

On behalf of the people

The Presidency

Based on what was approved by the Council of Representatives and endorsed by the Presidency, and pursuant to the provisions of Paragraph I of Article 61 and Paragraph III of Article 73 of the Constitution,

The following Law shall be decreed:

### **Journalist Protection Law No. ( ) of 2009**

Article 1:

- I. The provisions of this Law shall be applied to the Iraqi journalists.
- II. For the purpose of this Law, a journalist shall be each member of the Journalists Syndicate.

Article 2: This Law aims at providing protection for Iraqi journalists in the Republic of Iraq and securing their rights.

Article 3: Departments of the State, public sector and the other bodies journalists practice their profession before shall commit to providing facilitations necessary to the journalists duties so as to secure the dignity of journalism.

Article 4: Journalists may have access to information, news, data and statistics from their sources as permitted by the law, and maintain the confidentiality of their sources of information.

Article 5:

- I. A journalist may refrain from writing or preparing press materials incompatible with his/her beliefs, points of view and professional consciences.
- II. A journalist may comment as s/he deems appropriate to clarify his/her point of view regardless of the difference of opinion and intellectual interpretations without prejudice to the law.

Article 6: A journalist may have access to formal reports, information and statements, and the related body shall enable him/her to have such access and capitalize on them unless disclosing the same harms the public interest and violates the provisions of law.

Article 7: Tools of journalism may not be meddled with except within the limits of law.

Article 8: A journalist may not be held accountable for his/her opinions or the information s/he publishes and this may not be a reason for endangering him/her unless his/her act has violated the law.

Article 9: Any person who assaults a journalist while on or because of duty shall be sentenced to the same sentence set for those who assault an officer while on or because of duty.

Article 10:

- I. The Journalists Syndicate shall be informed about any complaint filed against any journalist on committing a crime related to practicing his/her profession.
- II. A journalist may be questioned and interrogated for a crime attributed to him/her and related to practicing his/her profession only after informing the Journalists Syndicate.
- III. Chairman of the Journalists Syndicate, or his/her delegatee, may attend the interrogation, preliminary questioning or trial.

Article 11: If a judicial officer is informed about a witnessed crime committed against a journalist or that crime come to his/her knowledge, s/he shall inform the security authorities, magistrate and prosecutor about the crime; go immediately to the crime scene; and take action pursuant to law.

Article 12: If the magistrate is informed about a witnessed crime committed against a journalist, s/he shall immediately go to the crime scene and take action pursuant to law.

Article 13:

- I. Children of martyr journalists, other than employees, who die while on or because of duty due to a terrorist act, shall be granted a pension of 500,000 five hundred thousand Iraqi Dinar.
- II. Each journalist, other than employees, who gets injured due to a terrorist act while on or because of duty and becomes disable by 50% or more shall be granted a pension of 250,000 five hundred thousand Iraqi Dinar.
- III. The provisions of the aforementioned two Paragraphs shall be applied to martyrdom and injury cases happening after 22/3/2003.

Article 14: The State shall provide free treatment to any journalists injured due to a terrorist act while on or because of duty.

Article 15: Local and foreign media bodies operating in the Republic of Iraq shall commit to conclude employment contracts with journalists working therein according to a form to be prepared by the Journalists Syndicate, and a copy of the contract shall be deposited thereat.

Article 16:

- I. The Journalists Syndicate shall be informed in order to settle disputes, if any, before the expiration of the journalist employment contract.

II. If settling the dispute between the journalist and his/her employer is impracticable, provisions of Labor Act No. 71 of 1987 shall be applied.

Article 17: This Law shall take effect as of the date of publishing in the Official Gazette.

### **Rationale**

To provide necessary protection to journalists and secure the rights of journalists and their dependents in case of martyrdom due to a terrorist act or injury.

This Law has been enacted.