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Freedom of the Press 2017 - Iran

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Press Freedom Status: Not Free

Total Score: 90/100 (0 = Most Free, 100 = Least Free)

Legal Environment: 30/30

Political Environment: 36/40

Economic Environment: 24/30

Quick Facts

Population: 79,500,000

Freedom in the World Status: Not Free

Net Freedom Status: Not Free

Internet Penetration Rate: 44.1%

Key Developments in 2016:

- As of December, there were eight journalists behind bars in Iran, down from 19 in 2015 and 30 in 2014, according to the Committee to Protect Journalists (CPJ). However, many others were arbitrarily arrested and released during the year, or were free on bail and continued to face charges or restrictions on their ability to work.
- In April, Davoud Assadi, the brother of Paris-based Iranian journalist Houshang Assadi, was sentenced to five years in prison for acting against national security. The Center for Human Rights in Iran cited the case as an example of the regime's practice of pressuring journalists living overseas by targeting their relatives.
- In June, the judiciary shuttered the reformist newspaper *Ghanoon* in response to complaints about critical coverage from the Islamic Revolutionary Guard Corps (IRGC). The paper, one of several outlets to suffer suspension or blocking in 2016, was reportedly allowed to resume publication later in the year.

Executive Summary

Conditions for the media in Iran are highly repressive. Certain topics – including criticism of the supreme leader, Ayatollah Ali Khamenei – are subject to long-standing redlines, enforced in part through harsh online and offline censorship. Journalists are silenced and forced into self-censorship through harassment, arbitrary detention, and prison sentences for vaguely defined offenses.

The situation has not significantly improved since the 2013 election of President Hassan Rouhani, who presented himself as a moderate. In fact, journalists in recent years have become victims of the tensions between the moderate faction of the Iranian establishment and powerful hard-liners who control key law enforcement institutions, with the latter asserting their authority by bringing cases against reporters on national security grounds. For example, four journalists who had been arrested by the IRGC's intelligence unit in November 2015 received sentences of up to two years in prison after

appeals in 2016; at least two of them engaged in hunger strikes while in detention.

In January 2016, *Washington Post* reporter Jason Rezaian – who had been in Iranian custody on trumped-up espionage charges since mid-2014 – was released as part of a prisoner exchange with the United States that coincided with the lifting of sanctions under the 2015 international agreement on Iran's nuclear program.

The authorities continued to formally ban popular online information platforms such as Facebook, Twitter, and YouTube in 2016. Although many Iranians accessed these services using circumvention tools, law enforcement officials and progovernment groups monitored their activity and worked to suppress critical or "immoral" content.

Legal Environment: 30 / 30

Constitutional provisions and laws restrict what can be covered in the media and fail to provide protections for journalists. The authorities regularly invoke vaguely worded laws to criminalize dissenting opinions.

Article 24 of the constitution guarantees freedom of the press, but with a broad exception for content that is deemed "detrimental to the fundamental principles of Islam or the rights of the public." The Press Law, first drafted in 1986 and amended in 2000, states that "publications and news media shall enjoy freedom of expression provided what they publish does not violate Islamic principles of the civil code." Article 3 of the law states, "The press have the right to publish the opinions, constructive criticisms, suggestions and explanations of individuals and government officials for public information while duly observing the Islamic teachings and the best interest of the community."

Article 500 of the penal code states that anyone who undertakes any form of propaganda against the state will be sentenced to between three months and a year in prison, but the code leaves "propaganda" undefined. Under Article 513, certain offenses deemed to be an

"insult" to religion are punishable by death, or prison terms of one to five years for lesser offenses, with "insult" similarly undefined. In 2010, the government broadened the definition of the crime of *moharebeh*, or "enmity against God," in order to convict activists and journalists. Iranian law also provides for sentences of up to two years in prison, up to 74 lashes, or fines for those convicted of intentionally creating "anxiety and unease in the public's mind," spreading "false rumors," writing about "acts that are not true," and criticizing state officials; however, many prison sentences have been arbitrarily harsh, ranging from 6 to 10 years or more. Courts also frequently set exorbitant bail for detained journalists. The high bail amounts and suspended jail sentences often discourage journalists from engaging in media activities and criticism of the establishment even when they are not behind bars.

A new law that took effect in June 2016 defined "political crimes" to include expression that, for example, insults or defames state officials, so long as the intent is to "reform" rather than damage the foundations of the regime. Offenses with the latter intent would still be categorized as more serious national security crimes. The law calls for designated political criminals to be housed separately from other inmates and enjoy certain privileges in their trial and custody, though it was not clear that these provisions were implemented during the year.

Bloggers and online activists face many of the same legal repercussions for their work as do professional journalists. The judiciary frequently denies accused journalists and bloggers due process by referring their cases to the Revolutionary Courts, which generally feature closed-door hearings and denial of access to an attorney. Political cartoonists and satirists are also frequently targeted by authorities.

