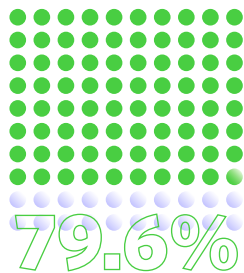


UPR SESSION 34

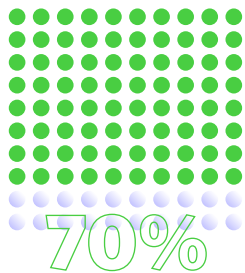
IRAN

FREEDOM OF EXPRESSION & INTERNET FREEDOM

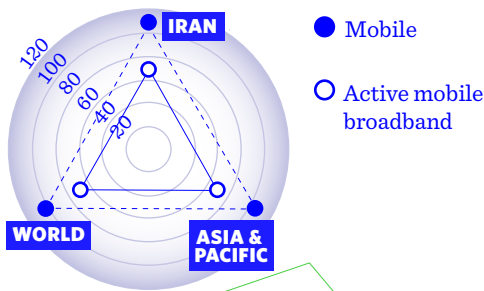
HOUSEHOLDS WITH INTERNET ACCESS



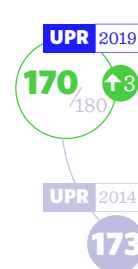
INDIVIDUALS USING THE INTERNET



SUBSCRIPTIONS PER 100 INHABITANTS



PRESS FREEDOM RANKING



Iran continues to engage in extensive censorship practices, mass surveillance and repression of free expression and dissent, in violation of citizens' fundamental rights.

The Iranian government continues to implement laws and policies that limit the freedom of expression of its citizens both online and offline. Owing to the continued closure of public spaces for free expression, online spaces have provided a valuable refuge for those seeking to express themselves and share ideas and information that they could not elsewhere, including among youth, civil society activists, human rights defenders, journalists and LGBT+ individuals.

Over the past five years, the Rouhani administration has reneged on many of its pledges to roll back Ahmadinejad-era policies that limited free expression online, and has in many cases intensified its crackdown on activists and journalists online.

Iran's continued efforts to crack down on free expression online are in contravention of its obligations under human rights conventions to which it is a state party, including the International Covenant on Civil and Political Rights (ICCPR) and Iran's 2016 Citizens' Rights Charter.

RECOMMENDATIONS

- Amend the Computer Crimes Law, the Islamic Penal Code, and the Press Law, to ensure that they guarantee the rights of journalists, human rights defenders, and all Iranians to freedom of expression and privacy.
- Take appropriate legislative and administrative measures to strengthen privacy protections for Iranians, including the introduction of a fully ICCPR-compliant data protection and privacy law.
- Cease the ongoing censorship of online media and social media platforms, and allow Iranians to freely express themselves and access information from the global internet.
- Repeal the sentences of and liberate individuals who have been detained or sentenced under charges that contravene Articles 17 and 19 of the ICCPR.

SUBMITTING ORGANISATIONS



SMALL MEDIA

- Amend the Computer Crimes Law, the Islamic Penal Code, and the Press Law, to ensure that they guarantee the rights of journalists, human rights defenders, and all Iranians to freedom of expression and privacy.

The Islamic Penal Code continues to place undue restrictions on the freedom of expression of Iranians, and has seen no reform since the last UPR. It continues to criminalise “insults” against political figures, including the Supreme Leader, foreign heads of state and significant religious figures, and imposes penalties for satire. It also contains a number of broad and vague offenses used to criminalize free expression, like “propaganda against the Islamic Republic”, moharabeh (“enmity against God”) or “sowing corruption on earth”.

Iran’s Press Law imposes a number of measures that limit Iranian journalists’ and media workers’ rights to freedom of expression, and therefore Iranian’s right to access information. The law limits the publication of material deemed critical of key political figures, including the Supreme Leader and President, provides that publications should “duly [observe] Islamic teaching and the best interests of the community”, which leads in practice to the criminalisation of critical reporting.

