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## Freedom House

## Freedom on the Net 2020 - Iran

NOT FREE

15

100

A Obstacles to Access 7 25
B Limits on Content 5 35
C Violations of User Rights 3 40
LAST YEAR'S SCORE & STATUS

15 100 Not Free

Scores are based on a scale of 0 (least free) to 100 (most free)

### Overview

Internet freedom remained highly restricted in Iran during the coverage period. The government ordered a near-total internet shutdown in 2019, following waves of protests across the country, and continued to block access to independent news sites and a number of social media and communication platforms. In addition, authorities also continued to disrupt internet access during politically sensitive events, aided by their continued control over the internet infrastructure. As in past years, bloggers, online journalists, activists, and citizens were arrested and prosecuted for content posted online. The government continued to block websites and ban content deemed as critical of the state.

Iran holds elections regularly, but they fall short of democratic standards due in part to the influence of the hard-line Guardian Council, an unelected body that disqualifies all candidates it deems insufficiently loyal to the clerical establishment. Ultimate power rests in the hands of the country's supreme leader, Ayatollah Ali Khamenei, and the unelected institutions under his control. These institutions, including the security forces and the judiciary, play a major role in the suppression of dissent and other restrictions on civil liberties.

## Key Developments, June 1, 2019 - May 31, 2020

- A near total internet shutdown was implemented across the country in November 2019 for around seven days, following nationwide protests sparked by the sudden announcement of fuel price increases (see A3).
- As the spread of COVID-19 in the country intensified, a number of journalists and citizen journalists were arrested for criticizing the government's response to the crisis (see C3).
- Iran continued to impose strict penalties for publication of legitimate online content, including handing out a 7-year and a 9-year in absentia prison sentence to two Instagram influencers for content posted to their social media accounts (see C3).
- Data from 42 million Iranian Telegram accounts was leaked online. Reportedly, some of the data was related to unofficial Telegram apps that have potential ties to the government (see C5).

## A Obstacles to Access

Internet penetration rates have improved in recent years, and connectivity in rural areas has continued to increase as part of the planning for the National Information Network—now more commonly known as NIN, but also referred to as SHOMA—Iran's sovereign internet project. In November 2019, the Iranian

government imposed a near-total internet shutdown for seven consecutive days following a wave of protests sparked by the sudden announcement of fuel price increases. The expansion of the NIN also allowed for some websites hosted in Iran to remain online during the internet shutdown.

#### A1 0-6 nts

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

Score Change: The score increased from a 4 to a 5 due to higher internet penetration and faster speeds, as well as greater investment in infrastructure projects in recent years.

Internet penetration, bandwidth, and speeds have increased markedly in recent years due to heavy government investment in information and communication technologies (ICTs). The International Telecommunication Union (ITU) estimated internet penetration at approximately 70 percent in 2018. According to the ICT Ministry's 2019 report, 240,000 kilometres of fiber-optic cables have been installed across the country.

According to the ICT minister, internet bandwidth increased from 724 Gbps to 4,000 Gbps during President Hassan Rouhani's first term. The ICT Ministry had set a target of 12,000 Gbps by the end of 2017.2 According to a report published by the ICT Ministry in September 2018, Iran's international internet bandwidth has reached 1,805 Gbps and the domestic data transition bandwidth is 22,191 Gbps.3 However, both the supreme leader and the parliament have warned authorities against increasing bandwidth before the National Information Network's (NIN) completion.4 This move was seen as a way to further hinder Iran's connectivity to the rest of the world, forcing users to rely on the government-approved network.

In February 2020, the Supreme Council for Cyberspace (SCC), Iran's top internet policy making body began dedicated meetings to set five-year targets for the expansion of the NIN. To date, a number of targets relating to infrastructure have been confirmed. Some of the targets include: mobile internet access to be provided for 100 percent of the population, with an average speed of 10 Mbps; broadband internet access to be provided for 80 percent of households with an average speed of 25 Mbps; and internet speed for businesses to increase to 100 Mbps. However, as the COVID-19 outbreak escalated in the country, no further SCC meetings took place as of May 2020.

In January 2019, the ICT minister, Mohammad Javad Azari-Jahromi attended the inauguration of a plan to implement part of the NIN, which was related to increasing the capacity of Iran's internet protocol (IP) core network. The SCC published a resolution titled "Requirements for the National Information Network" in 2016, which emphasised infrastructural expansion to create "defined borders and limits" for new telecommunications infrastructure project. Since then a number of infrastructure projects and investments have been announced. These projects demonstrate that, despite the deteriorating economy, authorities remain committed to developing the NIN. Plans for the NIN initiated in 2017 included the development of the national wireless network, featuring 4.5G service in 710 cities; expansion of IP backbone projects and fiber-optic networks; expansion of the content-delivery network (CDN); and an agreement with Nokia for research and delivery of 5G mobile service.10

Private and state-backed companies have sought foreign investment to improve the ICT infrastructure. In 2017, the South African telecommunications company MTN announced that it would bring fiber-optic networks to the cities of Tehran, Karaj, Qom, Tabriz, Shiraz, Isfahan, Ahvaz, and Mashhad. 11 MTN would have controlled 49 percent of the Iranian Net Company, a consortium established in 2011 to deliver fiber-optic upgrades. 12 However, in July 2018 the deal was scuttled due to MTN's apparent failure to adequately fund the consortium. 13 The deal's failure was also attributed to expected sanctions from the United States. 14

#### A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons? 13

The government's investment in ICT infrastructure through the NIN has increased internet connectivity in rural areas, lessening the urban-rural divide in access. The Communications Regulatory Authority (CRA) has implemented measures to extend access to rural areas and decrease prices for users. In August 2019, the ICT Ministry published its annual report for President Rouhani's ICT minister's second year in office titled "Towards a Smart Iran." 15 According to the report, 80 percent of the infrastructure for the NIN had been completed, with 100 percent of cities connected and 78 percent of villages gaining access to the network, an increase from 18,100 villages to 30,779 since Rouhani's first term.

However, the ICT Ministry and the SCC have been in conflict about the validity of these claims, 16 a split that has been attributed to the two bodies having "differing definitions of the NIN;" neither have provided evidence to back their assertions. Official figures claim that no rural villages were connected to high-speed internet before the Rouhani presidency.

A new bandwidth pricing policy was implemented in 2017, shortly after the appointment of Mohammad Javad Azari-Jahromi as ICT minister, which effectively ended net neutrality in the name of "fair-usage" pricing. The new pricing calculates internationally routed traffic at a higher cost than domestically hosted websites (through the NIN) and government approved content. 17 As internet is sold per a downloaded or uploaded gigabyte, an internet user would be charged more for accessing global internet content compared to domestic or state-approved content (see B7).

