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IRAN

Widely considered the darkest year for the Iranian press, 2009 saw freedom of speech suffering unprecedented repression at the hands of the government. In 2009, following the presidential elections that kept President Mahmoud Ahmadinejad in office, the government sent security forces to violently subdue street protests; revoked licenses or banned at least 11 reformist newspapers and numerous weekly and monthly publications; and launched a massive roundup and arrest of thousands of protesters, activists, bloggers, journalists, and intellectuals. At least 90 journalists, press photographers, website writers, and bloggers were pursued and arrested. Authorities released some quickly, while other detainees remain in prison, serving long sentences. Later, several journalists would step forward to tell about the unimaginable torture they had suffered in solitary confinement. Iran became the second-worst jailer of journalists in the world in 2009,<sup>1</sup> following China.

The Supreme National Security Council, headed by Ahmadinejad, issued secret censorship instructions to newspapers, ordering them to suppress reports of popular protests after the election, and to remove news about dissident candidates. The council also took steps to shut down non-governmental media outlets and the Association of Iranian Journalists (AoIJ). In addition to banning AoIJ activities, the authorities arrested the secretary and the vice secretary of the association, and most of the members of the Press Freedom Defense Association—practically ending independent guild activities of journalism in Iran.

The year 2009 was indeed one of the gravest for Iranian journalism, but it only paved the way for worse conditions in 2010, with unfair and illegal trials and judicial proceedings, more illegal arrests, prison abuse, and sustained pressure on the press.

Despite increasing arrests and trials of Internet users, bloggers, and website contributors, citizen journalism grew in unprecedented ways in 2009. A new awareness emerged of the potential and strength of citizen journalism, with the broad use of blog websites, Facebook, YouTube, and Twitter to share Iran's story with the world. The largest television networks of the world published video, photographs, and reports of anonymous Iranian citizen journalists during the post-election protests, in part due to limitations or bans on foreign journalists traveling to Iran. For the first time in three decades, the image of a vibrant, young, and peaceful nation emerged through thousands of smuggled photographs and video clips posted on YouTube, showing peaceful marches of millions of people—and later, the graphic deaths of some of the same protesters on the streets of Tehran, shot by Iran's security forces.

*Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.*

<sup>1</sup> CPJ's 2009 Prison Census: *Freelance Journalists Under Fire*. Committee to Protect Journalists; December 1, 2009; <http://www.cpj.org/reports/2009/12/freelance-journalists-in-prison-cpj-2009-census.php>

# IRAN AT A GLANCE

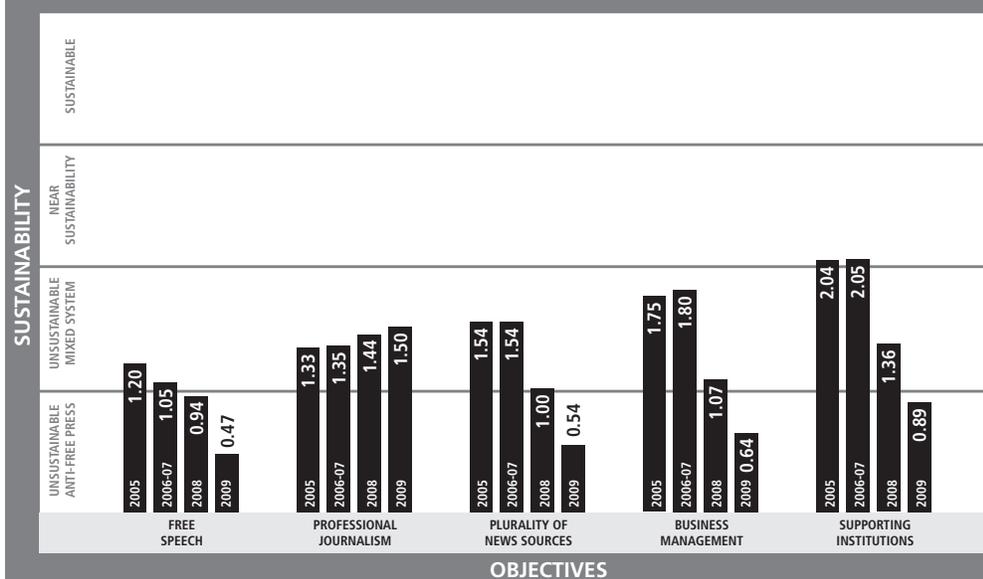
## GENERAL

- > **Population:** 76,928,300 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Tehran
- > **Ethnic groups (% of population):** Persian 51%, Azeri 24%, Gilaki and Mazandarani 8%, Kurd 7%, Arab 3%, Lur 2%, Baloch 2%, Turkmen 2%, other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98% (Shia 89%, Sunni 9%), other (includes Zoroastrian, Jewish, Christian, and Baha'i) 2% (*CIA World Factbook*)
- > **Languages (% of population):** Persian and Persian dialects 58%, Turkic dialects 26%, Kurdish 9%, Luri 2%, Balochi 1%, Arabic 1%, Turkish 1%, other 2% (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$330.6 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$11,470 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 77% (male 83.5%, female 70.4%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** Supreme Leader Ali Hoseini-Khamenei (since June 4, 1989)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: About 500 national publications. Radio: 9 national stations, and more than 100 local stations, all state-owned. Television: 6 national TV stations in Persian, 1 Arabic station, the *Sahar* network in various languages, and 1 English news network (all state-owned)
- > **Newspaper circulation statistics:** Largest paper in terms of circulation is the governmental *Hamshahri*, at a circulation of about 300,000 to 400,000, followed by the governmental *Iran* and *Jame-Jam*; published circulation numbers are not available, though it has been estimated that the daily circulation of newspapers lies at around 3 million. The reformist daily with the largest circulation is *Etemade-Melli* with about 42,000, followed by *Etemaad* with a circulation of about 30,000
- > **Broadcast ratings:** *Payam Radio* is generally believed to be the most popular radio station, followed by *Javan Radio* (Youth Radio); overall broadcast ratings are not available
- > **News agencies:** IRNA, ISNA, IRIBNEWS, ITNA, Moj News Agency, Qods News Agency, ISCA, IPNA, IANA, SNN, Advar, Aftab, Fars, Mehr, Raja, Rasa, Alborz, Press TV News, Cultural Heritage News Agency, Ana News Agency, Arya News Agency, Center for Young Journalists News Agency, Shabestan News Agency, IKNA- Quranic News Agency of Iran, Shana- News Agency of Oil and Energy, Resa News Agency, Iran Book News Agency, Pana News Agency (Center for student journalists), ITKA News Agency.
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 8,214,000 (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: IRAN