Multiple journalists faced arrest, indictment, or imprisonment during 2016. In January, Iranian authorities released *Washington Post* correspondent Jason Rezaian, a dual Iranian-American national, after keeping him behind bars for 544 days, including 50 days in solitary confinement. Rezaian and three other U.S. citizens were released as part of a prisoner exchange. Rezaian had been convicted in 2015 on

espionage charges, which were dismissed by his family and the *Post* as baseless. A lawsuit filed by Rezaian and his family in October alleged that the Iranian government held him hostage "for the unlawful purpose of extorting concessions from the U.S. government and others."

In February, former British Broadcasting Corporation (BBC) Persian service reporter Bahman Daroshafaei was arrested in Tehran on unspecified charges. Daroshafaei, who holds dual Iranian-British nationality, had in the past been repeatedly interrogated by the Intelligence Ministry about his work in journalism. He was released on bail later the same month and apparently remained free at year's end.

In March and April, a Revolutionary Court sentenced three journalists – Afarin Chitsaz from the state-run *Iran* daily newspaper, editor Ehsan Mazandarani of the newspaper *Farhikhtegan*, and Saman Safarzaei of the monthly *Andisheh Pouya* – to, respectively, ten, seven, and five years in prison. The charges included spreading antigovernment propaganda and insulting government officials. The three were arrested by the intelligence branch of the IRGC in November 2015 for allegedly belonging to an "infiltration network" controlled by Western powers. Their sentences were later reduced to two years in prison on appeal. Also in April, Davoud Assadi, the brother of Paris-based Iranian journalist Houshang Assadi, was sentenced to five years in prison for acting against national security, illustrating the regime practice of targeting the relatives of Iranian journalists working overseas. Mazandarani was temporarily released for medical treatment in October after a prolonged hunger strike and solitary confinement damaged his health.

In July, an appellate court in the city of Saveh sentenced journalist and blogger Mohammad Reza Fathi to 459 lashes for defamation and publishing false information, increasing the original penalty of 444 lashes handed down in April, though the penal code called for only part of the punishment to actually be administered. The charges stemmed from Fathi's posts about city officials.

In August, prominent journalist Issa Saharkhiz was sentenced to three years in prison for allegedly insulting the supreme leader; the sentence was reduced to 21 months without explanation in September. He had suffered from health problems since his original arrest in November 2015 due to hunger strikes and existing ailments.

In September, Sadra Mohaghegh, an editor of the reformist daily *Shargh*, was arrested by security agents. The charges against him were unclear, but he was later released on bail. Progovernment news agencies claimed that he had been arrested for working with "counterrevolutionary" media. Separately that month, journalist Souroush Farhadian, a contributor to several reformist publications, was sentenced to seven months in prison. His lawyers said the conviction for propaganda against the regime stemmed from his criticism of the house arrest of opposition leaders. The verdict was being appealed at year's end.

In December, reformist journalist Farzad Pourmoradi went on trial for "spreading lies with the purpose of disturbing public order" and "insulting officials." He had been arrested in October 2015 and released on bail.

In 2014, the government issued regulations for the implementation of a moribund 2009 law on access to official information. The law had called for the regulations to be produced within three months, but the government apparently failed to act for over five years. The legislation includes no penalties for failure to release information; exemptions apply to state secrets, personal information, and information that conflicts with public morality.

The leader of the audiovisual media policy agency is chosen by the supreme leader, and is supervised by a council made up of presidential, judicial, and parliamentary representatives. In August 2016, a bill that would establish a new oversight organization for the media was expected to be sent to the parliament. Critics claimed that it would further restrict independent journalism. Drafted in 2014, the bill calls for a "nongovernmental" institution run by a high council composed of state officials, including the culture minister or his representative, and three members of the regime-controlled Press

Supervisory Board. At year's end, it was not clear whether the bill was in fact submitted to lawmakers for review, or whether the original draft had been revised since 2014.

Press licenses are issued by the Press Supervisory Board and have been rescinded in retaliation for criticism of the ruling establishment. The authorities also target journalists' associations and civil society organizations that support freedom of expression. The Association of Iranian Journalists, a professional syndicate dedicated to protecting journalists' rights, was shut down in 2009. Despite numerous attempts by members of the association, officials refuse to permit it to resume its activities. State media and other loyalist outlets are used to propagate false claims about freedom of expression activists. Hard-line media, including the daily *Kayhan* and the Fars and Tasnim news agencies, are notorious for attacking reformists, establishment critics, and others.

