This response pertains to the Kurdistan Region of Iraq (KRI). It also particularly focuses on the use of disinformation by the authorities in the Kurdistan Regional Government to violate human rights, freedoms of speech, assembly and the rule of law.

1. What do you believe are the key challenges raised by disinformation? What measures would you recommend to address them?

The focus in the discourse of the disinformation debate has been concentrating mainly on their spread and use by journalists, social media and other forms of communications at the societal level. However, less has been done about how authorities (particularly those with dictatorial tendencies) have been using this tool to spread lies and misinformation about political opponents, journalists and other civil activists. We use the case of the KRG and KRI to illustrate this point. We believe that the failure to recognise, explore and expose the use of disinformation by the authorities is a significant challenge to freedom of speech and human rights.

Since his rise to power as the Prime Minister of the KRG, Masrour Barzani’s government has launched a relentless attack on the freedom of speech and human rights. Journalists, civil society activists and intellectuals has been particularly targeted by the KRG under Mr Barzani. For example, in 2019 alone [231](https://ekurd.net/violations-against-journalists-2-2020-01-11) violations against journalists were recorded in KRI. Over the last six months, more than 70 journalists, activists and civil servants have been detained for exploring and protesting corruption, inequality and undemocratic behaviours of the KRG. There is evidence that many of those who are detained in KRG’s prisons are tortured. Many of them are put in solitary confinements and tortured. The KRG forced some of them to make false confession under duress. Many international organisations including the [United Nations](https://ekurd.net/un-experts-asked-press-2020-12-02), [Reporters without Borders](https://ekurd.net/borders-kurdish-journalist-murder-2016-08-17), [International Federation of Journalists](https://ekurd.net/ifj-urges-nechirvan-barzani-2019-12-20), [parliaments](https://edm.parliament.uk/early-day-motion/43251) and government demanded their release with no success so far.

Mr Barzani’s government has resorted to disinformation and lies to justify the arrest of those journalists and activists. Mr Barzani announced on [February 10, 2021](https://www.nrttv.com/en/News.aspx?id=26309&MapID=1), in a press conference that those journalists and political activists arrested by his government six months ago in Duhok and Erbil "are neither activists nor journalists". He elaborated and said that "Some of them committed espionage for other countries. The others were armed mobs who attempted to detonate building and foreign offices and planned assassination, kidnapping and destabilising the situation."

Me Barzani's rhetoric was disinformation least at two levels.

Legally, the judicial proceedings are still ongoing and the courts have not convicted the detainees. Describing the journalists and political activists in such a language is a grave violation if the rule of law. It also shows the degree of disrespect to the rule of law by Mr Barzani and his government.

Mr Barzani's language reminds us with Saddam Hussein's and similar authoritarian regimes rhetoric against dissidents, journalists and political activists. Mr Barzani's government, like other regimes with dictatorial tendencies is intolerant to criticism and oversight. Such statements are yet another indicator with regards of the dangerously authoritarian path that the KRG has taken under Mr Barzani.

With regards to the KRI and its Prime Minister’s engagement in disinformation it is important that online tools are developed to establish the factuality of statement made by the authorities and their key figures.

* 1. What legislative, administrative, policy, regulatory or other measures have Governments taken to counter disinformation online and offline?

In the case of the KRG, the latter unfortunately has resorted to outdated legal tools to persecute journalists and activists in the name of spreading disinformation. For example the KRG arrested more than 70 activists and journalists accusing them of [spying and spreading information](https://ekurd.net/masrour-barzani-alleges-without-2021-02-10) that would, according to the KRG, will destabilise the situation in KRI. The KRG also resorted to [suing](https://ekurd.net/iraqi-kurdistan-government-files-2020-08-25) and then [banning](https://ekurd.net/yazidi-channel-cira-banned-2019-09-24) and [shutting down](https://ekurd.net/puk-security-forces-close-nrt-2020-12-07) media outlets that it accused of spreading misinformation in a grave violation of the freedom of speech and opinion. It is important that any legal tool that attempt to limit the spread of disinformation does not do also limit freedoms of speech and human rights.

Political rivals in KRI lobbied Facebook to [close](https://www.al-monitor.com/pulse/originals/2020/06/facebook-closes-accounts-kurdish-intelligence-iraq.html) pages and other outlets related to their rivals.

* 1. What has been the impact of such measures on i) disinformation; ii) freedom of opinion and expression; and iii) other human rights?

As far as KRI is concerned, unfortunately alleged attempts by the authorities to counter disinformation has been associated with grave violations of human rights and freedoms of speech and assembly. The case of the KRG demonstrates the sensitivity and complexity of the issue. Again, it is important that any measure to combat disinformation does not do that through limiting the freedoms of speech and opinion.

* 1. What measures have been taken to address any negative impact on human rights?

There has been attempts by opposition parties, civil society organisations and other concerned parties to mitigate the aggressive behaviour of the KRG against freedom of speech under the cover of combating disinformation. However, those efforts has been limited and not so successful so far.

Other groups have launched [social media outlets](https://www.facebook.com/groups/260810391858137/?ref=share) dedicated specifically to fake news and combating disinformation.

* 1. What policies, procedures or other measure have digital tech companies introduced to address the problem of disinformation?

We are not aware of such measures in KRI.

* 1. To what extent do you find these measures to be fair, transparent and effective in protecting human rights, particularly freedom of opinion and expression?
  2. What procedures exist to address grievances and provide remedies for users, monitor the action of the companies, and how effective are they?

None

1. Please share information on measures that you believe have been especially effective to protect the right to freedom of opinion and expression while addressing disinformation on social media platforms.

Social media platforms have been fundamentally important in providing information that is not filtered and censored by the authorities in the KRG.

1. Please share information on measures to address disinformation that you believe have aggravated or led to human rights violations, in particular the right to freedom of opinion and expression.

* Arresting journalists for spreading ‘disinformation’
* Closing media outlets and social media platforms for the same reason

1. Please share any suggestions or recommendation you may have for the Special Rapporteur on how to protect and promote the right to freedom of opinion and expression while addressing disinformation.

We would like to emphasise these tools that are suggested by [Access Now:](https://www.accessnow.org/cms/assets/uploads/2020/04/Fighting-misinformation-and-defending-free-expression-during-COVID-19-recommendations-for-states-1.pdf)

* Define prohibited conduct narrowly and do not criminalize speech acts
* Ensure hate speech laws are necessary and proportionate
* Do not shift the responsibility to online

Please feel free to share any relevant documents, reports, news or academic articles that you believe should be considered by the Special Rapporteur in the preparation of her report.