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Iran Objective Score: 0.47

Since he was elected in 2005, Ahmadinejad has led efforts to steadily reverse progress made in press freedom under President Mohammad Khatami, who served two terms spanning from 1997 to 2005. In its violence against journalists following the election, and its intensified efforts to shut down any dissenting publications, the Ahmadinejad government drew on its broad powers and relied on vague, weak media laws to stifle critical voices in the media and civil society.

Iran's constitution was adopted following the 1979 revolution and later amended in 1989, and it fails to guarantee freedom of speech and the press. Although Article 24, titled "Freedom of the Press," provides for the freedom of expression, the caveat "except when it is detrimental to the fundamental principles of Islam or the rights of the public," paves the way for interpretational abuse. The Iranian press law was also formulated in the post-revolutionary era and amended in 1986. It provides a legal framework with some clauses that open the door for the government to prosecute journalists, especially in the name of protecting Islam or national security. In 2000, the departing, conservative *Majles* (parliament) ratified amendments to the press law that further restricted freedom

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*The sitting Tehran Prosecutor, Saeed Mortazavi, told Fars News Agency: "Court 31 of Tehran has two branches dedicated to reviewing Internet crimes: elections violations and insulting and destructive SMS messages."*

of the press, and added two conservative members to the Press Supervisory Board to guarantee a conservative majority.

As reported in the 2008 MSI, the press law requires that press offenses be prosecuted in a general court before a specially constituted press jury. The press law also states that the Ministry of Culture and Islamic Guidance must initiate cases, but often media outlets are closed down by an administrative order, the special court for clergy, or the Revolutionary Court. Most prosecutors ignore the constitution's direction that press offenses must be tried in the presence of a jury. Frequently, journalists are tried in closed sessions without a jury—a practice that has become even more frequent after the 2000 amendments to the press law.

The fact that journalists and citizens alike turn increasingly to new media to circumvent the restrictions on traditional media has not escaped the regime's notice. Clearly, senior officials of the Islamic Republic of Iran are extremely wary of the Internet and all new communication technology, counting it as methods that could help overthrow the government, and they are exercising growing control and oversight over these technologies.

In July 2009, Ahmadinejad unveiled new legislation, Iran's first Computer Crimes Law, to curtail freedom of expression on the Internet—the culmination of eight years of widespread blocking of Internet websites, arrests, and trials of bloggers and Internet website managers. Approved by the Supreme Council of Cultural Revolution and the Islamic parliament, and confirmed by the Guardian Council earlier in 2009, the core components include "crimes against accuracy and integrity of data and computer and telecommunication systems," "theft and fraud related to computers," "crimes against public decency and morality," "defamation and propagation of falsehoods," and "crimes against the confidentiality of data and computer and telecommunication systems." For most crimes defined in the law, punishment includes imprisonment and cash fines.

According to Article 3, accessing stored or transmitted confidential data will be construed as electronic espionage, and the perpetrator will be sentenced to one to three years in prison, a cash fine from IRR 20,000,000 to IRR 60,000,000

*Also in 2009, the Press Oversight Committee quickly issued a license for presidential candidate Mir Hossein Mousavi to publish Kalame Sabz—but the newspaper was banned two days after the elections, after publishing just 20 issues.*

(\$1,920 to \$5,780), or both. “Making confidential data available to those who are not qualified to access it” could lead to two to 10 years of imprisonment; while revealing such data to foreign states, organizations, or companies could lead to five to 15 years in prison. Although the law does not clearly define “confidential data,” it states that data should be considered confidential if its disclosure could damage national security or interests.

Also, the Computer Crimes Law defines prison sentences from 91 days to two years, as well as cash fines, for “defaming individuals or government authorities, creating public anxiety, and publishing falsehoods through computer and telecommunication systems.” Another section of the Computer Crimes Law pertains to prevalent general crimes and bears much similarity to the laws of other countries—especially involving computer-related theft and fraud—but in certain parts, the breadth of security and morality-related charges against Internet users take on a more extreme dimension.

In addition, Iran’s Computer Crimes Law details punishment for those who produce and publish obscene content. Addendum 3 of Article 14 emphasizes that “if the perpetrator has chosen the items mentioned in this article as his profession, or if he commits these crimes in a systematic way, if he is not found to be a ‘corruptor on Earth,’ he would be sentenced to the maximum punishment stipulated in this article.” According to Islamic Penal Code, the punishment for being a “corruptor on Earth” may be the death penalty.

The law also introduces penalties for teaching others how to destroy or disrupt data in computer and telecommunication systems, sharing techniques on circumventing cyber-blockades, and producing and distributing software to combat censorship. In another part of the law, “endangering security or public peace,” or “illegally using international bandwidth” based on foreign Internet protocols in Iran or vice versa, could lead to one to three years in prison or cash fines.

