

May 19, 2020

Statement by KRG Office of the Coordinator for International Advocacy (OCIA)

## **The Kurdistan Press Law is Active and it is Legally Implemented**

On May 16, 2020, a protest took place in Duhok in which several protesters were subjected to legal proceedings. Meanwhile, the KRG Office of the Coordinator for International Advocacy shares the below statement:

Nineteen people were held in custody on Saturday. They, in addition to many others, were arrested due to the violation of government regulations concerning Coronavirus outbreak. The protest was not given permission by the Duhok Governorate due to the Covid-19 outbreak. Essentially, no protester was wearing masks and gloves, nor social distancing measures were implemented, therefore, the Duhok Police wanted to dismantle the crowds, but the protesters did not comply.

However, all 19 individuals were released on bail afterwards. Other protesters were nonetheless arrested based on individual lawsuits submitted by police officers for minor injuries. According to the Duhok's Appellate Court the protesters were arrested merely for violation of government regulation-as stipulated in Art 240 in the Iraqi Penal Code-not due to committing a misdemeanor or crime. The aforementioned article enables the government to initiate legal proceedings with the violators if enacted regulations or instructions were violated.

One journalist was arrested amid the protest, but he announced that he is a journalist in the final stages of investigation; after which he was solely released (not on bail). Generally, the arrested protesters were not journalists, hence they were suspected of arranging a riot. Otherwise, the Kurdistan Press Law is fully active and it is legally implemented.

The protest in Duhok was mainly driven by political aims, unfortunately. Their permission to arrange a demonstration was declined because they failed to submit the very basic details of the activity, i.e. names, agenda, duration, etc. The Duhok Governorate Council illustrated that these information are necessary in order to provide and maintain security for the peaceful protest. Essentially, no claims by Teachers' Union or a group of teachers were submitted beforehand. This protest was highly politicized. In fact, the majority of the protesters came from outside Duhok. Moreover, senior members of political bureau of some opposition parties were directly involved, in addition to political cadres of some parties. Furthermore, on the basis of some information from the security apparatus, PKK affiliates influenced the protest in the phase of its preparation.

Practicing journalism in the Kurdistan Region is guaranteed and organized by law. In instances of maligning, spreading violence, vandalism, libel, however, Iraqi Penal Code No. 111 of 1969 will be executed. An instance that involves libel often will be subjected to the Law of Misuse of Telecommunication Devices. These exceptions should not be perceived as erratic, because journalists will face these laws when they violate law while they are not in their journalistic career capacity, or if the violations involve legal procedures prescribed by other laws. Out of these instances, Kurdistan Parliament-enacted Press Law will be enforced. Nevertheless, even in the former conditions, a journalist can be held in custody only by an order from the court, in corresponding with an endorsement from the Kurdistan Journalists Syndicate.

**KRG Office of the Coordinator for International Advocacy (OCIA)**