The 2010 Computer Crimes Law (CCL) remains the most recent piece of legislation, extending undue restrictions on freedom of expression to the online sphere. Multiple aspects of the law violate the rights of Iranians as guaranteed under the ICCPR, including criminalization of the “dissemination of lies” and what is deemed to offend “public morality and chastity”. Provisions allowing for the imposition of the death penalty for certain crimes discussed in the CCL are also in violation of the right to life under the ICCPR.

In addition to violating international rights standards, these laws are fundamentally incompatible with the protections outlined in Iran’s 2016 Citizens’ Rights Charter.

- Take appropriate legislative and administrative measures to strengthen privacy protections for Iranians, including the introduction of a fully ICCPR-compliant data protection and privacy law.

A series of six proposed information and communication technology (ICT) laws are seeking to update the Computer Crimes Law (CCL) in the coming parliamentary term. A preliminary assessment by Small Media shows that these bills also threaten the privacy of Iranian internet users. As such, it is crucial that these proposed bills – including the proposed Data Protection and Privacy Bill – are brought into line with the ICCPR.

Prior to banning the app, in 2017 Iran introduced Telegram channel registration schemes for channels with more than 5,000 members. This mandated that channels should install a bot on their channel, which essentially functioned as a surveillance tool. Iranian hackers have pressured or coerced detained activists into giving up log-in details for their social media accounts, which the authorities have then used for surveillance and phishing attacks.

- Cease the ongoing censorship of online media and social media platforms, and allow Iranians to freely express themselves and access information from the global internet.

Iran continues to block websites and social media platforms to limit citizens' access to information and restrict freedom of expression. The government imposes filtering to restrict access to tens of thousands of websites, including those of political dissidents, marginalised communities (including ethnic, religious and linguistic minorities as well as lesbian, gay, bisexual and transgender persons), human rights organisations, and international news organisations.

The state blocks social networking platforms including Twitter, Facebook, YouTube, and Google. Blog-hosting platforms like WordPress, Blogspot, and Blogger are also blocked.

The messaging app Telegram was the most widely used messaging app in Iran by 2017, with an estimated 40 million monthly users. On December 31, 2017, the government blocked Instagram and Telegram after the spread of political unrest and street protests. The services were later unblocked in January, but on April 30 a Media Court prosecutor issued an order to filter Telegram. Subsequently access to the platform was blocked by Internet Service Providers and mobile operators.

These restrictive measures limit the civic space for the Iranian civil society, democratic debate, and they place undue obstacles to access to information, freedom of association online and freedom of expression.

- Repeal the sentences of and liberate individuals who have been detained or sentenced under charges that contravene Articles 17 and 19 of the ICCPR.

The Iranian state's continued harassment and prosecution of journalists and activists on the basis of their online activities is in clear contravention of Article 19 of the ICCPR. According to United for Iran, over 50 journalists and over 150 bloggers are among those currently imprisoned or detained on the basis of legitimate expression.

In September 2017 four Telegram administrators were arrested in Baneh, Kurdistan Province, accused of encouraging protests. Also in September 2017, six Telegram administrators were reportedly charged with "promoting homosexuality", accused of managing channels used predominantly by LGBT individuals. On 12 January 2019 the prosecutor of the city of Omidiyeh issued an arrest warrant for nine Telegram administrators on the basis of "disturbing public opinion".

On 10 October 2018 General Kamal Hadianfar, the Head of Iran's Cyber Police announced that since its foundation in 2010 it had arrested 74,917 people as a result of their online activities. Although this total includes genuine cybercriminals, it also includes individuals such as the blogger Sattar Beheshti, who was arrested in 2012 and later died in detention.

UPROAR is coordinated by Small Media, in collaboration with a coalition of digital rights organisations working internationally.

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UNIVERSAL PERIODIC REVIEW