The Computer Crimes Law obligated the judiciary to convene a committee, headed by the prosecutor general, to

determine what constitutes criminal content. The committee’s 12 members include ministers from, among others, the ministries of Education and Development; Communications and Information Technology; Intelligence; and Justice, along with the head of the Islamic Propagation Organization and a member of the parliament appointed by the Legal and Judicial Commission and approved by the Islamic parliament.

Iran has no shortage of government bodies to help implement the law. In 2001, Ayatollah Khamenei directed the Supreme Cultural Revolution Council (headed by Ahmadinejad since 2005) to create an additional body, the Committee to Determine Internet Website Blockades, to monitor the Internet. The Iranian constitution does not recognize this committee, first convened to dismiss critical or opposition students and professors from Iranian universities. However, over the 20-year reign of Ayatollah Khamenei, it has turned into the center of macro-cultural decisions. This committee was expanded in 2009 and transferred to the Prosecutor General’s Office, and Deputy Prosecutor General Abdolsamad Khoramabadi became the committee’s secretariat.

In interviews with Iran’s official news agencies, Khoramabadi discussed the committee’s intent to filter 10 million websites and blogs, “censoring and blocking websites, blogs, and illegal Internet groups,” and said that these actions “are not limited to censoring and blocking,” but, to the extent possible, confronting violators. Additionally, in 2009, several government organizations developed internal centers to monitor and control the Internet. Iran’s Ministry of Information monitors the Internet independently and confronts Internet users as well. The Infrastructure Communications Company, affiliated with the Ministry of Telecommunications, is another hub for controlling the Internet in Iran; it often implements decisions of the Committee to Determine Internet Website Blockades.

Court 31, the Special Court for Internet Crimes, is dedicated to hearing cases related to online media. The sitting Tehran Prosecutor, Saeed Mortazavi, told Fars News Agency: “Court 31 of Tehran has two branches dedicated to reviewing Internet crimes: elections violations and insulting and destructive SMS messages.” Reza Jafari, who leads the Special Court for Internet Crimes in Tehran, reported a crackdown on the websites affiliated with protesters during the post-election events on September 30, 2009. He praised efforts to confront managers of certain websites, saying that these sites encourage public disobedience and riots during the post-election events.

The Ministry of Culture and Islamic Guidance’s Publications and News Agencies Office, too, has taken on the responsibility of supervising and controlling activities

of Iranian news agencies and news websites. This office announced two years ago that it only recognizes websites and blogs registered with the Ministry of Culture as legal, and threatened to block all others. Additionally in 2009, the Ministry of Information Technology and Telecommunications established offices in different provinces to support the Internet Police within Tehran's Criminal Police Unit. Before the June 2009 protests, the Internet Police dealt mainly with data and systems security, but after June, the organization's mission was expanded to include confronting websites, bloggers, and Internet users. This unit photographed the protesters and published the photos on the official police website, and asked for the public's help to identify the protesters so that they could be arrested and tried.

In terms of licensing, the government controls the broadcast sector. Newspapers in Iran must be licensed, but the emphasis in Iran since the elections has been on shutting down publications, not issuing new licenses. The widespread bans in 2009 on publications targeted Iran's semi-independent publications, which emerged between 1996 and 2005. The Press Oversight Committee implemented most of these closures, and the Prosecutor's Office in Tehran and other cities directed some others.

The Press Oversight Committee is comprised of seven members, including the Minister of Culture and Islamic Guidance or his fully empowered representative, a representative from the judiciary, a representative from the Islamic parliament, a representative from the High Council of the Qom Seminary, a member of the Supreme Cultural Revolution Council, and a publication manager. Journalists are not represented on the committee.

The main responsibility of the Press Oversight Committee is to issue publication licenses for newspapers and other publications, but also it has the power to close down newspapers and other publications temporarily, and to forward their case files to the Press Court. According to Article 13 of the existing press law, "The Oversight Committee is responsible for reviewing the qualifications of the applicant and the publication manager within the procedures stipulated in this law within three months after receiving the application for license, and to announce the acceptance or rejection decision with supporting reasons and documents to the minister of culture and Islamic guidance. The Ministry of Culture and Islamic Guidance is responsible for issuing a publication license within two months, at the latest, from the time the application is approved by the Oversight Committee."

In practice, however, the process of reviewing and responding to license applications for publications is lengthy. In June 2008, ISNA News Agency quoted Alireza Malekian, then-press

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deputy of the Ministry of Culture and Islamic Guidance, as saying that the Press Oversight Committee would announce its opinions about this year's applications for publication licenses five years from now, in 2013. Ministry of Culture and Islamic Guidance officials blame the backlog of some 3,500 applications on increased interest during the reform years, and said that the oversight committee has limited ability to review the applications during its weekly meetings.

Even so, the oversight committee speedily reviews the newspaper and magazine license applications submitted by political figures—especially political figures close to the ruling group. In 2008 and 2009, the committee issued publication licenses within a few weeks to *Vatan-e Emrooz*, which is under Mehrdad Bazrpash's management; and *Asr-e Iranian*, which is under the management of Bijan Nobaveh. Both of those individuals are close to Ahmadinejad. The committee also expedited the applications for *Khorshid* and *Shahrvand*, submitted by pro-Ahmadinejad government managers. Also in 2009, the Press Oversight Committee quickly issued a license for presidential candidate Mir Hossein Mousavi to publish *Kalame Sabz*—but the newspaper was banned two days after the elections, after publishing just 20 issues.

ISNA News Agency, which is associated with the Academic Jihad Organization, also published a report about the lengthy process of receiving a publication license. The report noted that in countries neighboring Iran, such as Tajikistan, it is possible to receive a publication license within one or two days. In Afghanistan, this can be done in one day, the ISNA report noted.

