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Iran

	2013	2014		
Internet Freedom Status	Not Free	Not Free	Population:	76.5 million
Obstacles to Access (0-25)	22	22	Internet Penetration 2013:	31 percent
Limits on Content (0-35)	32	31	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	37	36	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	91	89	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2014 Status:	Not Free

* 0=most free, 100=least free

Key Developments: May 2013 – May 2014

- Iran ranked 156 out of 192 countries for internet speed and has the lowest average peak connection speed in the world. The new government promised to increase the average speed two-fold by the next year, and eight-fold by the end of President Rouhani's first term (see **Obstacles to Access**).
- Although the new administration has embraced social media, major platforms like Twitter and Facebook remain blocked and inaccessible to Iranian citizens (see **Limits on Content**).
- While the election of Rouhani has resulted in enthusiasm, including a mild decrease in self-censorship online, significant constraints on speech and access to information remain present. Censorship was particularly heavy in the lead-up to the June 2013 presidential election, and Sunni-linked sites have come under target as regional sectarian tensions continue to enflame (see **Limits on Content**).
- Six Iranians were arrested for producing and appearing in a YouTube video entitled "Happy in Tehran," featuring men and women dancing together, without headscarves, in a similar fashion to hundreds of homemade videos from around the world that mimic the "Happy" music video by popular American musician Pharrell Williams (see **Violations of User Rights**).
- Although there were no documented cases of deaths this year, Iranians continue to be receive lengthy prison terms for their online activities. Tech bloggers in Kerman, contributors to a Sufi website, and Facebook page administrators were jailed for up to 20 years (see **Violations of User Rights**).

Introduction

On June 14, 2013, Iranians took to the polls to elect a new president for the first time since the deeply flawed presidential elections of 2009, which led to large-scale protests and a violent crackdown on supporters of the opposition “Green Movement.” With an eye on preventing a repeat of 2009, authorities waged an aggressive campaign of filtering websites, blogs, and even text messages that expressed support of certain political candidates. In the week leading up to the vote, the disruption of services reached its peak. Encrypted traffic was throttled to five percent of normal speeds or less, and the authorities used a “white list” to block all international connections that were not pre-approved. Because of this, most online tools that allow users to circumvent censorship and communicate anonymously were blocked or dysfunctional. A large number of Iranian activists and journalists were targeted by sophisticated malware attacks or smear campaigns on social media.

The election result surprised many observers with Hassan Rouhani, commonly seen as the moderate candidate, winning the election. One day after the results, online restrictions reverted back to pre-election levels. Upon assuming office, several actions by the Rouhani administration were interpreted by observers as a sign of a potential liberalization of internet policy. Despite the fact that Facebook and Twitter are blocked, the vast majority of Rouhani’s cabinet ministers have opened up social media accounts. On September 17, Facebook and Twitter were also temporary unblocked, ostensibly due to a technical error. However, nearly one year after the beginning of Rouhani’s presidency, no major changes to the situation have occurred. Widespread filtering and the blocking of social media tools and mobile apps remain in place. The implementation of the National Information Network, considered a priority of the Rouhani government, has been sped up.¹ In addition, a significant number of Iranian bloggers, techies, and activists have been arrested for their online activities and received heavy prison sentences. Several tech bloggers and digital activists were arrested in the city of Kerman for alleged links to “espionage networks” and “foreign media,” apparently relating to journalism training programs offered by the British Broadcasting Corporation (BBC). Meanwhile, seven contributors to Sufi website *Majzooban Nor* were convicted of producing antigovernment propaganda, insulting the Supreme Leader, and endangering national security, with the heaviest sentence 10 years. Finally, eight individuals were sentenced as much as 20 years of jail time for “blasphemous” or “anti-regime” Facebook posts.

The internet was first introduced in Iran during the 1990s to support technological and scientific progress in an economy that had been badly damaged by eight years of war with Iraq. Until 2000, the private sector was the main driver of internet development. This changed under the government of the reformist President Mohammad Khatami (1997–2005), when the authorities invested heavily in expanding the internet infrastructure, but also began to clamp down on free expression online. Meanwhile, Supreme Leader Ali Hosseini Khamenei first asserted control over the internet through a May 2001 decree that centralized service providers’ connections to the international internet. Internet filtering, which began toward the end of the Khatami presidency in 2005, has become more severe since the disputed presidential election in June 2009. Despite all of these limitations, the internet remains the only viable means for Iranian citizens and dissenters to obtain news and

1 Though confirmed details of the National Information Network remain sketchy, objectives include the mandatory registration of internet protocol (IP) addresses, the moving of government-approved websites to servers based inside the country, and the launching of Iranian equivalents of major online services like email, social-networking sites, and search engines. These measures will restrict online anonymity, increase monitoring capabilities, and allow Iranian authorities to control access to particular international communication flows during periods of political unrest without the need to shut down all domestic services.

organize themselves. Traditional media outlets are tightly controlled by the authorities, and satellite broadcasting from outside Iran is subjected to heavy terrestrial jamming.

In general, internet policy remains a contested space in Iran, with authorities continuing to favor a 'militarized' approach, viewing the internet as a threat to national security. Such discourse has been criticized by many regime insiders, including Ali Akbar Hashemi Rafsanjani, former Iranian president and current chairman of the Expediency Discernment Council, who stated that using security concerns to obstruct the development of the information and communications technology (ICT) industry is irrational and futile.² Such comments, in addition the Rouhani administration's failure to lift online restrictions, confirms that the government has little control over the country's internet policy. Instead, like many other aspects of policymaking in Iran, the sector is beholden to a complex web of interests but ultimately sanctioned by the Supreme Leader, Ali Khamenei.