#### A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity? 16

Score Change: The score declined from 2 to 1 due to extensive, government-imposed internet shutdowns across the country that came in response to mass protests in November 2019.

Numerous network disruptions took place throughout the reporting period. The development of the NIN and the state's control over the internet backbone provides the government with the ability to throttle foreign connection speeds during politically sensitive periods without crippling critical services such as hospital networks and banking services. The Telecommunication Company of Iran (TCI) retains a monopoly on internet traffic flowing in and out of the country. 18 In addition, the TCI's dominance of the internet-service provider (ISP) market creates opportunities for the security apparatus to monitor online activity, since the TCI's majority shareholder is the Islamic Revolutionary Guard Corps (IRGC), a powerful branch of the security forces that also controls large portions of the economy (see A4).19

In November 2019, the government implemented a near-total internet shutdown that lasted for at least seven days and impacted mobile and broadband connections across most the country. Certain provinces such as Sistan, Baluchestan, and Khuzestan experienced even longer shutdown periods. 20

The decision to disconnect the country from the global internet was made by the National Security Council following a wave of protests sparked by a sudden announcement of a significant increase in fuel prices. 21 The council initially enacted a 24-hour shutdown, according to reports, but it was later extended. The shutdown was implemented via the ICT Ministry, which ordered ISPs and mobile internet providers—which are under the control of the government—to cut users' access. No prior notice was given to users and no parliamentary approval was sought to extend the shutdown. 22

Officials inside the country either did not comment on the reason for the shutdown, or attributed it to "security issues." While Iran has implemented more limited internet shutdowns in the past, the November 2019 interruption was the first "blanket shutdown," and was difficult for many users to circumvent using virtual private networks (VPNs) and other tools "due to its comprehensive nature."23

During the shutdown, it was reported that a number of domestically hosted websites such as national online banking services, domestic messaging apps, and hospital networks were able to remain online using the NIN infrastructure while global traffic was disconnected.  $\underline{24}$ 

Weeks later, in December 2019, major network connectivity disruptions were observed over two days as heightened security presence in parts of the country were reported. However, this did not lead to a wider shutdown. 25 The ICT Ministry denied reports of an internet shutdown.

Significant internet disruptions were observed once again in January 2020 as protests broke out in the aftermath of the tragic downing of Ukraine International Airlines Flight 752 by Iran's armed forces. 26 The Iranian government's initial denial that the military was responsible for the incident and their eventual admission led many people to take to the streets across the country. 3G and 4G mobile networks were disrupted around Azadi square in Tehran, where many were gathered to protest. Access to the messaging app WhatsApp was also disrupted during this time. 27 Moreover, a number of social media platforms and communication applications are already blocked in Iran (see B1).

In February 2020, extensive network disruptions impacted the country, which the ICT Ministry claimed to be due to a distributed denial of service (DDoS) attack originating from outside Iran, though they did not provide information to verify this claim. 28 The disruption could also have been due to the introduction of a new internet exchange point (IXP) during the same period (see C8).

Internet disruptions and connectivity issues were observed as the COVID-19 crisis worsened in Iran during March 2020. These were apparently due to strains on network infrastructure that emerged as ISPs struggled with the dramatic increase in demand on networks as more people stayed at home or had to work remotely.29

In July 2020, after the reporting period, further network disruptions were reported following antigovernment protests in Khuzestan Province. The same month, network disruptions were reported for three hours as online users used hashtags on social media to speak out against death sentences handed down to three men who participated in the 2019 protests (see B8).30

Iranians often use virtual private networks (VPNs) and other circumvention tools to bypass censorship (see B1). However, the government regularly seeks to disrupt access to VPNs.

#### A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers? 0.6

The telecommunications industry is tightly controlled by the government. The TCI owns the Data and Communication Company (DCC), the country's main ISP. The Mobile Telecommunication Company of Iran (MCI), a subsidiary of the TCI, is the largest mobile service provider. 31

In January 2018, the supreme leader ordered the IRGC and other security forces to reduce any economic activities that are not related to their core missions, 32 and in October 2018, the corps announced that it was selling its stake in the TCI. 33 However, as of June 2020, there was no indication that the sale had taken place.

The second largest mobile service provider, MTN Irancell, is owned by MTN and Iran Electronics Industries, a state-owned subsidiary of the Ministry of Defence. 34

#### A5 0-4 pts

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

The bodies that regulate the telecommunications sector lack independence. The SCC sets most policies related to the internet. The council was established through a 2012 decree by the supreme leader and is composed of 17 representatives from government institutions and 10 members appointed by Ayatollah Ali Khamenei.35 It is intended to provide a centralized point for policymaking and the regulation of Iran's virtual space, effectively minimizing the roles of the executive, legislative, and judicial branches and bringing internet policy under Khamenei's direct control.

The CRA, which falls under the ICT Ministry, is responsible for telecommunications licensing. Its head is appointed by the ICT minister. <u>36</u>

In September 2019, the CRA passed a new regulation requiring that managing directors and members of the board of directors for operators with more than 5,000 users receive its approval. The new regulation was used to suspend the appointment of Mina Mehrnoush as the new managing director at the leading telecoms company RighTel. The CRA's intervention came following Mehrnoush's threats to reveal the company's financial situation under previous management linked to the ICT minister.37

In 2015, Khamenei consolidated the SCC's power over internet policy and made some personnel changes to the council. In 2016, he dissolved the High Council of Informatics, the Supreme Council of Information, and the Supreme National Security Council of Information Exchange (AFTA), incorporating their responsibilities into the SCC.38

In the past, government officials routinely criticized the SCC for being disorganized 39 and neglecting to encourage Iranians to use the internet in a "clean" and Islamic fashion.40 However since Rouhani's 2017 reelection and appointment of Mohammad Javad Azari-Jahromi as the ICT minister, SCC meetings have been held more often.41 However, the SCC did not meet for three consecutive months after the COVID-19 outbreak intensified in the country beginning in February 2020.42

The ICT Ministry and Islamic Republic of Iran Broadcasting (IRIB)—the state broadcaster, whose head is appointed directly by the supreme leader—still appear to be at odds on the right to license internet protocol television (IPTV) services. The ministry has sought to capitalize on expanded bandwidth by promoting IPTV as a new avenue for media diversity. However, in 2016, the IRIB notified all private IPTV providers that licenses issued to them by the ICT Ministry were invalid, insisting that only the IRIB has the power to issue licenses. 43 The broadcaster began issuing its own licenses in 2017. 44 In January 2020, a notice signed by the Chief Justice Ebrahim Raisi was sent to regional judiciary officers stating that the IRIB is responsible for issuing licences and regulations relating to audio and visuals online. Shortly after, Mahmoud Vaezi, the president's chief of staff, responded to Raisi in a letter stating "with respect, these matters related to the SCC." 45 The issue remained unresolved as of June 2020.

