

In The Name of People
Presidency Council

Based on what was adopted by the parliament and ratified by the presidency council and based on the provision of the (First) Item of Article 61, and the (Third) Item of Article 73 of the constitution,

This law has been issued:

Number () for year 2009
Journalists Protection Law

The law title has been modified to be:

**Number () for the year 2011
Journalists Rights Law**

Article 1

First: The provisions of this law are applicable to Iraqi journalists.

Second: For the purpose of this law a journalist is any member of the journalism syndicate.

Article 1 (Modified)

First: for the purpose of this law the following terms shall carry the following meanings:

- 1. Journalist: Every individual practicing a full time journalism job.**
- 2. Media Institution: Every institution related to press and media and is registered in accordance to law.**

Second: The provisions of this law are applicable to Iraqi journalists.

Article 2

This law aims to ensure the protection of Iraqi journalists within the republic of Iraq and guarantees their rights.

Article 2 (Modified)

This law aims to promote the rights of journalists and ensure their protection within the republic of Iraq.

Article 3

All public departments and agencies and other entities a journalist interacts with should facilitate his/her work in such a way so as to preserve the dignity of journalism.

No Modifications Are Made.

Article 4

Journalists have the right to acquire information, news, data and statistics from their original sources with accordance to the law while maintaining the confidentiality of his information source.

Article 4 (Modified)

First: Journalists have the right to obtain information, news, data and statistics which are not restricted from their different sources and have the right to publish them in accordance to the law.

- **The following paragraph has been added to this article:**

Second: Journalists have the right to protect the confidentiality of their sources.

Article 5

First: Journalists may refrain from writing or preparing material which contradicts with their beliefs, opinions and journalistic conscience.

Second: Journalists may comment on what they see fit to clear their opinions regardless of dissension and intellectual interpretations in accordance to law.

Article 5 (Modified)

First: Journalists have the right to refrain from writing of preparing any material which contradicts with their beliefs, opinions and journalistic conscience.

Second: Journalists have the right to comment on what they see fit to clear their opinions regardless of dissension and intellectual interpretations in accordance to law.

Article 6

Journalists may have access to reports, information and official releases, and related entities must enable them to have access to them and make use of them unless the disclosure of mentioned material is harmful to national interests and is in conflict with the law.

Article 6 (Modified)

First: Journalists have the right of access to reports, information and official releases, and related entities must enable them to have access to them and make use of them unless the disclosure of the mentioned material is harmful to public order and is in conflict with the law.

- **This paragraph has been added to this article:**

Second: Journalists have the right to attend conferences, sessions and public meetings in order to perform their professional duty.

Article 7

The tools of journalistic work should not be intercepted except in accordance to the law.

No Modifications Are Made.

Article 8

Journalists may not be questioned or harmed for their opinions or information they publish, unless their action was against the law.

Article 8 (Modified)

First: Journalists should not be questioned for their opinions or information they publish, unless their action was against the law.

- **This paragraph has been added to this article:**

Second: Journalists cannot be held under arrest due to their work except for a convincing reason to be stated on their arrest warrant.

Article 9

Any person who assaults a journalist while on duty or because of their journalism work must receive the penalty assigned for assault of an official while reporting or for reasons related to his/her work.

No Modifications Are Made.

Article 10

First: The Journalists Syndicate should be informed of any lawsuit filed against a journalist due to a crime related to performing his/her journalism duty.

Second: It is not permissible to question or interrogate journalists over accusations of a crime related to performing their professional duty without a prior notice to the Journalists Syndicate.

Third: The head of the Journalists Syndicate or his representative may be present during the questioning, initial interrogation or trial of the journalist.

Article 10 (Modified)

The Sequence (of the First and Second paragraphs) has been switched with modifications to their content, as follows:

First: It is not permissible to question or interrogate journalists over accusations of a crime related to performing their professional duty without a court order.

Second: The court must inform the Journalists Syndicate or the entity where the journalist works, of any lawsuit filed against him/her related to performing his/her journalism work.