Obstacles to Access

Statistics on the number of internet users in Iran are inconsistent and highly disputed, though most observers agree that usage continues to grow. According to a report released by the newly appointed Minister of ICT, internet penetration rate is at 43 percent, with 30 million total users. In addition, the report indicates that there are 4.1 million high speed internet access ports in operation. This contradicts a June 2013 report by the National Internet Development Management Centre (MATMA), which put the penetration rate at 61.1 percent.³

In contrast, the International Telecommunication Union (ITU) estimated the number of internet users in Iran at 31 percent for 2013.⁴ Citing the Iranian Information Technology Organization as its source, the ITU also said there are only 5.62 fixed-broadband subscriptions per every 100 inhabitants.⁵

Internet speeds are incredibly slow in Iran, ranked 156 out of 192 countries tracked by OOKLA, which performs broadband speed testing globally.⁶ Iran had the lowest global average peak connection speed at the end of the first quarter of 2014, according to Akamai. The average peak connection speed was 6 Mbps, but it was up 87 percent from the previous year,⁷ which highlights the significant limitations imposed on the internet in Iran in the period leading up to the presidential election.

Mehdi Akhavan Behabadi, the former secretary of the Supreme Council of Cyberspace, said in an interview that the main issue affecting the speed and cost of access is the practice of price inflation by the Telecommunication Infrastructure Company (TIC), which buys access at 1Mbps for US\$ 15 and resells to ISPs for over US\$ 100. He decried the lack of competition due to the TIC's

2 "Heavy criticism of Internet filtering in Iran by Hashemi Rafsanjani", Khabar New, accessed February 10, 2014 <http://www.khabamew.ir/NSite/FullStory/News/?Serv=0&Id=34649&Sgr=0>.

3 "The full content of Iran's new ICT Minister's plan", ICANA, accessed February 10, 2014, <http://icana.ir/Fa/News/233597>.

4 "Percentage of individuals using the Internet," International Telecommunications Union, accessed July 21, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

5 "Fixed (wired)-broadband subscriptions," International Telecommunications Union, accessed July 21, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

6 OOKLA, Net Index, accessed July 21 2014, <http://www.netindex.com/download/allcountries/>.

7 Akamai's State of Internet, Q1 2014 Report, accessed July 21, 2014, <http://www.akamai.com/dl/akamai/akamai-soti-q114.pdf>.

monopoly as a bandwidth provider, and called for privatization of the sector.⁸ The Ministry of ICT has further expanded its monopoly over internet infrastructure by banning the importation of any telecommunications equipment that is not authorized by the ministry.⁹ Such regulation will make it even harder for the private entities to compete with a state-backed entity.

Apart from market forces, political factors contribute to the low speeds in Iran. The former Minister of ICT under the Ahmadinejad administration confirmed that the government slowed internet speeds in the days prior to the presidential election as part of "security measures taken to preserve calm in the country during the election period."¹⁰ Prior to this announcement, authorities had never acknowledged a connection between an election and a decrease in internet speed.

The new ICT minister, Mahmood Vaezi, has announced that average internet speeds will increase two-fold in the next year, and eight-fold by the end of President Rouhani's first term. With regards to ICTs, he has also promised to restore the status quo that existed prior to 2005, when Ahmadinejad took office. Vaezi has stated he believes that access to ICTs has hardly expanded since 2005, and in some cases, the industry has actually shrunk.¹¹

However, it is unclear whether this promise to increase internet speeds under Rouhani is related to access to the global internet, or solely the National Information Network (NIN), which would only result in faster access to sites hosted within Iran. Rouhani has emphasized the importance of the NIN and has urged the different bodies under his control to expedite its implementation. Officials from the government have even reached out to their Chinese counterparts to enlist their help with its completion.¹² While the NIN was being implemented, Iran fell short of its target to reach a bandwidth capacity of 500 Gbps by March 2014; it was below 80 Gbps in February.¹³ According to Vaezi, accessing information hosted on the NIN will be fast and cheap, while websites hosted outside the country will be available at slower speeds.¹⁴

Through a mix of coercion and economic incentives, authorities have been pushing popular Farsi-language websites operated from inside the country to use domestic hosting services on the NIN. Iran has also been trying to launch national versions of popular online services, such as email and search engines. Despite a large investment, these national services have largely failed to attract Iranian users.

Similar to the internet penetration rate, statistics provided by various Iranian officials on mobile phone penetration are contradictory. Ali Kargozar, director of the Fixed Communication Company of Iran (FCI), stated that 100 million SIM cards are active in Iran, a penetration rate of 110 percent.

8 "Mehdi Akhavan Behabadi Criticizes Iran's Telecommunication Infrastructure Company for its Pricing Model"

9 "Importation of Telecommunication equipment is only allowed with the Ministry of ICT permit", Young Journalist Club, accessed February 11, 2014 <http://goo.gl/Fsp0Yh>.

10 "Iran Admits Throttling Internet To 'Preserve Calm' During Election", RFERL, accessed February 10, 2014, <http://www.rferl.org/content/iran-internet-disruptions-election/25028696.html>.

11 "Speed of Internet will increase 8 fold", ISNA, accessed July 21, 2014 <http://goo.gl/AheEQY>.

12 "Exchanging experience with China in the field of ICT", Ministry of ICT, accessed February 10, 2014, <https://www.ict.gov.ir/fa/news/10162>.

13 "We are behind the targets", Mehr News, accessed February 10, 2014, <http://www.mehrnews.com/detail/News/2161903>.