Hossein Entezami, a former manager for Jame-Jam, affiliated with the state-run Islamic Republic of Iran Broadcasting (IRIB), and former spokesperson for the Supreme National Security Council, has served as a publication manager representative on the Press Oversight Committee since 2004. During an interview with *Etemad* in early 2009, Entezami revealed that the Press Oversight Committee issued some 238 licenses for publications in 2008, and revoked licenses of 201 publications "because they failed to publish regularly during the year." These statistics do not include those publications that the

oversight committee or the Tehran Prosecutor's Office banned on different charges.

A research study published in *Etemad* in November 2009 shows that the government, and particularly Ahmadinejad's cabinet, tried to minimize the number of licenses issued for political publications between 2005 and 2009. The study states that during Ahmadinejad's presidency within this period, 1,231 publications received licenses from the Press Oversight Committee and the Ministry of Culture and Islamic Guidance, according to official government statistics. Only 151 out of those 1,231 licensed publications—just 12 percent—are allowed to be active in politics.

The report illustrates a 50 percent drop between Mohammad Khatami's second term (2001 to 2005) and Ahmadinejad's presidency (September 2005 to September 2009) in the number of licenses issued to political publications. The licenses issued during Ahmadinejad's term include 15 newspapers, 140 weeklies, 397 monthlies, 493 quarterlies, and 186 periodicals. But the most striking aspect of the official statistics is that nearly half of the press licenses issued between 2005 and the end of 2009 went to publications with ties to government organizations.

In an interview with *Communication Management Monthly* in mid-2010, regarding the ratio of revoked licenses to issued licenses in the Ahmadinejad cabinet, Entezami said: "About 90 percent of publications that have received licenses from the Press Oversight Committee under the name of organizations had their licenses revoked due to Article 16 of Press Law, which stipulates that failure to publish regularly could end in license revocation."

Security-minded confrontations, publication bans, and the system of permits and leases that the press law and Iranian judiciary impose upon publications all combine to keep professional publishers from working in this field.

In the period of the MSI study, Iranian journalists faced severe threats to their safety, along with arrests unprecedented in Iran over the past two decades. In June 2009, a considerable number of Iranian journalists (including Mohammad Sedigh Kaboudvand, Adnan Hassanpour, Mohammad Hassan Fallahieh-zadeh, Kaveh Javanmard, Mojtaba Lotfi, Massoud Kordpour, Bahman Tootoonchi, and Sajjad Khaksari) were arrested and imprisoned for various reasons. This set off another wave of arrests in the second half of 2009. At least 91 reporters and journalists were taken into custody.

The arrests took place in tandem with the sweeping arrests of political and social activists, members of the election campaigns of Mir Hossein Mousavi and Mehdi Karroubi, bloggers and Internet writers, student activists, and election

fraud protesters. The arrests started in Tehran but soon spread to various provinces.

Gholamhossein Mohseni Ejei, Iran's then-minister of intelligence, described the journalists and other detained individuals alike as "rioters." In speaking to ISNA News Agency, he said, "Those who were involved in the riots belonged to one of three groups: the decision-makers, the implementers, and the anti-revolutionaries." Several people close to the government and members of the Tehran Friday Imam group also labeled the detainees "enemies of God," and "corruptors on Earth," demanding the death penalty for them. Even more than a year later, the exact number of imprisoned journalists in all parts of the country is not known, due to severe security limitations on media as well as the ongoing arrests of journalists. The duration of detentions ranged from a few weeks to several months for some journalists, while several journalists remain in prison.

Ahmad Zeidabadia, the first Iranian journalist to be arrested after the election, was taken into custody by security forces on the night of June 13, 2009, in front of his home in Tehran. He remained in prison at the time that the MSI was prepared. According to his wife, he was sentenced in December 2009 by the Revolutionary Court to six years in prison and five years of exile to Gonabad, and was barred for life from participating in any political activity; supporting or participating in parties; or giving interviews, speeches, or analyses of events, verbally or in writing.

Other arrests followed swiftly. Kayvan Samimi Behbahani, a journalist and managing editor of the banned monthly, *Nameh*, and member of the central council of the Press Freedom Defense Association, was arrested on June 14, 2009, at his home in Tehran and was given a six-year prison term. Another prominent journalist, Mohammad Ghouchani, the editor-in-chief of several newspapers including *Etemad Melli* and *Sharq*, was arrested at his home on June 20, 2009. He was released on \$100,000 bail at the end of October 2009. Also on that day, security officers stormed the home of Jila Baniyaghoub, the editor of several reformist newspapers such as *Sarmayeh* and the editor-in-chief of the *Iranian Women's Center*, a women's rights activist, and a blogger. They arrested her and husband, Bahman Ahmadi Amouee. The Revolutionary Court in Tehran, presided by Judge Pirabbasi, sentenced Baniyaghoub to one year in prison and barred her from practicing journalism for 30 years. Amouee, a journalist and economics analyst, is currently in Ward 350 of Tehran's notorious Evin Prison.

The government also targeted Issa Saharkhiz, a journalist and a former director of national media at the Ministry of Culture and Islamic Guidance. Alongside Ahmad Boureghani, the deputy minister of media at the ministry, Saharkhiz

helped start what could be called the golden era of the ministry, during Mohammad Khatami's first term as president. Saharkhiz also served as a longtime representative of managing editors on the Press Oversight Committee. He was arrested in early July in northern Iran, and sentenced in the Revolutionary Court to three years in prison, five years' deprivation of political and journalistic activities, and a one-year travel ban on charges of insulting the Supreme Leader and propagating information against the regime.

