist movement on social media, and had previously been shot in the arm, likely by a militia member, amid demonstrations in Basra in May 2020. After submitting a legal case against the head of the militia, Kadhim's house was burned down and his family members were physically attacked.

Kidnappings and assassinations are not uncommon. In July 2021, journalist Ali al-Makdam was kidnapped and physically assaulted in Baghdad. 203 Before his kidnapping, al-Makdam had shared a Facebook post where blamed militias for the deaths and disappearances of Iraqi citizens. 204 In October 2021, activist Haider Muhammad was found dead under suspicious circumstances. Prior to his death, Muhammad had questioned the integrity of the October 2021 elections on social media. According to local media, his murder was in relation to a specific Facebook post, which depicted supporters of some political parties as sheep, that he had shared a few days before his death. 205

Activists who were active in mobilizing 2019 antigovernment protests were killed for their online activism and mobilization efforts. In May 2021, Ihab al-Wazni, an activist who was integral in mobilizing 2019 protests via social media, was killed in retaliation. Al-Wazni was likely killed by members of an Iranian-backed militia who had apparently threatened him. 206 Activist Qassem Hussein Obaid al-Hammadi was subjected to several assassination attempts by armed groups in Babil Governorate due to his social media activity during 2019 demonstrations. 207

Online intimidation and threats are used as a tool to silence critical voices or certain communities. In November 2021, an Iraqi Journalists' Syndicate member filed a complaint after he was physically threatened by two men who brandished a weapon and warned him to stop "publishing press materials," apparently referring to his recent online reporting. 208 In April 2021, journalist Omar al-Janabi received death threats and was physically attacked after using Clubhouse. Al-Janabi had been alerted by militias that they followed his Twitter account and that his social media content must be silenced. 209 LGBT+ people receive regular online harassment and often receive death threats. 210

In March 2022, Nayef Kurdistani, a prominent KDP member who frequently posts in Arabic about national politics, was threatened and later arrested by authorities in response to his Twitter content, specifically a tweet that was deemed offensive to the Iraqi Supreme Religious Authority (see C3).211 Following the announcement of Kurdistani's arrest, a mob attacked and set fire to a KDP branch in Baghdad.212 In May 2021, Erbil-based political commentator Emad Bajalan was told to not talk about Shiite militias in Iraq and was threatened by both the PMF in Baghdad and KDP in Erbil.213 He was later forced to delete his tweets by the KDP (see B2).214

In June 2022, after the coverage period, Nabaz Rashad, a reporter at Westga News, was attacked while reporting on a miliary operation in Erbil. 215 While livestreaming the operation, security forces physically attacked Rashad and broke his recording equipment, despite his protests that he was a journalist. 216

Gender-based online violence is common, and women are specifically at risk of offline violence in retaliation for their online content. According to a report from August 2021, between 75 and 80 percent of women have experienced offline domestic violence because of their social media activities.217 In March 2022, an activist in the Kurdistan region who provided feminist and human rights information on her social media channels was murdered one day before International Women's Day. Prior to her murder, she received death threats from her followers on the pretext that her work was contrary to local customs and traditions.218

Electronic blackmail and extortion have also increased in recent years. An independent journalist was subject to a campaign of defamation and extortion; his personal photos were posted by inauthentic social media pages belonging to political parties in an effort to stop his reporting on government corruption (see B5).219

## C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users 1 / subject to widespread hacking and other forms of cyberattack?

Cyberattacks have been reported in Iraq and the Kurdistan region in the past, and both governmental and nongovernmental websites are vulnerable to cyberattacks of domestic and international origin. Hackers are rarely held accountable for their attacks, and there are no laws

criminalizing these kinds of offenses. Opposition news outlets have been subject to cyberattacks, and activists have had their social media accounts deactivated by hackers.

Independent media organizations reported cyberattacks, with the apparent aim of intimidation, during the reporting period. The local independent news outlet Diplomatic Magazine was hacked in March and June 2022, resulting in the removal of its Facebook page. Both hacks occurred after the outlet published articles relating to high-level official corruption. During the first attack, the hackers posted videos depicting nudity and violence to DM's Facebook page. 220 After the second attack, the outlet's editor in chief accused authorities and security forces of perpetrating the attack, although this has not been corroborated. 221 Following the attacks, the US consulate in Erbil met with DM's team to discuss the hacking incidents against it and other media outlets in the Kurdistan region. 222

During the coverage period, a group with ties to the pro-Iran Sabereen News, the al-Tahirah Team, claimed responsibility for several cyberattacks within Iraq and abroad (see B5). For example, in April 2022, the group deployed DDoS attacks against the websites of two television stations. The attacks are apparently related to Khamis al-Khanjar, the head of a Sunni parliamentary faction who maintains strong ties to the stations. 223

Iraqi websites and users are also vulnerable to attacks that originate outside the country, often from Iran. In October 2020, Iranian hackers targeted telecommunications and government agencies in Iraq as part of a systematic espionage campaign. 224 During the reporting period, two websites that had posted articles about how an Iran-backed militia was providing false university degrees to militia leaders suffered DDoS attacks. 225

In November 2021, Iraqi intelligence services seized a hacking network that sought to penetrate the databases of state security institutions and sell information belonging to the National Security Agency. The network's members, who are linked to unknown external parties, admitted to having received training courses outside the country.226

According to the Ministry of Interior, cybercrime has increased dramatically in Iraq as mobile phone and social media use has increased. In 2021, the Ministry of Interior and the Judicial Council documented 1,300 cases of extortion, a majority of which targeted women. 227

As part of its cybersecurity efforts, the government created the Iraqi Electronic Response Team (CERT) in coordination with the Prime Minister's Office. The CERT aims to develop cybersecurity measures and procedures. 228

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