14 "The launch of NIN in 1394", Mehr News, accessed February 11, 2014. <http://www.mehrnews.com/detail/News/2196939>.

Vaezi put mobile phone penetration at 79 percent.¹⁵ Regardless, it is clear that Iran's mobile telephone sector continues to grow. According to the ITU, Iran had a mobile phone penetration rate of 84.25 percent, up from 76.1 in 2012.¹⁶ The penetration of smartphones and mobile internet is also increasing. According to Mahmood Liyaei, an adviser to the Ministry of ICT, Iran has 4 million Android users, accounting for 10 percent of total internet traffic. Cafe Bazaar, a locally developed Android app store, is itself responsible for 2 percent of traffic. According to other statements by Liyaei, mobile technology represents an annual market of around US\$ 4 billion in Iran.

However, the telecommunications industry in Iran is tightly controlled by the government or related entities. In recent years, the role of the Islamic Revolutionary Guards Corps (IRGC)—a politically important branch of the security forces that also controls large sections of the economy—in the ICT sector has notably increased.¹⁷ In September 2009, for example, the IRGC purchased a controlling stake in the Telecommunications Company of Iran (TCI), the country's main provider of internet and mobile phone services. The Data and Communication Company (DCC), which operates under the TCI, retains a monopoly on internet traffic flowing in and out of Iran. Other providers must purchase bandwidth from the DCC. Direct access to the internet via satellite is only permitted for certain institutes and is prohibited for personal use. The mobile phone market is under similar state influence. IranCell, the second largest mobile operator behind the TCI, is owned in part by a web of proxy companies controlled by the IRGC, and has a number of high profile IRGC ex-commanders amongst its management. The third operator, RighTel, was launched in early 2011. It, too, is a government-owned entity.

The pre-election period in May 2013 brought about increased obstacles to access, particularly for users seeking to use circumvention tools or encryption. For example, encrypted traffic was throttled to one to five percent of normal speeds and the authorities used a "white list" to block all international connections that were not pre-approved. As such, most virtual private networks (VPNs) were also blocked.

Cybercafes are under the close scrutiny of the officials. These provided 22 percent of all Iranian users with access in 2012. Given their popularity, authorities have been attempting to control them since around 2006, through policies such as segregating business hours for men and women. In July 2013, police inspected 353 cybercafes in Tehran and closed down 67 for "violating regulations and offering illegal services harm youth and their families."¹⁸

There is no independent regulatory body for ICTs in Iran. The Communications Regulatory Authority (CRA) is responsible for telecommunications licensing. It is part of the ICT Ministry and its head is appointed by the minister.¹⁹ In March 2012, the broader decision-making process related to ICTs underwent a change, when Iran's Supreme Leader Khamenei issued a decree establishing the Supreme Council on Cyberspace (SCC). The SCC is intended to provide a centralized focal point for

15 "TCI is ready to offer high speed Internet in 8000 villages in Iran", ICTNA, accessed February 11, 2014, <http://www.ictna.ir/id/058304/>.

16 "Mobile cellular," International Telecommunications Union, accessed July 21, 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

17 "The Revolutionary Guards is entering the IT market," Digarban, December 12, 2011, <http://www.digarban.com/node/3715>.

18 "Closure of 67 Cybercafes in Tehran", Radio Zamaneh, accessed February 12, 2014. <http://www.radiozamaneh.com/86351#.UfVFQo1wqsA>.

19 Communications Regulatory Commission of Iran, accessed July 31, 2012, <http://www.cra.ir/Portal/Home/>.

policy-making and regulation of Iran's virtual space, effectively removing such authority from the executive, legislative, and judiciary branches of the government and bringing it under Khamenei's direct control. Observers believe this reflected Khamenei's dwindling trust in President Ahmadinejad and his hesitation to leave such an important area of policy under the president's authority.

Limits on Content

The Iranian authorities continued to restrict access to tens of thousands of websites in 2014, particularly those of international news sources, the opposition, ethnic and religious minorities, and human rights groups. According to a member of the Committee to Determine Instances of the Criminal Contents (CDICC), an average of 1,500 websites with content considered anti-Islamic are filtered every month.²⁰ While censorship remains stable, the results of the presidential election raised expectations that Rouhani would ease restrictions on online speech, resulting in a mild improvement in self-censorship. However, this enthusiasm may prove short-lived as harassment, detentions, and prosecution of internet users continues.

The regional tension between the Shiite and Sunni branches of Islam also manifests itself in the filtering of websites. The official website of Molavi Abdul Hamid, a prominent spiritual leader of Iran's Sunni community, was blocked without any explanation. *Mashregh News*, a website closely aligned with the IRGC, published an article strongly criticizing the availability of a Persian-language version of the Saudi-backed *Asharq Al Awsat* newspaper online in Iran.²¹ Abdolsamad Khoramabadi, the head of CDICC, stated his agreement with the article and the site was subsequently blocked.

In the period leading up to the presidential election in June 2013, a large number of websites linked to reformists were blocked. For example, Moj11.ir, an online campaign to support Khatami in the election became unavailable shortly after launch. SalamKhatami.com, a reformist site launched to petition Khatami to participate in the elections was blocked after eight days. Reforms.ir, a reformist news site covering the election, was also blocked. Campaign sites and personal blogs supportive of then-president Ahmadinejad and candidate Esfandiar Rahim Mashaei hosted on Iranian-owned platforms were also subjected to blocking or removal.