### **B** Limits on Content

Significant restrictions on content have been in place since 2009. Major international platforms like Facebook and Twitter remained blocked during the coverage period, as did Telegram. Additional international services such the Google Play store were also blocked. Censorship decisions remained highly politicized, with both conservative and reformist news sites facing censorship for failure to adhere to strict guidelines on coverage of political, social, and international issues. Self-censorship is pervasive, and overt digital activism is fairly limited.

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content? 0 6

Authorities restrict access to tens of thousands of websites, particularly those of international news and information services, 46 the political opposition, ethnic and religious minority groups in Iran, and human rights organizations. 47 Websites are also blocked if they contradict state doctrine regarding Islam, as well as government narratives on domestic or international politics. News stories that cover friction between Iranian political institutions are also frequently censored.

Twitter, Facebook, and YouTube, are all blocked, in addition to major blog-hosting platforms like WordPress, Blogspot, and Blogger.48 Conservative leaders have repeatedly exerted pressure on the Committee to Determine Instances of Criminal Content (CDICC)—a government body headed by the prosecutor general that consists of representatives from 12 state institutions—to block other prominent social media platforms, while President Rouhani has used his administration's six seats and two parliament representatives on the committee to push back in some cases.49

Apps and websites have been blocked over links to foreign countries, particularly the United States and Israel. For example, the navigation app Waze and messaging app Viber, which were developed in Israel, were first blocked in 2017 and 2014, respectively. 50 After authorities blocked Viber, Telegram became the most widely used messaging app in the country, with an estimated 40 million monthly users in 2017. 51 However the government soon pushed back against the platform, blocking Telegram's encrypted voice calling feature in 2017 before blocking the entire service, along with Instagram, for several days in late 2017 and early 2018 in response to antigovernment protests. 52 In April 2018, a prosecutor in the Media Court issued an order to filter Telegram, resulting in the obstruction of the platform by ISPs and mobile service providers. 53 Since the ban, authorities have provided financial support for and promoted domestic messaging apps as an alternative to Telegram (see C6). 54

On October 9, 2019, a letter signed by Javad Javidnia, the former deputy prosecutor general responsible for cyberspace, and secretary to the CDICC, was sent to ISPs asking them to block the official Android app store and the Google Play store "as soon as possible."55 The letter stated that the decision was made by the CDICC and "in accordance with Article 749 of the Islamic Penal Code relating to computer crimes." Article 749 of the Islamic Penal Code requires all ISPs to filter any content determined by the CDICC as criminal content. Resistance in complying with this article will result in the termination of the ISP or in some cases a financial penalty.56

Two of Telegram's client apps – Hotgram and Telegram Talai – which gave user's access to Telegram following its ban were eventually taken down as well. Some reports suggested that the two client apps, were connected to intelligence forces inside the country and could gain access to users' phones (see C5).57 Separately, in January 2018, the government reportedly lifted a long-standing ban on the Chinese messaging app WeChat, restoring access to the platform.58

Internet censorship is highly politicized, often reflecting tensions between conservatives and reformists. Instagram's live video feature was temporarily blocked in 2017;59 pro-Rouhani and reformist figures had been using the platform to broadcast nightly debates and cover campaign rallies in support of Rouhani's reelection the following month.60 No government body took responsibility for the blocking order.

On November 26, 2019, shortly after the fuel-price protests had died down, a number of users on social media reported that they had been unable to access Wikipedia, indicating that the website was blocked.61 Similarly, in early March 2020, as the country was battling one of the largest outbreaks of COVID-19 outside of China, reports confirmed that access to Persian Wikipedia had been blocked using the same method used for blocking Telegram and Facebook, though officials did not comment on the incident.62 The head of Persian Wikipedia, Mohsen Salak, in an interview with an Iran-based news website said he did not know what was causing the disruption.63 It was unblocked after around 24 hours.64

Domestic news sites are frequently blocked for criticizing the government. Anar Press and Aban Press, for example, were blocked after the editor in chief of both sites was arrested in April 2019,65 though the former appeared to be accessible as of May 2020. In 2016, Memari News was blocked on the order of the public prosecutor of Tehran after it published a letter from a judicial body to the Tehran municipality that exposed corruption.66 Borna News, Moj News, and Nasim News were similarly blocked in 2016,67 though the latter two appeared to be accessible as of May 2019

In recent years, authorities have even targeted commercial websites for filtering and blocking. From June to September 2018, nearly 180 commercial tourism websites were blocked based on an investigation into unauthorized activities. 68 In July 2018, during an economic crisis, a number of online trading outlets selling bitcoin were blocked. 69 It is unclear whether the websites are still blocked.

In October 2019, the judiciary ordered the filtering of a number of free movie download websites such as Tiny Moviesz in order to "protect intellectual property rights." 70 However, a number of other fee-based download and streaming services such as Filimo and Filmet remained unfiltered. It was later revealed that they had made complaints against other websites to the judiciary to reduce their domestic competitors, and at the same time forcing users to migrate to services that are supported and approved by the judiciary.

Circumvention tools are frequently used in Iran to access blocked web content. In a May 2019 interview with BBC Persian, Michael Hull, the head of the circumvention tool Psiphon, claimed that between one and two million people in Iran use Psiphon daily. 71

Authorities employ a centralized filtering system that can effectively block a website within a few hours across the entire network. 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 within Iran. The filtering boxes inspect URL requests submitted by users for banned text strings—either keywords or domain names—and block access accordingly. This method only limits access to content retrieved through unencrypted Hypertext Transfer Protocol (HTTP) connections. Individual pages remain available over an encrypted connection (HTTPS), which disguises the banned text, requiring censors to block the entire site in order to restrict access to specific content.

#### 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?

Authorities frequently employ administrative measures to force the removal of legitimate online content. Content removals were common during the 2017 presidential election period. According to the Center for Human Rights in Iran, hours after the Rouhani campaign published a video in which reformist former president Mohammad Khatami declared his support for Rouhani's reelection bid, campaign officials were told by the judiciary to delete the video from social media or face arrest. 72

According to an order issued in August 2019 signed by Javad Javidnia, the former prosecutor general responsible for cyberspace, internet hosting companies inside the country are banned from providing services to filtered websites or will face prosecution. 73 This includes websites containing news and information about human rights or other political content, which are now forced to move to international hosting companies or shut down entirely.