In a June 22 raid on the offices of Mir Hossein Mousavi's newspaper, *Kalame Sabz*, security forces arrested Alireza Behesthti Shirazi, the editor-in-chief, along with 25 other employees, including reporters, editors, and technical staff. Most employees were released during the coming days, but Shirazi and his son, Seda Shirazi, were imprisoned for two months—and then, security forces arrested Alireza Shirazi again on December 28, 2009.

Mehdi Mahmoudian, a journalist with several newspapers affiliated with the Participation Party, was arrested in September, following his instrumental role in publishing news about torture and murder of imprisoned post-election protesters inside Kahrizak Detention Center. He also researched, documented, and published reports about covert burials of several individuals murdered during the post-election protests.

Authorities arrested many website contributors and bloggers as well—including Mohammad Ali Abtahi, the most prominent blogger in Iran and an advisor to Mehdi Karroubi. Hamzeh Karami, who managed the Jomhouriyat website, was also arrested. Along with several of his colleagues at Jomhouriyat, Karami faced the charge of "negative portrayal" of the Ahmadinejad cabinet by publishing statistics about the government's performance. Sentenced to 11 years in prison, Karami later wrote a letter describing the torture he endured that prompted his forced confession.

In addition to the early wave of arrests, authorities arrested many more journalists and media professionals in the months leading up to December 2009. Then, on December 27, 2009, Ashura Day, one of the widest and most violent crackdowns on protesters took place in Tehran. On this day, in addition to the assassination of Ali Habibi Mousavi, a nephew of Mir Hossein Mousavi, police vehicles ran over and killed several protesters in major Tehran squares. Several plainclothes forces shot directly at the protesters, killing several more. Another wave of arrests of journalists and reporters took place during these last few days of 2009, including the detainment of Mohammad Javad Mozaffar, a journalist and head of Kavir Publishing House and deputy director of the Society for Defense of Prisoner Rights; Kayvan Mehregan, journalist with *Etemad*; and Mohammad Nourizad, a documentary

filmmaker and a columnist with *Kayhan* for years. Following the post-election events, Nourizad wrote several open letters to Ayatollah Khamenei—with whom he had been close previously—objecting to the government's violence against the protesters and the widespread arrests.

Authorities arrested international journalists as well, and some spoke out about their mistreatment. Reza Rafiee Foroushani, a freelance journalist that worked for local and international media, was arrested at his house on June 26, 2009. Sentenced to seven years in prison and a five-year suspended term, he remains in prison. In July 2010, he wrote an open letter to the head of the judiciary from prison, reporting of his mistreatment and his forced confession during his trial.

The authorities did not limit their scope to Tehran. During 2009 they arrested a number of journalists, including reporters, editors, photojournalists, and bloggers in various cities and provinces, including Ahwaz, Bushehr, Gilan Province, and Isfahan Province. Many detainees were released soon after their arrest, but not all. Abolfazl Abedini, a journalist from Ahwaz, was arrested on June 30, 2009 and sentenced to eleven years in prison. When the MSI study was being prepared, he was serving his term at Evin Prison.

Majid Saeedi, a photojournalist, colleague to many international media outlets, and editor of the photo section of Fars News Agency for many years, was arrested in July 2009 and released on bail on August 15, 2009. The state-run Islamic Republic News Agency (IRNA) accused Saeedi and another photojournalist, Satyar Emami, of forming a "photography network to capture images of protests and selling them to the enemies' news agencies." Another reporter, Fariborz Soroush, was charged with collaboration with Radio Farda. Security officers arrested him in Karaj on June 16. A few months later, Soroush was released on bail.

In addition to banning several newspapers and arresting journalists in the months following the election, representatives from the Prosecutor's Office and Ministry of Islamic Guidance appeared repeatedly at printing outfits and newspaper offices during the night. They censored content that challenged election results or Mir Hossein Mousavi's statements, or quotes from Mehdi Karroubi, Mohammad Khatami, and other individuals and opposition parties. These acts led to decisions to ban multiple newspapers, including *Asrar*, *Etemad Melli*, *Hayat No*, *Andisheh No*, and *Seda-ye Edalat*. Most were banned for several issues, but *Kalame Sabz* was banned indefinitely.

As made clear by the examples above, Iran's state-owned media is not independent from the government. The government holds a monopoly over the broadcast sector,

*Such harsh conditions affected the professional performance of media, forcing publications to lose their professional courage and to impose widespread self-censorship.*

shuts down newspapers that challenge its actions, and leverages control over funding decisions and board appointments. Last year's MSI noted that IRIB and Press TV have access to international news sites such as the BBC Persian Service or the U.S. government-funded Radio Farda and Voice of America. These sites are unavailable to non-government media. The 2008 MSI detailed the government's selection procedures for state media journalists, who are well connected and compensated but must adhere to the government's ideological and political stance.

The authorities frequently exercise provisions for criminal punishment of libel in Iran. Furthermore, as described earlier, the government expanded its options for punishing libel with its new Computer Crimes Law, which stipulates cash fines and prison sentences from 91 days to two years for defamation and publishing false information through computer and telecommunication systems.

As noted in the 2008 MSI, Iranian law provides no specific limitations on the media's access to foreign sources—in fact, Section 5 of the Press Law stipulates that “acquiring and publication of domestic and foreign news used to increase public knowledge” is the legal right of all media outlets. However, the law has not stopped the government from widely blocking and otherwise obstructing access to foreign news sources and international news websites, citing threats to Islam, national security, or moral corruption. Ayatollah Khamenei has spoken repeatedly about “cultural invasion” and “cultural NATO,” and has accused print, Internet, and Farsi television stations that broadcast foreign programs of presenting a “dark portrayal of Iran's affairs” and “provoking people to protest.” The Computer Crimes Law represents the centerpiece of the government's efforts to clamp down on the media's migration to the web.