Political Environment: 36 / 40

The Iranian media landscape is dominated by official, semiofficial, conservative, and reformist news outlets that support the authorities or particular factions of the ruling establishment. Hard-line outlets strongly oppose reformists and opposition figures. *Kayhan* in particular is often seen as the mouthpiece of the supreme leader, although in some cases – namely on the issue of Iran's nuclear program – the daily has not necessarily reflected Khamenei's official stance. Islamic Republic of Iran Broadcasting (IRIB), a state agency with a monopoly on domestic television and radio broadcasts, airs programs aimed at smearing and discrediting dissidents and critical journalists. IRIB also has a record of working with security forces and airing forced confessions by dissidents and others. Its news and analysis are censored and biased in favor of the establishment.

Media outlets that carry independent, critical, or reformist-leaning content regularly face closure. In June 2016, the judiciary shuttered the reformist newspaper *Ghanoon* due to complaints from the IRGC. According to the paper, it was accused of "libel and publishing falsehoods to create public anxiety." Several days before it was closed, it had published a story criticizing the conditions in an

Iranian prison. Moreover, in January, *Ghanoon* was critical of the IRGC's handling of the arrest of U.S. sailors in Iranian territorial waters. The paper reportedly resumed publication later in the year. Also in June, the Press Supervisory Board closed the conservative news site Jahannews for allegedly threatening national security by publishing false information. The website had claimed that government officials held talks with Afghan Taliban leader Mullah Akhtar Mansour prior to his killing in a U.S. drone strike in Pakistan that May. In September, the website Memari News was blocked after it published documents about the sale of city-owned properties to senior officials and municipal council members. Eight other news sites that reported on the documents were also blocked.

The wholesale blocking of social media websites including YouTube, Twitter, and Facebook, and surveillance of the activities of Iranians who manage to reach such platforms, remained in effect in 2016. In August, the IRGC reported that it had questioned, detained, or issued warnings to more than 450 administrators of groups on various social media platforms regarding allegedly immoral content.

Foreign media are unable to operate freely in Iran. The government requires all foreign correspondents to provide detailed itineraries and proposed stories before visas are granted, and visas are regularly denied to foreign reporters who have previously been critical of the regime. Authorities have in recent years arrested a number of Iranian journalists and documentary filmmakers for suspected ties with Persian-language media outlets based abroad, particularly the BBC Persian service. In June 2016, about 700 Iranian journalists received anonymous text messages warning them not to contact "hostile elements" overseas.

According to CPJ, Iran had eight incarcerated journalists as of December 2016, down from 19 in 2015 and 30 in 2014. However, these figures did not account for those who were arbitrarily arrested and released throughout the year, some of whom continued to face charges and were effectively unable to work. Prison conditions remain harsh, and detained journalists are often held in solitary confinement in the first weeks or months of their imprisonment.

Economic Environment: 24 / 30

Given the limited distribution of print media outside large cities, radio and television serve as the principal sources of news for many citizens. Article 175 of the constitution forbids private broadcasting. The state maintains a monopoly on all domestic broadcast media and presents only the official political and religious viewpoints. In the print sector, the newspapers with the widest circulation and influence adhere to a conservative editorial position or are directly operated by the government. A state-run English-language satellite station, Press TV, was launched in 2007. The IRGC largely controls the Fars news agency. Several other hard-line news outlets, including Tasnim news agency, are also closely associated with the IRGC and state security forces.

Many Iranians use banned satellite receivers to watch international channels. Their number is reportedly on the rise despite a state campaign of raiding homes, confiscating dishes, and fining owners. Officials claimed to have destroyed over 100,000 seized satellite dishes in July 2016. The authorities also engage in systematic jamming of foreign satellite signals for viewers in Tehran and other cities, stepping up the effort during sensitive political times, including elections. In recent years, some officials and media reports have raised concerns over the jamming's interference with meteorological forecasts and its potential health hazards for citizens. Iran has repeatedly jammed the Persian television service of the BBC, whose popular programming challenges the government's portrayals of both the domestic political scene and Iran's foreign relations. The uncensored news broadcasts of U.S.-backed Radio Farda have also been jammed.

Although access to the websites of international Persian-language media outlets and other organizations is similarly blocked by Iranian authorities, many Iranians use circumvention tools to reach otherwise censored information on the internet and discuss taboo subjects on banned social-media sites. The regime's increased monitoring of such activity in recent years is a tacit acknowledgment of its inability to completely silence online dissent through blocking. The internet in general is subject to extremely slow speeds and other practical

obstacles in Iran, but it continues to expand as an important source of news coverage and analysis. The penetration rate reached more than 53 percent in 2016.

In 2009, as part of an ostensible privatization process, a corporation linked to the IRGC bought a majority stake in the Telecommunications Company of Iran (TCI) with little outside competition. The government retains ownership of most of the remaining portion. The transaction effectively gave the IRGC indirect control over the country's dominant provider of fixed-line, mobile, and internet communications services. The country's other major mobile carriers are also linked to the IRGC or the state.

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