In January 2020, in the aftermath of General Qasem Soleimani's assassination in a US drone strike, many Iranians, including journalists, took to Instagram—one of the few remaining foreign social media platforms not filtered by the government—to post about the event. Shortly after, Instagram began removing posts related to Soleimani's death citing "compliance with US sanctions."74 At least 15 Iranian journalists and news agencies, such as the IRGC affiliated Tasnim News agency alongside others such as the Iran Newspaper and Jamaran News, had their accounts removed or were suspended. Furthermore, some foreign-based Bitcoin trading platforms have restricted access for Iranian users; reports suggest the decision is likely to be due to US sanctions.75

The IRGC routinely arrested Telegram group administrators in order to coerce them to remove content or delete their channels from the platform (see C3). This was prevalent in the months prior to the 2017 presidential election, when the reformist-aligned Telegram channels operated by Eslahtalaban News, Eslahta News, Majmeye Eslahtalaban, and Haamiyan Dolat were either deleted or stopped publishing due to the arrests of their administrators. 76 The prosecutor general stated in 2017 that the judiciary issued orders to block tens of thousands of Telegram channels every week, but company representatives denied accusations that they complied with censorship beyond the removal of terrorist content and pornography. 77

In March 2020, Google removed Iran's COVID-19 app known as AC19 from the Google Play store. No official reasoning was provided by Google concerning the app's removal. Iranian users raised concerns about the app's security, in light of its collection of geolocation data. However, claims about the app containing spyware or malware were challenged by an expert with the online security firm ESET, who did not find the app to be "a malicious Trojan or spyware." 78 Nevertheless, the lack of transparency from the government as to why the data was being collected and what it was being used for was a major concern, given the Iranian government's track record of surveillance on its citizens (see C5). Additionally, there are no comprehensive data-protection laws in place in the country, therefore there are no legal safeguards for users to protect their data from misuse. 79 The concerns were also heightened as it was revealed that the app was developed by Smart Land Solutions, the developer company behind the client Telegram apps Talaei Telegram and Hotgram, which are rumored to be linked to the intelligence forces.

In March 2019, the Iranian Android app store Myket reported that the CDICC had ordered it to remove 12 apps, including Wizz, WeChat, Tango, and IMO. Myket complied with the order. 80

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process? 0.4

Censorship decisions are made by the CDICC, and they are often arbitrary and lack transparency. Such decisions are ostensibly made based on the 2009 Computer Crimes Law (CCL), which outlines a broad range of banned content, from insulting religious figures and government officials to distributing pornographic content and using illegal circumvention tools.81 In practice, little information is available about the inner workings of the committee.

The prosecutor general leads the CDICC and is responsible for convening the body's meetings.82 In January 2019, two members of parliament who sit on the CDICC wrote to the parliamentary speaker complaining about the lack of regular meetings and questioning the legality of attempts to hold online votes on filtering websites.83 The prosecutor general's reluctance to call a meeting may stem from the fact that the ICT Ministry and its allies likely have enough votes to reject attempts to block certain sites.84

Website owners must register their sites with the Ministry of Culture and are then subject to requests to remove posts deemed unacceptable by the government. The 2009 CCL makes hosts such as blogging platforms responsible for any content that appears on their sites. This has led to the suspension of blogs and shuttering of news sites hosted on platforms inside Iran, under orders from government officials.

The November 2019 internet shutdown was implemented without prior notice and without clarity about its length (see A3). The National Security Council provided only that the shutdown was in place for "national security reasons," but did not consult with Parliament on extending the period of the shutdown, as there is currently no legislation providing checks and balances around implementation of internet shutdowns.85

On August 31, 2019, the SCC approved a new resolution entitled 'Valid Identity System in Cyberspace.'86 The resolution, which was published in October, called for online IDs to be assigned to individuals, which would be linked to each individual's legal identity and used for any online interaction. The ID system is to be managed by the ICT Ministry. The resolution, which has not yet been implemented, would give enhanced surveillance powers to the authorities and essentially make online anonymity impossible (see C4).

Former ICT minister Mahmoud Vaezi suggested that the country may transfer more censorship authority to ISPs during the next phase of the NIN's development.87 Empowering ISPs to censor content may result in more repressive policies, since the IRGC is a dominant player in the ISP market, and reformists would be unable to counter such decisions. The NIN also aims to move much of the content and websites visited by users to domestic servers, where traffic can be closely monitored and censored by the authorities.

#### B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship? 14

Self-censorship among journalists and ordinary users is extensive, particularly in regard to political issues. The arrests and imprisonment of journalists, activists, and ordinary citizens in retaliation for their online activities, as well as perceptions of pervasive surveillance, contribute to self-censorship. Many journalists and bloggers abandoned their online activities or used pseudonyms after the crackdown on 2009 protests linked to that year's disputed presidential election, resulting in a noticeable reduction in the amount of original content produced by users. The situation slightly improved after Rouhani assumed the presidency in 2013, especially among reformist journalists. Nevertheless, tight restrictions on journalism and online speech remain in place, and journalists continue to be prosecuted (see C3) in connection with their work. In addition, the intimidation of content producers, particularly on Instagram, has caused a rise in self-censorship on social media platforms (see C7).

In September 2019, Sahar Khodayari, who later became known as "Blue Girl," died after self-immolating outside the Islamic Revolutionary Court of Iran in Tehran following her prosecution for attempting to enter the Azadi sports stadium.88 Authorities limited reporting around the event, which drew attention to women's rights in Iran, by state media (see B5). Parvis Parastui, a prominent Iranian actor, took to his Instagram page to voice his anger about Khodayari's prosecution and corruption in the judiciary,89 but the post was removed a day after it was published without explanation.

#### B5 0-4 pts

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

The state counters online criticism through an extensive digital propaganda apparatus. The regime has backed numerous initiatives to promote blogging among its supporters and members of the Basij paramilitary group. 90 For example, an Iranian cultural centre has sponsored the annual National Cyber Jihad Festival for bloggers to promote conservative religious values

online.<u>91</u> Authorities also actively support the creation of social networks and mobile apps by offering free bandwidth and hosting to local developers.<u>92</u> There have been reports of automated accounts spreading military propaganda on Twitter aimed at foreign audiences.<u>93</u>

Telegram played a significant role in the 2017 presidential election, with both major campaigns deploying sophisticated tools including chat bots that were set up to disseminate political messages and push back against the other side's rhetorical attacks. In addition to videos of campaign events, both campaigns shared short audio clips of key passages in the candidates' speeches. The campaigns were also professionally integrated across platforms, using Telegram to direct followers to relevant content on Instagram and other services. 94

Following the January 2020 assassination of IRGC Commander Qasem Soleimani in a US drone strike, a number of Twitter accounts claiming to be located in Iran began tweeting using hashtags such as #hardrevenge and images of Soleimani.95 However, the source of the Twitter campaign remains unclear.