Journalists must clear several hurdles in order to practice journalism. They must obtain a permit—which can be revoked at any time—from the Ministry of Culture and Islamic Guidance, and if they intend to report on political sensitive matters, permission from the ministry is required in advance.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Iran Objective Score: 1.50

Iran's top publications, especially newspapers, tend to be managed by well-known politicians who cannot be considered professional journalists. More than any other reason, this discrimination in management is the direct result of the Press Oversight Committee's shortcomings in issuing publication licenses, especially for newspapers. The committee's approach reflects the regime's general lack of trust for professional journalists. Thus, many newspapers represent a faction, organization, party, or political thinking, and subsequently, most of the newspapers that have been able to continue publishing represent the Iranian rulers' viewpoints.

The 2008 MSI commented upon the difficulty of maintaining an objective stance, given that the government allows non-government media so little breathing room, and given the rising trend of presenting journalists with gifts for coverage. Yet that study also marked a growing awareness of ethical journalism within the past few years, attributed to the larger number of journalism graduates in the media sector. Overall, though, despite an abundance of well-intentioned journalists striving to improve their craft in extremely harsh circumstances, professional journalism in Iran has always faced economic, legal, and educational challenges.

Naturally, these challenges intensified in 2009, with the unprecedented and well-documented arrests of journalists and media outlet closures. Such harsh conditions affected the professional performance of media, forcing publications

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

to lose their professional courage and to impose widespread self-censorship.

In terms of covering major events, the press cannot address many subjects. As noted in the 2008 MSI, taboo subjects including anything critical of Islam, the Prophet Mohammad, the supreme leader, or other pro-government people or institutions. Other sensitive topics that the government directs editors not to cover include Iran's nuclear program; student demonstrations; coverage of certain persona-non-grata, such as former politicians who have been sidelined; increasing energy prices; international sanctions; negotiations with the U.S.; and inflation.

As noted above, state media journalists are paid fairly well, but most reporters and journalists working in Iran are employed on a contractor or pay-per-piece basis, and their low pay makes their independence highly vulnerable. Although both the government and media managers repeatedly emphasize job security and insurance for media workers, a lack of supportive laws—and failure to implement the laws that are in place—exacerbate the inherent insecurity in the journalism field.

Article 76 of the Social Welfare Law recognizes journalism as a "hard and harmful profession," but for the past 15 years, implementation of this law has met challenges, even drawing criticism from Malekian in 2009. According to this article, individuals who have worked 20 uninterrupted years or 25 intermittent years in "hard and harmful" professions such as reporting are due retirement benefits without an age requirement. "Many branches of the Social Welfare Organization do not uphold the law that considers working as a reporter a job where each year of activity in this field equates to 1.5 years of service in other professions. This has caused a violation of reporters' rights," Malekian said.

Furthermore, it is clear from the many closures of media outlets that the government itself compromises reporters' employment security. For example, when the government banned *Sarmayeh Newspaper* and the Media Oversight Committee revoked its license, at least 60 reporters and journalists lost their jobs.

Especially considering the dire political crisis in Iran over the past year, the Iranian people remain focused on news, and the trend of entertainment overtaking news is not the serious problem in Iran that it is elsewhere. Also noted in the 2008 MSI, oil revenues over the past few years have helped government media organizations update their facilities and equipment—yet they have not invested in training their staff to use the new tools properly. Generally, non-government media lack access to updated technology.

Some newspapers in Iran concentrate on specializations such as sports, economy, or society, and some still attempt investigative reporting, despite the obvious obstacles.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Iran Objective Score: 0.54

According to official statistics, of 3,790 publications licensed in 2009, well over half were published in Tehran. Individuals held 2,067 licenses, and 1,723 licenses belonged to organizations—more than half of which are government organizations. Although Iran has a large number of newspapers, generally citizens must read a variety of sources to gain different perspectives.

Official statistics do not show how many of the licensed publications are currently in print, but statements by Malekian indicate that close to 2,080 publications, including 98 newspapers, published at least periodically during the first few months of 2009. According to the same statistics, in 2005—the year Ahmadinejad was elected to his first term—124 newspapers held nationwide publication licenses. Thus, over the past five years, this number has decreased by 28 percent, in contrast to the growth in national papers published during Khatami's presidency between 1996 and 2005. Meanwhile, government-owned publications increased from 223 in 1996 to 538 in 2005 and up to 856 in 2009. The statistics themselves tell the story of a drastic change of policy pertaining to publications and media, illustrating

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*The Iranian people exercise great creativity in using the Internet and social media tools to spread news of the government's forceful acts against protestors.*

a contraction of the Iranian media arena between 2005 and 2009.

The Iranian people exercise great creativity in using the Internet and social media tools to spread news of the government's forceful acts against protestors. Although use of the Internet and other modern communication technologies jumped in 2009, these technologies faced serious limitations for content production, with the authorities labeling of Internet, SMS, blogs, and even Internet social networks such as Facebook "soft threats against the Islamic Republic of Iran." The crackdown after the post-election protests led to widespread restrictions on Internet media, blocking sites such as Facebook and Wikipedia and services such as Gmail and Yahoo Messenger—one of the most widely used Internet messaging systems in Iran. The authorities even halted Internet services completely on several occasions. In another show of repression, the government curtailed SMS services, which have grown in popularity and power as a pocket medium, for several weeks beginning on the morning of Election Day.

The 2008 MSI noted that satellite television and Internet access depend on income, and are out of reach for a majority of Iranians, especially in areas beyond Tehran—where state broadcasting is often the sole source of news.

