

HUMAN RIGHTS WATCH

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Annex II

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Director

April 29, 2020

Dr. Dindar Zebari
KRG Coordinator for International Advocacy
Kurdistan Regional Government

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Upcoming Human Right Watch Report on Freedom of Expression in Iraq

Dear Dr. Zebari,

Thank you for your continued assistance to Human Rights Watch. We very much appreciate your team’s willingness to maintain an open line of communication with Human Rights Watch to discuss human rights challenges and recommendations for how to overcome them. We are particularly grateful for your willingness to engage with the findings of our human rights investigations and to provide your input and information.

We write to request information in connection with research that Human Rights Watch has carried out on freedom of expression in Iraq, which we plan to publish in June 2020. I am writing to seek your response to several questions, set out below. In the interests of thorough and objective reporting, we would appreciate it if you could provide us with a reply by May 20, 2020 so that we can reflect your views and comments in our forthcoming report.

For this upcoming report, Human Rights Watch has examined the way in which authorities have taken legal action against their critics, using vaguely worded defamation and incitement provisions in the Penal Code and other laws. We examined a total of 33 cases brought against journalists and activists between 2016 and 2020. Seven of these cases took place in the Kurdistan Region of Iraq.

Although few individuals have served prison time on defamation charges, the criminal process itself can act as a punishment, they said.

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Interviewees told Human Rights Watch they thought public officials brought repeated legal suits, even though they knew these cases would likely get dismissed, as a method of intimidation.

While in most of the cases we examined KRG authorities have relied on the Penal Code, they have also invoked provisions of the Kurdistan Region's Law to Prevent the Misuse of Telecommunications Equipment and the Kurdistan Region's Press Law.

Based on those considerations, we would appreciate receiving your responses to the following questions:

1. How many people have been charged in the Kurdistan Region of Iraq under the following Penal Code provisions between 2017 and 2020, and can you please share basic details about each case with us, including the charges, the fact pattern, and the sentence given: articles 156, 202, 210, 212, 225, 226, 227, 229, 240, 372, 403, 433, 434?
2. How many people have been charged under the Kurdistan Region's Law to Prevent the Misuse of Telecommunications Equipment between 2017 and 2020? Please share basic details about each case including the charges, the fact pattern, and the sentence given.
3. How many people have been charged under the Kurdistan Region's Press Law between 2017 and 2020? Please share basic details about each case including the charges, the fact pattern, and the sentence given.
4. Please detail any specific measures the Kurdistan Regional Government has taken to limit attacks on government critics who come under attack, whether from private individuals or government representatives or institutions.

Please direct your response and any questions to my colleague Senior Crisis & Conflict Researcher Belkis Wille via email or phone at [REDACTED] or [REDACTED].

Yours sincerely,

Adam Coogle
Deputy Director
Middle East and North Africa
Human Rights Watch