Since the filtering of Telegram in April 2018, the SCC provided official backing to domestic messaging apps such as Soroush, Baleh, and Gap, branding them as eligible for official use and promotion by official governmental bodies in an attempt to increase their user base. 26 Given that the operation of domestic messaging apps is based inside the country, content shared on these apps is more susceptible to government control and surveillance. Lack of data protection and privacy laws also means that there are no legal instruments providing protections against the misuse of their data by the authorities (see C5).

News sites are consistently warned against covering sensitive political or social topics, such as controversial former presidents like Khatami. 97 Internet-hosting companies inside the country are banned from providing services to filtered websites or will face prosecution. 98 This includes websites containing news and information about human rights or other political content, which are now forced to move to international hosting companies or shutdown entirely.

As the COVID-19 pandemic began to spread across Iran, reports emerged of Iran's leadership downplaying the extent of its outbreak and underreporting its number of cases.  $\underline{99}$  According to reports, journalists were ordered to announce only official numbers provided by the Ministry of Health.  $\underline{100}$ 

During the November 2019 protests and subsequent internet shutdown, journalists and the media were issued official guidelines from the Ministry of Intelligence and Ministry of Culture and Islamic Guidance on how to cover the news.101 Journalists and the media were contacted by the two ministries, threatening them with criminal prosecution if they strayed from their guidance. The guidance set out that the protests should not be made into "headline news" and reports were to downplay the protests, which authorities had anticipated to some degree and during which hundreds of people were killed and thousands were arrested. Journalists were directed to portray them as civil protests without mentioning the extent of the hostilities.

In August 2019, the ICT Ministry announced a new sign-up scheme for journalists to receive "free internet" for a year as part of the celebration for "Journalist's Day."102 The scheme went on to also include journalists who had not signed up for the scheme after the Ministry of Culture and Islamic Guidance provided their details to the ICT Ministry. The initiative, which is under the control of the ICT Ministry, gives control over the online data using the "free" internet connection, which could make it easier to monitor journalists' online behaviour as well as increase government influence over national media outlets (see C5).

In January 2019, Facebook announced that it had removed 783 pages, groups, and accounts, including some on Instagram, "for engaging in coordinated inauthentic behaviour tied to Iran." The accounts targeted users in various countries, particularly non-Persian speakers, and in some cases used state media content. The posts, some originating as far back as 2010, largely consisted of news reports. 103

B6 0-3 pts

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

There are a number of regulatory and economic constraints that impact the ability of users to publish online. Only apolitical and progovernment websites receive online advertising revenue. Google does not allow advertising campaigns to target Iran, 104 disadvantaging domestic outlets as well as those in the diaspora seeking to cultivate an audience inside Iran.

Since the United States has increased diplomatic pressure on Iran under President Donald Trump, many companies such as the software development platform GitHub no longer offer services to Iranians, forcing them to use domestic alternatives. 105 Samsung and the Apple Store have also restricted services to Iranians due to US sanctions. 106,107 Some Bitcoin sites have also been removed citing US sanctions (see B2).

Additionally, with the growing economic sanctions on Iran as part of the United States' "maximum pressure" campaign, many international tech companies have closed their services to Iranian users. This became a centre of attention during the November 2019 internet shutdown, as many pointed to the fact that these sanctions has forced many Iranian users to use domestic services, making shutdowns much less costly for Iran.108

A move to prioritize local content through differential pricing threatens net neutrality, the principle that providers should not discriminate against certain types of content or services. In 2017, the ICT Ministry implemented an information-network tariff, which provided a 50 percent discount to users on data for all domestic websites.109,110

Since the rollout of the 50 percent discount, users have received even larger discounts for a number of domestic services, such as streaming websites and domestic messaging apps, and in some cases, have had the tariff eliminated by ISPs, a move supported by authorities. 111

B7 0-4 pts

Does the online information landscape lack diversity? 14

By splitting domestic and international traffic and creating price incentives for users to browse domestic content, Iran has created barriers to media diversity and innovation (see B6).112 In 2017, MTN Irancell announced that consumers using VPNs would not receive the 50 percent discount when accessing domestic content, further discouraging the use of circumvention tools to access restricted content.113

Instagram is often used as a news source and a platform to discuss politics. 114 Aparat, an Iranian website similar to YouTube that enjoys less expensive tariff rates, is the second-most visited website in Iran, after Google. 115 Content on Aparat is governed in accordance with Iranian law, making it difficult for users to access socially or politically sensitive views. Internet hosting companies inside the country are banned from providing services to filtered websites under threat of prosecution (see B2).116

VPNs are commonly used to protect online privacy but are also a popular tool among Iranians for circumventing the government's filtering. They are available to purchase inside the country and have been a topic of debate among politicians for some time. In April 2020, the secretary for the SCC, Abolhassan Firouzabadi, announced that the CDICC had drafted the regulation for creating "legal VPNs" and had assigned the technical aspect of the plan to the ICT Ministry, though at the time of writing it had not yet been completed. Individuals are expected to have to apply to purchase VPNs and be approved by the government based on their need, with factors potentially including one's profession. (The text of the regulation had not yet been published at the time of writing; therefore, the criteria for applying to purchase these VPNs could not be confirmed). Should the legal VPNs be rolled out, the government may be able to control and monitor the levels of access different people will have to the internet, exacerbate existing socioeconomic divides, among other effects (see A2).117

### B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues? 26

Despite formal blocks on Facebook, Twitter, and YouTube, social media plays an important role for dissidents in pursuing online campaigns and sharing information. Instagram and Telegram in particular are popular communication tools for activists. In response to the November 2019 fuel-price protests, the government implemented a near-total internet shutdown for at least a week, restricting the flow of information coming into and out of the country, as well as communication inside the country (see A3).

Access to the internet, especially mobile internet and social media platforms such as WhatsApp, is often restricted during times of political unrest. 118 In January 2020, during the protests following the tragic downing of the Ukraine International Airlines Flight 752 by Iranian armed forces, 3G and 4G mobile services were disconnected around Azadi Square in Tehran, where many were gathering. WhatsApp's connectivity was also disrupted during this time. 119

In the spring of 2019, when parts of the country faced major flooding, Iranians took to Twitter to highlight how the blocking of social media platforms, particularly Telegram and Twitter hindered emergency relief efforts. Many called for the bans to be lifted. 120

Social media is also used to engage in political debates. In the run-up to the 2017 presidential election, all of the main candidates used social media platforms and messaging apps, particularly Instagram and Telegram, as campaign tools. Even conservative candidates who had once railed against social media used such platforms during the campaign, reflecting their political importance in Iran.121

In late 2017, a series of antigovernment protests erupted, which focused on a variety of issues, including the compulsory hijab, corruption, and economic hardship. Social media was used to expand the protests to cities across the country through the first week of January 2018, despite violent clashes with security forces. Additional demonstrations occurred later in the year. 122

After November 2018 protests in which labor activist Esmail Bakhshi was detained, fellow workers at the Haft Tapeh sugarcane company used their Telegram channel to regularly publish statements about his arrest and mistreatment. 123 In January 2019, Bakhshi used Instagram to post a letter detailing the torture he faced in prison; he was subsequently rearrested. 124

## C Violations of User Rights

While there were no major changes to legal restrictions on internet freedom during the coverage period, there were a number of arrests for spreading "rumors" online about the COVID-19 crisis inside the country, and several harsh prison sentences were handed down in retaliation for online activities. One person is currently serving a 26-year sentence. State-sponsored malware attacks targeted a range of minority groups and activists located within and outside Iran.