The authorities control state media completely, although some level some criticism at the government, noted last year's MSI study—which described Radio Javan ("Youth Radio") as an example of an outlet that is often irreverent and critical of the authorities. However, in a more typical example, after the government's show of force against protestors on December 27, 2009, the government media accused the protestors of insulting sanctities.

Approximately 20 Persian news agencies work in Iran, ranging from governmental news agencies such as the IRNA (Ahmadinejad's cabinet's news outlet) to privately owned agencies, including the Iran Labor News Agency and Moj.

As the government controls all broadcast media, the sector has no independently produced radio or television programs. However, the launch of BBC Persian TV in January 2009 offered an important new option for Iranians with access to

satellite television. As noted in the 2008 MSI, many of the journalists employed by the BBC worked in Iran until recently, and thus have a great deal of credibility.

Tracing the owners of print publications is often difficult; although the press law stipulates that the managing director and editor-in-chief of each publication must be made public, Iran has no laws that require public disclosure of monetary sponsors or investors. Still, the backgrounds of many government publications are well known. For example, Tehran Municipality holds *Hamshahri's* operating license; this newspaper has the highest circulation in the country.

Most other top newspapers in the country are either owned or under the supervision of government organizations, or are supported by such organizations. *Iran* is affiliated with IRNA. Hossein Shariatmadari and Mahmoud Doaee, both representatives of Ayatollah Khamenei, manage *Kayhan* and *Etela'at*. Jame-Jam is associated with Iran's state radio and television organization, IRIB, which Bijan Moghaddam manages. The IRIB chief, placed by Ayatollah Khamenei, appoints and dismisses the newspaper's management. *Tehran Emruz* is affiliated with the Islamic Propaganda Organization. *Resalat* is associated with Resalat Foundation; its license holder is Ayatollah Khamenei and its manager is Massih Mohajeri.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

#### Iran Objective Score: 0.64

The financial crisis of the press deepened in 2009, with several critical newspapers, such as *Etemad* and *Sarmayeh*, struggling with financial problems. Several other critical publications said repeatedly that they were unable to pay their journalists' salaries.

The socio-political situation of Iran in 2009 also resulted in drops in circulation. Annual statistics released by the government show that overall circulation of publications in Tehran Province faced a 21.6 percent drop in 2009, and the situation was no better in other provinces. In the Qom Province, where religious seminaries are located, circulation during the last quarter of 2009 saw a 36.2 percent drop. Within the Fars Province, circulation rates increased 10 percent during the first three quarters of the year, but with a sharp drop in the last quarter, the overall growth rate was just 1.8 percent.

The Media Oversight Committee even used poor management as an excuse to ban *Sarmayeh*, managed by Hossein Abdo Tabrizi. The Ministry of Culture and Islamic Guidance's Press Deputy cited Article 11 of the Press Law in

the decision to ban the paper and stated that the closure was due to the “fading qualifications” of its license holder and “activities outside its defined mission.” Reacting to the claims, Tabrizi told reporters: “This article in question addresses a newspaper manager’s qualifications. The list for the required qualifications includes Iranian citizenship, at least 25 years of age, scientific qualification, and commitment to the Iranian Constitution. My age has not decreased, nor have I changed my citizenship, and I have not lost my commitment to the Iranian constitution, either. It is not clear, therefore, on exactly what grounds they have used this article to revoke *Sarmayeh* newspaper’s license.”

The 2008 MSI underlined the role that state subsidies play in the Iranian media sphere’s ongoing business management crisis. The high costs of publishing newspapers and magazines, and the lack of professional publishers in the private sector, have led to heavy dependence on government subsidies, even among those outlets that non-governmental individuals or entities publish.

In addition to threats and intimidation to quiet critical media and publications, the Islamic Republic also provides a collection of privileges for its affiliated newspapers and publications, or those that support its positions. The government uses discriminatory policies for allocating funding and support from public budget sources, ranging from favoritism in the licensing process to cash subsidies for government newspapers. These tactics have presented managers and publishers of private sector newspapers and publications with brand-new problems.

In August 2009, *Farhang Ashti* published an investigative report about the allocation of special cash subsidies to two

*In addition to threats and intimidation to quiet critical media and publications, the Islamic Republic also provides a collection of privileges for its affiliated newspapers and publications, or those that support its positions.*

pro-government newspapers. According to this report, in just the second quarter of 2009, *Kayhan* received \$529,000 and *Iran* received \$470,000 under the heading of “press subsidies,” making them the recipients of the highest amounts of governmental press subsidies.

Malekian, who was then in charge of the press within the Ministry of Culture and Islamic Guidance, announced that the entire press subsidy budget for 2008-2009 was \$31 million, but reported some time later a \$13 million reduction in the allocated subsidy amount, saying that the government allocates the press subsidies “according to quantitative and qualitative indices.” He further emphasized, “in addition to the above criteria, we also pay especially close attention to the content of news and reports produced by news agencies.”

In September 2009, Minister of Culture and Islamic Guidance Mohammad Hosseini rolled out a “press grading” mechanism to guide the allocation of subsidies in his ministry. Hosseini did not provide any details about the indices used for grading the press, but Mohammad Ali Ramin, who took over the position of press deputy within the Ministry of Culture and Islamic Guidance in mid-2009, spoke more explicitly about it in November 2009. He announced that “the subsidies will be distributed wisely, fairly, and according to standards based on the mission of the media.”

Asked whether the Ministry of Culture and Islamic Guidance would have an even and respectful approach regarding how the subsidies are allocated, Ramin discussed the importance of respecting institutions. “Freedom, anarchism, [and] creating public anxiety and mental, moral, and ideological insecurity in the society are huge crimes which must be dealt with,” he said. “It is possible in Western culture to value the rights of a murderer above the rights of a victim, and the secularist human rights of the West might put a higher value on the murderer, moving to maintain the murderer’s rights and human rights. But according to Islamic principles, we do not discriminate in this way.”