A number of the campaign websites with the aim of keeping Iranian officials accountable were also blocked. Rouhani Meter, a website monitoring the performance of President Rouhani over the first 100 days of his administration, was blocked on August 28.²² ShahrDare Ma (Our Mayor) was also blocked without explanation when the website sought to gauge public opinion concerning the performance of Mohammad Bagher Ghalibaf, Mayor of Tehran. After the website was blocked, it was completely shut down and the account was suspended.²³

A number of popular news websites operating inside Iran were also blocked. After publishing a news story in which Ahmadinejad claimed the 2009 election was rigged, *Baztab-e Emrooz* was blocked and managing director Ali Ghazali was arrested for 'disturbing public opinion.' (See "Violations of

20 "1500 antireligious websites are filtered on monthly basis", Bahar Newspaper, accessed February 12, 2014, http://baharnewspaper.com/ShowNews.php?fld_Year=92&fld_Month=01&fld_Day=29&fld_News_No=9152&fld_Extension=html.

21 "The surprising action of CDICC", Mashregh News, accessed February 12, 2014, <http://goo.gl/q6JAem>.

22 "Rouhani Meter has been blocked", ISNA, accessed February 12, 2014, <http://goo.gl/DqgkA6>.

23 "Our Mayor website has been blocked", Aftab News, accessed February 12, 2014, <http://goo.gl/qYQtzW>.

User Rights.”) *Eghtesad Press* (Economy Press) was also blocked and shut down under order from the District Court of Area 28 in Tehran. The website had published an article accusing the head of Iran’s Securities and Exchange Organization (SEO) of corruption. *Entekhab*, a popular news website based inside Iran, has been inaccessible since February 1, 2014 as a result of a complaint by the Tehran public prosecutor and a closure order issued by the Tehran media court. *Entekhab* editor Mostafa Faghihi told the government news agency Irna that the site was blocked for publishing a letter in which a university academic, Sadeq Zibakalam, criticized Iran’s nuclear policy as well as other sensitive issues such as public health and education.²⁴ The website was unblocked after removing the letter and the associated user comments.

However, as part of Rouhani’s larger policy of normalizing foreign relations and improving the international image of Iran, the website of CNN was unblocked on September 28, 2013, allowing users to access its content without the use of circumvention software. The CDICC had filtered the site, along with Reuters and BBC News, in the wake of the disputed 2009 presidential elections. Of the three news sites, the BBC is the only website that remains inaccessible in Iran. The CDICC did not comment on the move to unblock CNN.

Major international social media tools, such as Facebook, YouTube, Twitter, and Flickr, remained blocked, though the presence of officials in the Rouhani administration on Facebook and Twitter led to speculation that access to these platforms may be restored. However, when the head of the CDICC spoke on the matter, he described Facebook as a project of the CIA in an attempt to collect data from individuals around the world. Khoramabadi also described Mark Zuckerberg, founder of Facebook, as a “leading Zionist,” citing an occasion when Israeli President Shimon Peres described Facebook as a powerful tool for the advancement of Zionism.²⁵ He later announced that Facebook will not be unblocked, as the site contains a great deal of criminal content which cannot be separated from the legal content.²⁶

The online restrictions were not limited to political and economic content. Persian language music blogs, dating sites, digital security information, and movie download hubs were subject to increased filtering and content takedown orders. Popular international music streaming services like Pandora and Grooveshark have also been blocked.

The Iranian government has blocked access to two of Iran’s most popular instant messaging and communication services. WeChat, a free voice and text messaging application developed in China, was blocked on December 19, 2013 after members of parliament and officials from Iran’s Cyber Police voiced concerns over its use among Iranian youth. Viber was briefly disabled on January 2, 2014. Cryptocat, a tool popular with human rights activists and journalists that allows secure and encrypted chat, was also blocked, demonstrating that the Iranian authorities are concerned with the popularity of communication channels that they cannot easily monitor. According to the CDICC, the committee is also considering blocking other communication platforms such as Tango, WhatsApp, and Coco as “these foreign services gather data from Iranian users to be analyzed by foreign intelligence services.”²⁷ All remained unblocked in May 2014.

24 “ZibaKalam’s letter got Entekhab filtered”, IRNA, accessed February 12, 2014, <http://goo.gl/NPZN5L>.

25 “Facebook is collecting data on behalf of CIA”, Weblog News, accessed February 12, 2014, <http://goo.gl/Uzuylb>.

26 “Facebook has too much illegal content”, Khabar Online, accessed February 12, 2014, <http://www.khabaronline.ir/detail/313109/society/judiciary>.

27 “Viber has been filtered?”, Javan Online, accessed February 12, 2014, <http://goo.gl/Bpqjfv>.

Iranian authorities employ a centralized filtering system that can effectively block a website within a few hours across the entire network in Iran. Private ISPs are forced to either use the bandwidth provided by the government or route traffic containing site-visit requests through government-issued filtering boxes developed by software companies inside Iran. The filtering boxes search for banned text strings—either keywords or domain names—in the URL requests submitted by users, and block access accordingly.