#### 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 enforced by a judiciary 0 6 that lacks independence?

The constitution and legal framework do not protect freedom of expression and press freedom online. The judiciary lacks independence, and the head of the judiciary is appointed by the supreme leader. In March 2019, Khamenei appointed Ebrahim Raisi to lead the judiciary. Raisi's role as a member of the four-person committee responsible for the executions of thousands of political prisoners in 1988 stoked strong opposition from international human rights groups.125

The constitution provides for limited freedom of opinion and expression, but a variety of haphazardly enforced statutes limit these rights in practice. In 2016, President Rouhani launched the Citizens' Rights Charter, a nonbinding document 126 that includes commitments to freedom of speech and expression "within the limits prescribed by the law." 127

#### C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities? 04

Numerous laws tightly restrict online speech and allow harsh punishments for those who deliberately flout these constraints or inadvertently draw the ire of authorities. 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. The government and judiciary regularly invoke this and other vaguely worded legislation to criminalize criticism of the government, including online.

The 2009 CCL128 outlines punishments for spying, hacking, piracy, phishing, libel, and publishing materials deemed to damage "public morality" or result in the "dissemination of lies." Punishments are severe and include the death penalty for offenses against public morality and chastity, as well as long prison sentences, draconian fines, and other penalties for service providers that fail to enforce government content restrictions.129 The repressive penal code also applies to online activities.130

In February 2018, ICT Minister Jahromi published drafts of five bills meant to codify the legal regime governing ICT policy in Iran,131 though only one had moved forward to the cabinet at the end of the coverage period. The five bills address e-government, electronic identification, the responsibilities of service providers, electronic financial transactions, and data protection (see C5). Despite their broad reach, none of the proposed bills deal with the restrictions on internet users' human rights imposed by the CCL.132 So far none have been passed into law.

Amidst the COVID-19 pandemic, in February, 2020, a spokesperson for the judicial and legal affairs committee of parliament, Hassan Norouzi, announced that those who "spread fake news or rumors" about the coronavirus will "be sentenced to between one [and] up to three years in jail as well as flogging." 133

#### C3 0-6 pts

Are individuals penalized for online activities? 06

Authorities arrested and prosecuted numerous individuals for their online activities during the coverage period. In October 2018, the head of country's cyber police (known as FATA) announced that nearly 75,000 people had been arrested for online activities in the previous eight years. 134 While some of those arrests may have been justified, many were for legitimate online activities, including criticism of the government.

In October 2019, Ruhollah Zam, the France-based administrator of the Telegram channel Amad News, a popular antigovernment news channel with around 1.4 million subscribers, was arrested and his Telegram channel was seized by the IRGC.135 The Iranian government previously accused

Amad News of inciting protests in 2017 and 2018 and of being affiliated with foreign intelligence services. 136 At the end of the reporting period he was on trial on 17 charges including charges for "spying for French intelligence services" and "collusion with the US government against the Islamic Republic of Iran. "137 In June, 2020 after the end of the coverage period, Zam was found guilty of "corruption on earth" and was sentenced to death, although he can appeal the verdict. 138

In August 2019, dozens of Instagram "influencers" with large online followings were summoned by FATA police as part of a new wave of crackdowns on online behaviour deemed inappropriate by the authorities, such as posting photos without wearing the hijab or accounts engaged in modelling and fashion shoots. 139 Though some were released on bail or received warnings, some were charged with posting "criminal content" and were forced to hand over passwords and account details to the police, according to an investigation by Centre for Human Rights in Iran.

Following the crackdown, in April 2020, popular Instagram couple Ahamand Moin-Shirazi, a former world kickboxing champion (known as Picasso Moin), and his wife Shabnam Shahrokhi—who have been living in exile since September 2019—revealed that they were sentenced in absentia for charges of "propaganda against the regime" and "spreading obscene and vulgar content" on social media. 140 According to Instagram posts by the couple, Shahrokhi was sentenced to 7 years in prison, 74 lashes, and 3 months of community service, while Moin-Shirazi was sentenced to 9 years in prison. The couple fled to Turkey in September 2019 after harassment by the government.

During the November 2019 protests, journalist Mohammad Mosaed was arrested by security forces for tweeting about the internet shutdown.141 Mosaed was also arrested and interrogated by the IRGC in February, 2020 in relation to his social media posts, which criticised the government's response to the COVID-19 outbreak and was forced to delete his Twitter and Telegram accounts.142 Mosaed is said to be awaiting his trial date and he has been banned from journalism and social media until then

In April 2020, Masoud Heydari and Hamid Haghjoo, the managing director and the Telegram channel administrator at the semiofficial Iranian Labor News Agency (ILNA) were arrested following the alleged posting of a cartoon mocking COVID-19 remedies prescribed by Iran's religious leaders. 143 ILNA denied ever publishing the cartoon and said they were falsely accused. Heydari was released on bail while Haghjoo was detained pending investigation into the case.

Citizens and journalists have been arrested for reporting and social media posts about the coronavirus pandemic that either included statistics other than government figures, or for spreading "false rumors." 144 In March 2020, Mehdi Hajati, a former member of Shiraz City Council, was arrested for criticising the government's response to the outbreak of COVID-19 on Twitter. His Twitter page was inaccessible following his arrest. 145 Hajati was previously arrested in 2019 for supporting two Baha'i citizens, a religious minority group not recognised by the state. In June 2019, after the coverage period, he began a one-year prison sentence, to be followed by two years in exile, because of that charge. 146

Mohammad Mokhtari, the football captain of a local team in Gilan Province, one of the provinces most affected by COVID-19, was also arrested for publishing critical comments towards authorities about the handling of the crisis online.  $\underline{147}$ 

In early 2020, as the outbreak of COVID-19 escalated into a crisis across the country the head of FATA, Commander Vahid Majid, announced that a new working group for "combatting online rumors" relating to the spread of the virus had been set up.148 According to FATA, by April 2020, 3,600 people had been arrested for spreading "rumors" online, but no information has ever been provided as to what is defined as a "rumor."149 Due to the lack of transparency it is likely that such charges are used to arbitrarily arrest citizens, including those critical of the government's response to the crisis.