Semi-independent press managers also cited the overwhelming assignment of advertising revenues to government or pro-government publications as another

## INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*When the third wave of arrests started, in the last three days of 2009, a significant number of those arrested were board members of the AoIJ and the Press Freedom Defense Association.*

challenge faced during 2009. Initially, government officials merely directed government-affiliated companies to favor advertising in pro-government publications. But in late 2009 and early 2010, the practice became a policy explicitly included in the 2009 budget procedures, which announced a government advertisement monopoly for *Iran*, according to an order received from Ahmadinejad.

Reacting to the financial problems facing non-governmental newspapers and publications, Ahmadinejad's press advisor Ali Akbar Javanfekr said, "In an environment where certain media publicly confront the government, wield razor blades to the government, explicitly announce that they plan to overthrow the government, and prove the same in their actions, it is only natural that their expectation for government ads is a greedy one," he said. "...cutting the government advertisements is a natural reaction to critical publications who wish to overthrow the government."

As reported in the 2008 MSI study, there are few attempts to conduct broadcast ratings or market research, and at any rate, the information is not publicized, given the government's strict control of the broadcast sector.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Iran Objective Score: 0.89

Iran has few organized owners' associations. However, the Press Co-Op, an association for publications managers, is in operation and is composed of hundreds of press managers. Its members object repeatedly to some of the government's actions against the press. They wrote a letter to state officials objecting to the government's discriminatory policies, especially in the area of subsidy allocations.

According to a statement by Ali Akbar Behbahani, managing director of the Press Co-Op, in 2009 the organization held meetings with Ministry of Culture and Islamic Guidance officials, including Press Deputy Mohammad Ali Ramin. The meetings allowed co-op members to follow up on the publications' demands; inform the ministry of how budget cuts have impacted them; and address the injustice of

steering subsidies toward government publications, whose entire resources are provided to them for free, as such discrimination violates Article 44 of the Iranian constitution.

As the country's largest journalist group, the Association for Iranian Journalists spoke up as well. In the days following the election, AoIJ published several letters addressed to the head of the judiciary, objecting to the widespread arrests of its members and other independent journalists. The Tehran prosecutor answered by sealing off AoIJ's offices on August 5, 2009. When the agents stormed the office, they also filmed the people present and the inside of the facility.

AoIJ was formed in 1997 under the more open Khatami presidency, known as the reform era. AoIJ is an associate member of the International Federation of Journalists, and at the time of its closure, it had nearly 4000 members. AoIJ experienced judicial and security pressures from appointed agencies from time to time during the Khatami era, but the pressure intensified sharply during Ahmadinejad's first term. It peaked during 2008-2009 especially, and the Ministry of Labor in the Ahmadinejad cabinet made clear that it wanted AoIJ dissolved. Through the AoIJ secretary's legal efforts, the dispute between the Ministry of Labor and the association subsided drastically in the early months of 2009. But the post-election events, the repeated newspaper closures, and arrests of journalists finally led to the confrontation that closed its doors.

Through the years, many prominent Iranian journalists have been active in the Press Freedom Defense Association also. After the widespread arrests of journalists during 2009, this association supported Iranian journalists by publishing protest bulletins. In a September 2009 bulletin, the association objected to the "continued arrests and intimidation of

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

journalists and use of various types of pressure on critical press,” labeled the arrests of journalists after the presidential election as illegal, and strongly objected to the use of pressure and threats against press activists. The association also expressed its concern “...about the harsh imprisonment conditions and treatment of Issa Saharkhiz, Keyvan Samimi, and Ahmad Zeidabadi—members of the Central Council of the Press Freedom Defense Association.” The bulletin also objected to “psychological, mental, and physical pressure” put on imprisoned journalists, declaring that “summons[es] and direct and indirect threats to people of the press by security forces” had grown drastically. Furthermore, it called upon the Islamic Republic of Iran to “unconditionally release all imprisoned journalists and analysts.”

When the third wave of arrests started, in the last three days of 2009, a significant number of those arrested were board members of the AoIJ and the Press Freedom Defense Association. They included Mashallah Shamsolvaezin, former editor of banned newspapers *Jame'e* and *Neshat* and one of the founding members of the Press Freedom Defense Association.

Over the past few years, the Center for Human Rights Defenders, an organization established by Shirin Ebadi and a number of human rights lawyers, has represented many imprisoned journalists pro bono. In 2008, forces representing the Tehran Prosecutor's Office stormed the center's premises and sealed the offices. In 2009, pro-government media stepped up its attacks on the center, and authorities arrested several of the center's active lawyers, such as Mohammad Ali Dadkhah. Others, including Mohammad Seifzadeh and Nasrin Sotoudeh, faced charges in judicial and security cases.

Educational options for journalists are slim; widespread limitations on the private sector have left just a limited number of government institutions with a journalism program. Currently, only Allameh Tabatabaee University's College of Communications, the IRIB (state broadcasting organization) University, and a few campuses of Azad University offer journalism courses.

The government has obstructed short-term training efforts as well. The Ministry of Culture and Islamic Guidance's Center for Development and Media Research, which initiated a large effort for the continuing education of reporters in the mid-1990s, reduced its activities during Ahmadinejad's tenure and grinded to a halt in 2009.

*Hamshahri* newspaper has enlisted the help of several communication academics to establish the Training Center of Hamshahri Institute, which attempts to use its limited resources for training and elevation of professional standards of journalism and media in Iran. However, the government has attempted to impose limitations on this organization as well.

## List of Panel Participants

*Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.*