Aside from filtering, the regime also employs administrative measures to remove unwanted content from the web. Website owners must register their sites with the Ministry of Culture and are then subject to requests to remove particular posts deemed unacceptable by the government. The 2009 Computer Crime Law (CCL) makes service providers, such as blogging platforms, responsible for any content that appears on their sites. This has led to the suspension of blogs or shuttering of news websites hosted on platforms inside Iran, under orders from government officials. The CLL also specifies violations that might result in a website being marked for filtering. These are defined very broadly and range from insulting religious figures and government officials to distributing pornographic content and the use of illegal circumvention tools.²⁸

In an effort to show that content filtering is based on a legal framework, institutions to oversee internet filtering have been created. The Committee in Charge of Determining Unauthorized Websites is empowered to identify sites that carry forbidden content and report that information to the TCI and other major ISPs for blocking. The committee is headed by the prosecutor general and other members are representatives from 12 governmental bodies. Little information is available about the inner workings of the committee, and censorship decisions are often arbitrary and nontransparent. According to the law, the committee should meet biweekly to decide on any website bans, though the bulk of filtering decisions are likely made upon discovery of objectionable content, or by a small technical team. In addition, owners of websites registered with the Ministry of Culture have complained that they received no explanation when their websites were filtered.²⁹ The authorities claim there is a procedure for disputing filtering decisions. However, the process is highly inefficient, and even conservative bloggers have failed to have their webpages unblocked by lodging complaints.³⁰ Moreover, the dispute process requires the website owner to disclose his or her personal information and accept responsibility for any misconduct in the future, a commitment that few are willing to make given the risk of severe punishment.

In protest against the arbitrary filtering process in Iran, over 100 media activists wrote a statement objecting to “an increase in the number of confrontations outside of the standard realm of regulations in dealing with cyberspace issues.” While complaints about censorship have typically come from reformist and independent media, these activists are said to be involved in managing semiofficial news agencies and conservative websites, which faced increased censorship in the period leading up to the presidential election in 2013. According to the statement, over the course of the past year, an “unrelated government body” has been contacting official news agencies and asking them to “either remove specific text from their website or risk filtering.” The body appears to

28 “12 members of Committee in Charge of Determining Unauthorized Sites,” Weblognews, December 16, 2009, <http://weblognews.ir/1388/09/mediablog/5740/>.

29 “The News site’s reporter will be insured,” Hamshahri Online, November 1, 2011, <http://www.hamshahronline.ir/news-150108.aspx>.

30 “On filtering of Ahestan,” Ahestan (blog), January 15, 2010, <http://ahestan.wordpress.com/2010/01/15/ahestan>.

be CDICC. Critics say this committee does not have the jurisdiction to deal directly with websites and news agencies that are licensed by the Press Supervisory Board.³¹

Internet traffic over cell phones is subjected to a similar level of restrictions as fixed-line connections. Iranian mobile users have only intermittent access to major app stores such as Apple's iTunes or Google Play, either due to blocking by the Iranian government (in the case of the former) or by the providing company (with regard to the latter). The content of SMS is also subjected to filtering. For instance the term, "Come to eat" was blocked by IranCell in July 2014. The term is an everyday phrase in the Persian language, though it also has sexual connotations when used colloquially. During the election period, SMS messages containing the word "Mashaie" were blocked, referring to Esfandiar Rahim Mashaei, the presidential candidate supported by Ahmadinejad. Texts containing political slogans related to Mashaie and Ahmadinejad had also been blocked in the past.

Currently there is no legal framework for filtering of SMS content. However, in June 2013 the director of the SCC announced that it will work with the Ministry of Culture and Islamic Guidance to draft a new bylaw for monitoring the content of mass and promotional text messages.³² The CRA has introduced new regulations that require all commercial SMS senders to submit the content of each SMS or service to the CRA for review prior to sending.³³

Self-censorship is extensive, particularly on political matters. The widespread arrests and harsh sentences meted out to reporters and activists after the 2009 elections, as well as perceptions of pervasive surveillance, have increased fear among online journalists and bloggers. Many either abandoned their online activities or used pseudonyms, resulting in a palpable drop in the amount of original content being produced by users based inside the country. However, the situation slightly improved after Rouhani assumed the presidency, especially among reformist journalists who advocated for him. The change, however, has been more in terms of perception. The same restrictions of the pre-Rouhani era are still in place and journalists continue to be prosecuted.

In addition to filtering, censorship, and intimidation, the state counters critical content and online organizing efforts by extending regime propaganda into the digital sphere. There are at least 400 news websites either directly or indirectly supported by the state. They seek to set the agenda by providing progovernment commentary or publishing rumors. There have also been a large number of government-backed initiatives to promote blogging among its supporters and members of the Basij paramilitary group.

Furthermore, the majority of independent content producers lack the financial resources to operate in such a hostile environment. The online advertising market in Iran is exclusively limited to apolitical and progovernment websites. Even businesses based outside Iran avoid political websites to maintain trading relationships with the country. Although the United States adjusted its sanctions against Iran to enable American internet companies to provide services to Iranian users, Google Advertising does not recognize Persian as one of the languages in its system, disadvantaging Persian

31 "Even Iran's Conservative Media Complain Of Filtering", RFERL, accessed February 12, 2014, <http://www.rferl.org/content/iran-internet-filtering-election-media/25013289.html>.

32 "Drafting a law for the SMS filtering" Mehrnews, accessed February 12, 2014, <http://www.mehrnews.com/detail/News/2083498>.

33 "The regulation for sending bulk SMS", ITNA, accessed February 12, 2014. <http://itna.ir/vdci55art1ayr2bcct.html>.

content producers.³⁴ Any Iranian-linked company or individual who wishes to use Google AdSense must apply for a specific license, which is not a convenient process for the majority of Iranian content producers.

The Iranian government has intensified its fight against the use of circumvention tools. The use of such tools is considered to be illegal, although many ignore this.³⁵ According to the most recent statistics, 45 percent of Iranian users utilize VPNs to bypass censorship, and 41 percent use other circumvention methods to access blocked content.³⁶

Due to the ongoing blockage of Facebook and Twitter, opposition campaigning on Persian social media is limited in reach and scope. However, all candidates maintained an active presence on social media during the presidential election, either through official or unofficial accounts linked to their campaigns. Facebook,³⁷ Twitter, and Instagram accounts linked to President Rouhani have a large following.