In March 2020, a video of eggplants falling from the went sky viral on Twitter and other social media platforms. In a press conference on March 16, 2020, Commander Ali Zolghadr confirmed that five individuals had been arrested in connection with the video, which was made using special effects. The charges were brought against these individuals were not clear. 150

In August 2018, a revolutionary court in Tehran handed down heavy prison sentences and lashes in absentia to six writers and editors of Majzooban Noor, a news site for Gonabadi dervishes, after they were convicted on charges that included "disturbing public order," "propaganda against the state," and "reporting information about the dervish minority to opposition media." In March 2019,151 an appeals court upheld the sentences of editors Saleholldin Moradi and Reza Entesari, as well as citizen journalist Sina Entesari, who each received seven-year sentences. Citizen journalist Mohammad Sharifi Moghadam and editor Kasra Nouri were each sentenced to 12 years in prison. Another editor, Mostafa Abdi, was sentenced to 26 years and three months. In addition, each of those convicted received 74 lashes and, upon release, a two-year internal exile concurrent with a

ban on participating in civil society and journalism. Three other citizen journalists from the website were handed five-year sentences in July 2018 after being convicted of "meeting and plotting against national security." 152

Journalist and activist Hengameh Shahidi received a prison sentence of 12 years and 9 months in December 2018, after she was convicted of spreading false information, insult, and propaganda against the regime for her social media posts criticizing the head of the judiciary. 153 Her appeal was denied by a revolutionary court in May 2019, though the court reduced her sentence to seven-and-a-half years.

In April 2019, Mohammad Reza Nassab Abdollahi, the editor of Anar Press and Aban Press, was arrested by security forces, who also raided his and his mother's homes and took items including his computer, phone, and hard drive. The reason for Abdollahi's arrest was unclear, but he had previously been arrested for an article critical of the regime.154 In November 2018, authorities raided the home of journalist Masoud Kazemi and seized his computers after he tweeted about corruption. Kazemi was initially charged with propaganda against the state, but at his trial in May 2019, he was also charged with acting and colluding against national security.155

As Telegram grew in prominence in Iran, security forces turned their attention toward the administrators of the platform's various channels. In December 2018 and January 2019, three journalists for Gam, a news channel on Telegram that covers politics, were arrested and charged with various crimes related to national security. A trial had yet to be scheduled as of May 2019.156 In July 2018, a revolutionary court in the city of Isfahan sentenced Mohammad Hossein Maleki, the administrator of the Asre-Javan website and Telegram channel, to death, though the sentence was later overturned by the Supreme Court in May 2019.157 Asre-Javan had been convicted of corruption-related offenses in connection with his sales of equipment enabling access to pornographic content on satellite television.158

In January 2019, the prosecutor of Omidiyeh, a city in Khuzestan Province, issued an arrest warrant for an unspecified number of administrators of a Telegram channel who allegedly published confidential documents that "disturbed public opinion." The administrators were reportedly in hiding at the time the warrant was issued, 159 and no further updates had been provided on the case as of May 2020.

Amid domestic political tensions between reformists and conservatives, hard-liners within the judiciary and IRGC have conducted a campaign against the perceived "infiltration" of western ideas, individuals, and companies. Numerous foreigners or Iranians with dual nationality who were active in journalism, human rights work, or ICT development have been imprisoned by the authorities, often with little explanation. 160

For example, Nazanin Zaghari-Ratcliffe, an Iranian-British dual citizen, remained in prison at the end of the coverage period. 161 She was sentenced to five years in prison in 2016 for supposedly spying and designing websites that support sedition. 162

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption? 14

The legal status of encryption in Iran is somewhat murky. Article 10, Chapter 2 of the CCL prohibits "concealing data, changing passwords, and/or encoding data that could deny access of authorized individuals to data, computer, and telecommunication systems." 163 This could be understood to prohibit encryption, but enforcement is not common. Nonetheless, authorities have periodically blocked encrypted traffic from entering the country through international gateways, particularly during contentious moments such as elections. 164

The government has continued its efforts to curtail the use of circumvention tools, which also have a relatively opaque legal status. The use of VPNs is not currently criminalized, unlike the sale or promotion of VPN services (see B7).

On August 31, 2019, the SCC approved a new resolution entitled 'Valid Identity System in Cyberspace.' 165 The resolution, which was published in October, called for online IDs to be assigned to individuals, which would be linked to each individual's legal identity and would be used for any online interaction. The ID system is to be managed by the ICT Ministry. The resolution, which has not yet been implemented, would give enhanced surveillance powers to the authorities and will essentially make online anonymity impossible once it is fully implemented.

In January 2018, the ICT Ministry launched its mobile registry scheme. The program makes it illegal for service providers to connect unregistered mobile phones to the internet and was implemented to crack down on the smuggling of mobile phones into the country. In August 2018, the ICT minister announced a smuggling rate of zero. 166 The program has led to concerns about users' privacy.

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy? 16

The online sphere is heavily monitored by the state despite Article 37 of the nonbinding Citizens' Rights Charter, which states that online privacy should be respected.167 In April 2018, supreme leader Khamenei issued a fatwa related to users' privacy on social media and online messaging, saying, "the officials must safeguard the people's and the country's security and privacy. Invading the privacy and security of the people is religiously forbidden, and against the Islamic law and must not be undertaken."168 However, the fatwa has not been enshrined into law.

A draft bill on data protection and privacy (see C2) was presented to the cabinet in July 2018. However, as of May 2020, the bill had yet to be approved by the cabinet or the president, and had not been proposed to the parliament. 169 Human rights group Article 19 has raised concerns about the content of the proposed bill, citing the lack of independence of the body that would implement the legislation, as well as "the lack of adequate remedies for individuals to counter violations of their rights, and to seek compensation for any damage suffered." 170 A report published by Small Media's Filterwatch in April 2019 raised concerns that if implemented, the draft data-protection bill, along with four other draft bills (see C2) would lead to even greater control and surveillance of internet users. 171

The state monitors social media, and in May 2020 FATA announced that not wearing hijab online would be considered a crime and those do not follow this rule will be prosecuted (see C3).172

In November 2018, researchers at the Cisco Talos Intelligence Group warned people against using the Iranian versions of Telegram, including Telegram Talaei and Hotgram, which became popular after the platform's ban (see B1). According to Cisco Talos, the apps gain access to all the information on a user's phone, which could potentially lead to government surveillance. 173,174 Google removed Hotgram and Talaei from its app store and users' phones in April 2019, citing security and privacy concerns. 175 The two apps shut down in June 2019 (see B2). 176

In March 2020, Comparitech reported that data from 42 million Iranian Telegram accounts were leaked online. Telegram released a statement shortly after alleging that the data came from the two unofficial Telegram apps Hotgram and Telegram Talaei, which became popular after the platform's ban (see B1).177,178 According to the report, the data was posted online without password protection. The data was remained exposed for around 11 days before it was removed, during which time it was accessed by unauthorised parties. There have been reports that the two client apps have ties to the government and Iranian hacker group Charming Kitten who is said to be connected to the government's intelligence services (see C8).179 There are currently no comprehensive data-protection laws in place in the country, therefore there are no legal safeguards for users to protect their data from misuse.180

In March 2020, Google removed Iran's COVID-19 app known as AC19 from the Google Play store. No official reasoning was provided by Google concerning the app's removal (see B2). Iranian users raised concerns about the app's security, as it collected geolocation data. However, claims about the app containing spyware or malware were challenged by a security expert who did not find the app to be "a malicious Trojan or spyware" 181.

