

Reporters Without Borders

<http://www.rsf.org/iraq-letter-to-judges-about-decline-in-18-02-2014,45883.html>

Middle East/North Africa - Iraq

Joint letter

Letter to judges about decline in freedom of information

18 February 2014

Reporters Without Borders and its partner organization in Iraq, the Journalistic Freedoms Observatory, wrote today to the presidents of the Supreme Council of the Judiciary, the Baghdad Court of Appeal and the Court for Press and Publication Cases to share their concern about threats to freedom of information in Iraq.

In addition to the alarming decline in the security climate in recent months, journalists now have to face new threats in the form of arrest and prosecution on spurious grounds.

Read the letter :

Judge Midhat Al-Mahmoud, President of the Supreme Council of the Judiciary
Judge Mohsen Ali Al-Khazraji, President of the Baghdad Court of Appeal
Judge Mahdi Aboud Hadi, President of the Court for Press and Publication Cases

Paris and Baghdad, 15 February 2014

Dear Judges,

Reporters Without Borders (RWB), an international organization that defends freedom of information, and the Journalistic Freedoms Observatory (JFO), its partner organization in Iraq, would like to share with you their concerns about the threats to freedom of information in Iraq.

As well as the alarming decline in the security climate in the past few months, journalists are now exposed to such new obstacles as arrest and prosecution on spurious grounds.

One of our main concerns is the use of laws inherited from the old regime to punish press and publication offences. It was under these laws that an arrest warrant was issued for the journalist Sarmad Al-Ta'i just for providing information and expressing his opinions. His arrest, the first of its kind since the fall of Saddam Hussein's regime, has set an extremely dangerous precedent for freedom of information in Iraq.

We urge you, as members of the Supreme Council of the Judiciary, to repeal certain legislative provisions that were adopted under the previous regime and are still in force despite their draconian nature. We refer in particular to articles 82, 83, 84, 201, 202, 210, 211, 215, 225, 226, 227, 229, 403, 433 and 434 of Penal Code No. 111 of 1969, which severely penalize press and publication offences. These provisions pose a real threat to freedom of expression and freedom of the press in Iraq.

You are also responsible for ensuring that Iraq's current and future laws comply with its international obligations as regards freedom of expression and information, including the International Covenant on Civil and Political rights, which the Iraqi authorities signed in 1969 and ratified in 1971.

At the same time, many administrative and political officials have had no hesitation in recent months in abusing the justice system to prevent journalists and media from doing their job of providing news and information. Several journalists have been the targets of judicial proceedings just for reporting alleged corruption and abuse of power by certain leaders. RWB

and JFO call for the withdrawal of all these prosecutions against media personnel.

The decline in the security climate for journalists is another source of concern. Iraq's journalists have paid a high price since 2003 for their fight for the right to report the news. Many have been the targets of bloody attacks and they continue to be targeted. Since the start of the US-led military intervention in 2003, the JFO has registered 270 deaths of journalists, 164 of them in connection with their work, in acts of violence that have gone completely unpunished. And no fewer than 11 journalists have been killed in the past four months.

We urge the competent authorities to take appropriate measures to guarantee the safety of media personnel and to systematically conduct independent and impartial investigations into crimes of violence against journalists – without government manipulation of the judicial system – so that the perpetrators and instigators of these crimes are brought to justice. Impunity has no place in today's Iraq.

We thank you in advance for the attention you give to this letter.

Sincerely,

Ziad Al-Ajili
President of the Journalistic Freedoms Observatory

Christophe Deloire
Secretary-General of Reporters Without Borders