On May 3, a London-based Iranian journalist created a Facebook page entitled “Stealthy Freedoms of Iranian Women” in order to encourage women to post photos of themselves without a *hijab* or headscarf.³⁸ The site gained over 170,000 followers within two weeks and as of mid-2014 had over 600,000. Hundreds of women have posted photos to the site, defying national laws that require the hijab and risking punishment.³⁹ Masih Alinejad, the founder of the page, was accused by Iran’s semi-official news agency of promoting promiscuity and working with the enemy.⁴⁰

Violations of User Rights

Iran continues to be an extremely dangerous environment for internet users. Iranian laws heavily restrict what is acceptable speech online and specify harsh punishments for those who deliberately flout restrictions, as well as those who have inadvertently caught the ire of authorities. A group of tech bloggers in the city of Kerman were sentenced up to 11 years for alleged links with foreign organizations, while seven contributors to a Sufi website were also jailed for lengthy terms. Even if access to social media is restricted in the country, eight individuals were sentenced to jail for 7 to 20 years related to Facebook posts deemed as blasphemous or against the regime. Harassment and surveillance are rampant, particularly for those who are critical of the authorities or belonging to ethnic and religious minorities. The recent wave of arrests and sentences are considered to be part

34 Jamal Abdi, “Obama Norooz promise a good step, more needed to ensure U.S. not part of ‘Electronic Curtain,’” NIAC InSight, March 21, 2012, <http://www.niacinsight.com/2012/03/21/obama-promises-to-ease-internet-restrictions-in-norooz-message/>.

35 “Bypassing Internet censorship is now allowed”, IT Analyze, accessed February 12, 2014, <http://itanalyze.com/news/2013/04/05/20758.php>.

36 “Iran to crack down in web censor-beating software”, AFP, accessed June 24, 2013, <https://www.google.com/hostednews/afp/article/ALeqM5jIFi-LdqBsdtrj7mRYnCMTISGjCA?docId=CNG.f710ad6e0ee1dc52f64c985918d1bac1.741>.

37 See his Facebook page (over 120,000 followers) at <https://www.facebook.com/Pres.Rouhani>, Twitter account (250,000 followers) at <https://twitter.com/HassanRouhani>, and Instagram account (60,000 followers) at <http://instagram.com/hrouhani>.

38 See <https://www.facebook.com/StealthyFreedom>.

39 Per Liljas, “Thousands of Iranian Women Defy Hijab Law on Social Media,” Time, May 14, 2014, <http://time.com/98770/iranian-women-defy-hijab-law-facebook/>.

40 Farnaz Fassihi, “Iranian Women Find New Platform for Personal Freedom Push,” Wall Street Journal, May 13, 2014, <http://blogs.wsj.com/middleeast/2014/05/13/iranian-women-find-new-platform-for-personal-freedom-push/>.

of the reaction of the hardliners within the Iranian establishment to President Rouhani's attempts to open up cyberspace and the media. The IRGC in particular are known to be fiercely resistant to any liberalization in these areas.

The constitution provides for limited freedom of opinion and expression, but numerous, haphazardly enforced laws restrict these rights in practice. The 2000 Press Law, for example, forbids the publication of ideas that are contrary to Islamic principles or detrimental to public rights, none of which are clearly defined.⁴¹ The government and judiciary regularly invoke this and other vaguely worded legislation to criminalize critical opinions. The 2009 CCL outlines punishments for spying, hacking, piracy, phishing, libel, and publishing materials deemed to damage "public morality" or to be a "dissemination of lies."⁴² Punishments are severe and include the death penalty for offenses against public morality and chastity, as well as long prison sentences, draconian fines, and penalties for service providers who fail to enforce government content restrictions.

Dozens of Iranians were arrested over the coverage period. On December 3, 2013, officials from the IRGC arrested 16 digital activists in the southern province of Kerman, including eight staff members from the gadget review site Narenji.ir or its sister sites: Aliasghar Honarmand (Narenji's founder), Abbas Vahedi, Hossein Nozari, Reza Nozari, Amir Sadeghpour, Mehdi Faryabi, Ehsan Paknejad, and Malieh Nakhei. Referencing their apparent links to the BBC and BBC Persian, they were accused of being in contact with "enemy media" and "running a number of projects and plans for anti-revolutionary Iranians based abroad" according to a local justice department official.⁴³ At least one individual had participated in or led BBC-funded journalism workshops, which officials linked to British intelligence. Five individuals were kept in solitary confinement for four months and subject to daily interrogations. In June 2014, the revolutionary court in Kerman sentenced 11 individuals for "designing sites... for media hostile to the regime": Honarmand to 11 years' imprisonment, Vahedi (2.5), Hossein Nozari (7), Paknejad (5), and seven others to 1.5 years plus 3 years' probation.⁴⁴

In July 2013 seven contributors to the Sufi website *Majzooban Nor* were convicted of producing antigovernment propaganda, insulting the Supreme Leader, and endangering national security. Hamidreza Moradi was sentenced to 10 years in prison, Reza Entesari was sentenced to 7.5, and Mostafa Daneshjo, Farshid Yadollahi, Amir Islami, Omid Behrouzi and Afshin Karampour were each sentenced to 7.5. The court banned them all from practicing any kind of political or journalistic activity for five years after their release. The defendants, who have been held in Tehran's Evin prison since September 2011, and their lawyers refused to attend the trial on the grounds that it was unfair.⁴⁵

Even if access to social media is restricted in the country, numerous individuals have been targeted for their activities on Facebook and YouTube. In early September 2013, the IRGC arrested five administrators of popular Facebook pages. While the pages were not politically focused, Roya Irani,

41 Press Law, <http://press.farhang.gov.ir/fa/rules/laws2>.

42 *Islamic Republic of Iran: Computer Crimes Law Article 19*, January 30, 2012, .