In 2015, amid preparation for elections to the parliament and the Assembly of Experts (a body of clerics that appoints the Supreme Leader), the deputy interior minister for security announced that a new "elections security headquarters" would be established "to monitor cyberspace." 182 Similarly, the IRGC launched a military exercise named "Eghtedare Sarallah" in 2015, which included the monitoring of social media activities. 183 Also in 2015, the FATA created a new unit for monitoring computer games. 184

State agencies such as the IRGC have pressured or coerced detained activists into handing over login details for their social media accounts, which the authorities have then used for surveillance and phishing attacks. This seems to be part of a broader pattern, as a number of activists have reported phishing attempts that were apparently sponsored by the government.185 According to a report published by the Center for Human Rights in Iran in May 2019, the government still employs malware to target certain groups both within and outside the country in order to gather private information. Victims of malware attacks include Gonabadi dervishes, Azeri dissidents, women's rights activists, and student activists.186

#### C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users? 0.6

It remains unclear how thoroughly the authorities can monitor the content of messages on foreign social networks, given that some apps encrypt their messages. However, all platforms and content hosted in Iran are subject to arbitrary requests by various authorities to provide more information on their users. Local platforms do not guarantee the kind of user protection offered by some of their international counterparts, which may explain their lack of popularity.

However, since the ban on Telegram, the government has promoted domestic messaging apps such as Soroush and Bale, including through financial and technological support. There are plans to incorporate these apps into e-government schemes, which would provide government and banking services exclusively through domestic messaging apps. The potential rise of these apps, which work closely with the authorities, could further jeopardize the privacy rights of users. 187

In 2017, the SCC released new regulations, entitled 'Policies and Actions Regarding the Organization of Social Media Messaging Applications.' The regulations outline the legal framework for messaging apps operating in Iran and formalize previous demands that foreign messaging apps work with Iranian authorities to obtain licenses and move their data centers inside Iran. The new rules also task the ICT Ministry with forming a committee to suggest a licensing process for domestic and foreign messaging apps.188

In line with the SCC regulation on messaging apps, the "cyber faction" of the parliament—an informal coalition of MPs—introduced a new draft bill known as "Managing Social Messaging Apps" to parliament in 2018189 aiming to support the development and user base of domestic messaging apps and restrict competition from foreign equivalents such as WhatsApp and Telegram.190,191 However, the crisis which followed the outbreak of COVID-19 in the country halted the progress of the bill, as Parliament was forced to close down. Should the bill become law, it will give significant power to enforce the use of domestic messaging apps, most of which are linked to the government through financial investments. These domestic apps lack privacy protections for users and are vulnerable to surveillance and data misuse given the lack of legal data protection and online privacy laws.

### C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities? 15

Extralegal intimidation and violence by state authorities is common in Iran.

In July 2019, Iranian blogger and photojournalist Soheil Arabi, who has been sentenced to seven and a half years in prison for spreading "propaganda against the state" and "insulting the supreme leader," went on a hunger strike for more than 20 days to protest prison conditions and mistreatment by the authorities.192 Arabi announced that he was going on another hunger strike in April 2020, once again in protest of terrible prison conditions and denial of medical care.193

Fatameh Khishvand, also known as "Sahar Tabar," an 18-year-old Instagram celebrity, was arrested in October 2019 following a crackdown on popular Instagram profiles. She was charged with "corruption on earth" and "incitement to corruption by encouraging youths to engage in lunacy," along with other charges for posting altered photos of herself wearing costumes that gave her a zombie-like appearance.194 She was coerced into giving a statement following her arrest, which was aired on television. She contracted COVID-19 while in prison and was placed on a ventilator in a Tehran hospital. Her lawyer's request to release her on bail was denied several times despite some other prisoners of conscience being temporarily released since the COVID-19 outbreak began.

In January 2019, a number of Iranian Instagram influencers announced that they would wear a more conservative hijab in their posts and deleted older pictures with less conservative hijabs or no hijab at all. FATA had reportedly threatened to suspend the influencers' profiles if this content was not removed within a week. 195 While the extent of this intimidation and whether it was applied to other content producers is unclear, it signals increased efforts to intimidate nonpolitical actors and a new wave of self-censorship.

A survey of LGBT+ Iranians conducted by Small Media in early 2018 found that half had experienced online harassment, while one in five reported being entrapped by state or nonstate actors on dating apps. 196 This is part of a long-term campaign of harassment against LGBT+ people. 197 Article 19 also identified numerous cases of online harassment against LGBT+ people in a February 2018 report. 198

In July 2018, lawyer Payam Derafshan claimed that 10 of his clients in Isfahan were summoned to court and asked to move their Telegram channels to the domestic messaging app Soroush. The administrators had reportedly received text messages from a security agency noting that their activities on Telegram were illegal.199

#### C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack? 0.3

State hackers often launch cyberattacks against activists and campaigners, including those in the diaspora. Due to growing tensions between Iran, neighbouring countries, and the United States, there has been a notable rise in reported hacking campaigns and cyberattacks. Iran has also reportedly perpetrated attacks abroad. 200 In November 2018, ICT Minister Jahromi claimed that the Israeli firm Internet Gold Golden Lines launched a series of cyberattacks on Iran's network infrastructure that was neutralized by Iranian agencies. 201

In January 2020, Certfa Lab reported a series of new phishing attacks from an Iranian hacker group known as Charming Kitten, who are believed to be affiliated with Iran's intelligence services. 202 According to the report, journalists as well as political and human rights activists were targeted as part of the phishing attacks.

According to a report published by the Center for Human Rights in Iran in May 2019, the Gonabadi dervish website Majzooban suffered state-sponsored DDoS attacks in May 2019, which made it inaccessible for hours. 203

In February 2020, Iran experienced extensive network disruptions that were attributed to a DDoS attack the government said originated from outside the country; however, they did not provide any more information to verify this claim. 204 The disruption could also have been due to the introduction of the new Internet Exchange Point (IXP), which was introduced during the same period.

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