Third: The head of the Journalists Syndicate, the head of the entity where the journalist works or their representatives may be present during the questioning, initial interrogation or trial of the journalist.

Article 11

In case a judicial arrest member was informed of a witnessed crime by a journalist or such an act came to his/her knowledge, they must inform the security forces, the magistrate and the attorney general, then proceed immediately to the site of the crime to take action in accordance to the law.

(Modification): Article 11 is removed.

Article 12

If the magistrate was informed of a witnessed felony committed by a journalist, he/she must proceed to the felony site immediately to take action in accordance to the law.

(Modification): Article 12 is removed.

Article 13

First: The heirs of a journalist who was not an employee in the public sector and was martyred by a terrorist act while reporting or for reasons related to his/her work, are granted a pension of (500,000) Dinars.

Second: The heirs of a journalist who was not an employee in the public sector and has sustained injury causing him 50% disability or more by a terrorist attack while reporting or for reasons related to his/her work, are granted a pension of (250,000) Dinars.

Third: The two paragraphs above are valid for martyrs and injuries occurring after March 22nd 2003.

Article 11 (Modified)

First: Heirs of a journalist (who is not also an employee in the public sector) who is martyred while reporting or for reasons related to his/her work are granted a pension of (750.000) Dinars, in addition to all other privileges granted for martyrs in general.

Second: Journalists (that are not also employees in the public sector) who endure injuries resulting in over 50% of disability while reporting or for reasons related to their work, are granted a pension of (500.000) Dinars.

- **This paragraph has been added to this article:**

Third: Journalists (that are not also employees in the public sector) who endure injuries resulting in over 30% of disability while reporting or for reasons related to their work are granted a pension of (250.000) Dinars.

Fourth: The above three points are valid for death and injury which took place after April 9th 2011.

Article 14

The State must provide free health care for journalists who endure injuries due to acts of terrorism while reporting or for reasons related to their work.

Article 12 (Modified)

The State must provide free health care for journalists who endure injuries while on duty.

Article 15

Local and foreign media entities working in the republic of Iraq must be obliged to sign contracts with journalists working for them according to a form set by the syndicate. A copy of the contract is also kept with the syndicate.

Article 13 (Modified)

Local and foreign media entities working in the republic of Iraq must commit to sign contracts with journalists working for them according to a form set by the syndicate centrally or through its branch in the region. A copy of the contract is also kept with the syndicate.

Article 16

First: Media entities should inform the syndicate before terminating a contract with a journalist, in order to settle any disputes.
Second: If the dispute between the journalist and the media entity where he/she works is not settled, then provisions of the Labour Law, article (71) of the year 1987 are applicable.

Modification: Point (Second) has been removed and point (First) has been modified to:

Article 14

Wrongful termination of journalists is prohibited; if this occurs then journalists may claim compensation with accordance to the valid Labour Law.

- **The following paragraph has been added to this law:**

Article 15

Newspapers can not be banned or confiscated except by a judicial order.

- **The following paragraph has been added to this law:**

Article 16

The period of service for journalists is determined by a testimony from the syndicate and under the supervision of the Office of Financial Supervision for the purposes of promotions and pension even if the journalist was not a member in the syndicate.

- **The following paragraph has been added to this law:**

Article 17

The Ministry of Finance must commit to provide the financial allocations stated in this law.

- **The following paragraph has been added to this law:**

Article 18

Any text contradicting this law is not applicable.

Article 17

This law is valid from the date of publishing in official newspapers.

Article 19 (Modified)

This law is valid from the date of publishing in official newspapers.

Reasons to Issue This Law

To provide the protection needed for journalists, and to guarantee their rights and the rights of their families in case of injury or mortality due to acts of terrorism.

This law has been issued.

Reasons to Issue This Law (Modified)

To honor the freedom of journalism and expression, to guarantee the rights of Iraqi journalists and their heirs and to emphasize the importance of their role in establishing democracy in the new Iraq.

This law has been issued.