43 Saeed Kamali Dehghan, "Arrested Iranian activists and bloggers accused of BBC links," *The Guardian*, January 8, 2014, <http://www.theguardian.com/world/2014/jan/08/arrested-iranian-activists-bloggers-accused-bbc-links>.

44 "Eleven Internet Professionals Sentenced to One to Eleven Years in Prison," *International Campaign for Human Rights in Iran*, June 20, 2014, <http://www.iranhumanrights.org/2014/06/cyber-activists/>, and "Iran Doles Out Prison Sentences to Tech Bloggers, or 'Enemy Cyber Activists'," *Mashable*, June 19, 2014, <http://mashable.com/2014/06/19/iran-tech-bloggers-prison/>.

45 "Press Freedom Violations Recounted in Real Time (January-December 2013)," *Reporters without Borders*, December 20, 2013, <http://en.rsf.org/iran-press-freedom-violations-recounted-20-12-2013.43862.html>.

Amir Golestani, Fariborz Kardar, Massoud Ghasemkhani and Seid Massoud Seiad Talebi allegedly shared or posted information related to the opposition Green movement.⁴⁶ According to Reporters Without Borders, they were charged by the Tehran prosecutor's office with "meeting to conspire against national security" and, as of December 2013, were still held at Evin prison.⁴⁷

In a separate development from May 2014, eight individuals found guilty of blasphemy, spreading anti-regime propaganda, or insulting Supreme Leader Khamenei on Facebook and were sentenced between 7 and 20 years of jail time. Among those sentenced to 20 years was Roya Saberinejad Nobakht, a 47-year-old woman and British national. Gholam Hossein Mohseni Eje'i, the general prosecutor of Iran, separately announced the arrest and imprisonment of an individual responsible for setting up fake Facebook pages that claimed to represent members of Rouhani's cabinet.⁴⁸

Even the most seemingly benign activities can provoke the ire of conservative authorities. Five dancers and one director were arrested for a homemade video posted to YouTube that featured men and women —the latter without headscarves—dancing together in a violation of conservative customs. The "Happy in Tehran" clip was one of hundreds of music videos set to the Pharrell Williams song "Happy" that have been reproduced around the world. The group was forced to repent on a national television, during which a police chief referred to the video as "a vulgar clip which hurt public chastity".⁴⁹ They six were later given suspended sentences of one year in prison and 91 lashes in September 2014.⁵⁰

Iranians in the expatriate community are also intimidated for their online activities. Prior to the elections, Radio Free Europe issued a statement criticizing the Iranian regime's pressure on family members of Radio Farda staff. According to Radio Farda's director, Arman Mostofi, relatives of staff members were summoned for interrogations and were told to advise their relatives to refrain from working with the organization.⁵¹

Saeed Malekpour, a web developer who had previously been sentenced to death for blasphemy, had his sentenced changed to life imprisonment. Malekpour's lawyer, Mahmoud Alizadeh Tabatabaee, told ISNA News Agency in August 2013, that after his death sentence was upheld at the Supreme Court, he repented and showed remorse, leading to his sentence reduction.⁵² He was arrested in 2008 after image software he developed was used in an adult website.

46 "Iran's Revolutionary Guards arrest internet activists", Guardian, December 5, 2013, <http://www.theguardian.com/world/2013/dec/05/iran-revolutionary-guards-arrest-internet-activists>.

47 "Press Freedom Violations Recounted in Real Time (January-December 2013)," Reporters Without Borders, December 20, 2013, http://en.rsf.org/iran-press-freedom-violations-recounted-20-12-2013_43862.html.

48 <http://itna.ir/vdcbz9b5.rhbzzpiur.html>

49 Robert Mackey, "Young Iranians Arrested for Being Too 'Happy in Tehran'," New York Times, May 20, 2014, http://thelede.blogs.nytimes.com/2014/05/20/young-iranians-arrested-for-being-happy-in-tehran/?_r=0.

50 "Iran: Happy video dancers sentenced to 91 lashes and jail," BBC News, September 19, 2014, <http://www.bbc.com/news/world-middle-east-29272732>.

51 "Pressure on the families of Radio Farda employees in Iran", BBC Persian, http://www.bbc.co.uk/persian/iran/2013/06/130610_ir92_families_radiofarda.shtml.

52 "Saeed Malekpour's Death Sentence Commuted to Life Because 'He Repented'", International Campaign for Human Rights in Iran, accessed February 12, 2014, http://www.iranhumanrights.org/2013/08/saeed_malekpour/.

In March 2012, the Communications Regulatory Authority issued Bill 106,⁵³ which required the registration of all IP addresses in use inside Iran. Implementing such registration will allow the authorities to track users' online activities even more thoroughly and is a fundamental part of implementing the National Information Network. In addition, the sale and use of VPNs is illegal. Tehran's Cyber Police (FATA) arrested a 35-year-old man for selling VPN access in 2014, noted that the suspect was found through "monitoring the web space."⁵⁴

As of March 2012, customers of cybercafes must provide information including their name, father's name, national ID number, and telephone number before using a computer. Cafe owners are required to keep such information, as well as customers' browsing history, for six months. They are also required to install closed-circuit surveillance cameras and retain the video recordings for six months.⁵⁵ Mehdi Mir-Mohammadi, head of the IT-Union of Tehran, commented that some elements of the regulations infringe on user privacy and could lead to new forms of cybercrimes.⁵⁶

In addition, the CCL obliges ISPs to record all the data exchanged by their users for a period of six months, but it is not clear whether the security services have the technical ability to process all this data. When purchasing a mobile phone subscription or prepaid SIM card, users must present identification, facilitating the authorities' ability to track down the authors and recipients of specific messages.

Despite international legal restrictions placed on the selling of surveillance equipment to the Iranian government, there have been past reports that Chinese and some Western companies have been providing the Iranian authorities with technology to monitor citizens' digital activities. Specifically, investigative reports by Reuters and the *Wall Street Journal* found that Huawei Technologies⁵⁷ and ZTE Corporation,⁵⁸ both Chinese firms, were key providers of surveillance technology to Iran's government, allegations both companies have denied. According to an uncovered PowerPoint presentation outlining the system's capabilities, Iran's MobinNet ISP would potentially have the capacity to utilize deep packet inspection (DPI), real time monitoring of communication traffic, the ability to block websites, track users and reconstruct email messages as a means of monitoring citizens.⁵⁹

Filtering and arrests are supplemented by hacking and distributed denial-of-service (DDoS) attacks on the websites of government critics. In the lead up to the elections, websites critical of the government, including Khodnevis, Iran's Communist Party, and Green Wave Voice were hacked.

53 Bill 105, Communication Regulation Authority, <http://cra.ir/Portal/File/ShowFile.aspx?ID=f1a93935-938c-4d93-9eed-b47bc20685d4>.

54 "The arrest of VPN reseller", ITNA, accessed February 12, 2014, <http://itna.ir/vdcgqu9x.ak93q4prra.html>.

55 Golnaz Esfandiari, "Iran Announces New Restrictions For Internet Cafes," Payvand, January 5, 2012, http://www.payvand.com/news/12/jan/1048.html?utm_source=Payvand.com+List&utm_campaign=d6730c3065-RSS_EMAIL_CAMPAIGN&utm_medium=email.

56 "Internet cafes are required to authenticate users, all the pages viewed in the Internet cafes should be recorded", Asriran, accessed June 24, 2013, see <http://bit.ly/1fIAhE5>.

57 Steve Stecklow, Farnaz Fassihi, and Loretta Chao, "Chinese Tech Giant Aids Iran," The Wall Street Journal, October 27, 2011, <http://online.wsj.com/article/SB10001424052970204644504576651503577823210.html>.

58 "UANI Calls on Chinese Telecom Giant ZTE to Withdraw from Iran," Market Watch, press release, March 26, 2012, <http://www.telecomyou.com/newscenter/news/uani-calls-on-chinese-telecom-giant-zte-to-withdraw-from-iran-marketwatch-press-release>.

59 "Special report: How foreign firms tried to sell spy gear to Iran", Reuters, accessed June 24, 2013, <http://www.reuters.com/article/2012/12/05/us-huawei-iran-idUSBRE8B409820121205>.

Google also released a statement that it detected and stopped thousands of phishing attacks targeting email accounts of Iranian users ahead of the election.⁶⁰

Iran has significantly increased its hacking capabilities in recent years. According to a report published by FireEye, a digital security firm, in May 2014 the development of Iranian hacking capabilities, particularly its 'Ajax Security Team,' is "consistent with Iran's efforts at controlling political dissent and expanding offensive cyber capabilities". However, the report noted that Iranian hackers are not necessarily directly linked to the government or the military.⁶¹

There have also been several official plans to recruit and train cyber defense experts and hackers in the past. The Deputy of IT and Communications at Iran's Civil Defense Organization announced that a Cyber Defense program of study would be introduced to some universities in the country on the graduate level.⁶²

According to Zone-H, a website dedicated to tracking hacking incidents, there were a total of 1,387 website defacements attributed to Iranian hackers during March 2013 alone, with a similar number in February. The majority of these are attributed to the Ashiyane Digital Security Team, which ranks as the second most active group in world, with defacements of thousands of websites linked to foreign governments and high-level organizations.⁶³ It is also noteworthy that the head of Ashiyane, Behrouz Kamalian, was sanctioned under the European Union's human rights sanctions regime for being linked with the IRGC and responsible for a cyber-crackdown against domestic opponents and reformists, and foreign institutions.⁶⁴

60 "Google detects Iran phishing attacks ahead of election", BBC News, June 13, 2013, <http://www.bbc.co.uk/news/world-middle-east-22884006>.

61 "Operation Saffron Rose", last accessed July 21, 2014 www.fireeye.com/blog/technical/malware-research/2014/05/operation-saffron-rose.html.

62 "Iranian gov't pays paramilitary hackers, bloggers to bring you Islamic Revolution 2.0", Arstechnica, accessed June 24, 2013, <http://arstechnica.com/tech-policy/2012/06/iran-expands-online/>.

63 Ashiyane Digital Security Team Report on Zone-H <http://zone-h.org/archive/filter=1/notifier=Ashiyane%20Digital%20Security%20Team/page=3>.

64 Council of the European Union, "Council Regulation (EU) No 1002/2011 of 10 October 2011 Implementing Article 12(1) of Regulation (EU) No 359/2011 Concerning Restrictive Measures Directed Against Certain Persons, Entities and Bodies in View of the Situation in Iran," The Official Journal of the European Union, October 10, 2011, p.5. (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:267:0001:0006:EN:PDF>) - See more at: http://www.defenddemocracy.org/behrouz-kamalian#_ftn2.