

Press Law

Press Law (Ratified on March 19, 1986)

In the Name of God,
the Compassionate, the Merciful

"Let us swear by the pen and whatever is written..." (Holy Quran)

Publications and news media shall enjoy freedom of expression provided what they publish does not violate Islamic principles or the civil code. The details shall be outlined by the law. (Article 24 of the Constitution)

Chapter 1: Definition of the Press

Article 1: In this law, "press" means publications which are published regularly and under a permanent name, date and serial numbers on different subjects such as news, commentary, as well as social, political, economic, agricultural, cultural, religious, scientific, technical, military, and artistic matters, sports, etc.

Note: Extraordinary editions shall be published only by such publications which are published regularly.

Chapter 2: Mission of the Press

Article 2: The following constitute the objectives of the press in the Islamic Republic of Iran:

- a. To enlighten public opinion and increase the level of their knowledge on one or several topics mentioned in Article 1.
- b. To advance the objectives outlined in the Constitution of the Islamic Republic.
- c. To endeavor to negate the drawing up of false and divisive lines, or, pitting different groups of the community against each other by practices such as dividing people by race, language, customs, local traditions, etc.
- d. To campaign against manifestations of imperialistic culture (such as extravagance, dissipation, debauchery, love of luxury, spread of morally corrupt practices, etc.) and to propagate and promote genuine Islamic culture and sound ethical principles.
- e. To preserve and strengthen the policy of "Neither East nor West".

Note: Each publication should at least enforce one of the above goals and such a goal must in no way be in conflict with the other goals specified above or with the principles of the Islamic Republic.

Chapter 3: Rights of the Press

Article 3: The press have the right to publish the opinions, constructive criticisms, suggestions and explanations of individuals and government officials for public information while duly observing the Islamic teachings and the best interest of the community.

Note: Constructive criticism should be based on logic and reason and void of insult, humiliation and detrimental effects.

Article 4: No government or non-government official should resort to coercive measures against the press to publish an article or essay, or attempt to censure and controlling the press.

Article 5: The press are lawfully permitted to acquire and disseminate domestic and foreign news aimed at enhancing public awareness by taking into consideration the best interests of the community and by observing the provisions of the existing law.

Chapter 4: Limits of the Press

Article 6: The print media are permitted to publish news items except in cases when they violate Islamic principles and codes and public rights as outlined in this chapter:

1. Publishing atheistic articles or issues which are prejudicial to Islamic codes, or, promoting subjects which might damage the foundation of the Islamic Republic;
2. Propagating obscene and religiously forbidden acts and publishing indecent pictures and issues which violate public decency;
3. Propagating luxury and extravagance;
4. Creating discord between and among social walks of life specially by raising ethnic and racial issues;
5. Encouraging and instigating individuals and groups to act against the security, dignity and interests of the Islamic Republic of Iran within or outside the country;
6. Disclosing and publishing classified documents, orders and issues, or, disclosing the secrets of the Armed Forces of the Islamic Republic, military maps and fortifications, publishing closed-door deliberations of the Islamic Consultative Assembly or private proceedings of courts of justice and investigations conducted by judicial authorities without legal permit;
7. Insulting Islam and its sanctities, or, offending the Leader of the Revolution and recognized religious authorities (senior Islamic jurists);
8. Publishing libel against officials, institutions, organizations and individuals in the country or insulting legal or real persons who are lawfully respected, even by means of pictures or caricatures; and
9. Committing plagiarism or quoting articles from the deviant press, parties and groups which oppose Islam (inside and outside the country) in such a manner as to propagate such ideas (the limits of such offenses shall be defined by the executive by-law).

Note: Plagiarism means intentional ascription of all or a considerable part of the works and words of others to one's own, even in the form of translation.

Article 7: The following activities are banned:

- a. Printing and publishing a publication without a license and a publication whose license has been cancelled, or, one which has been temporarily or permanently closed down by a court order.
- b. Publishing a publication the greatest part of whose items are incongruous to subjects which the applicant has undertaken to publish.
- c. Publishing a publication that may be mistaken in name, symbol or format for the existing publications or those which have been temporarily or permanently closed

down.

d. Publishing a publication without mentioning the name of its license holder and the legally responsible director or the address of the publication and its printing house.

e. Publishing and printing houses, distribution and sales departments of publications are not permitted to publish and distribute publications which the Press Supervisory Board deems to be in violation of the principle stipulated in this by-law.

Chapter 5: Qualifications of the Applicant and Stages of Issuing a License

Article 8: It is permissible to publish publications under the responsibility of real or legal persons with Iranian capital after obtaining a license from the Ministry of Islamic Culture and Guidance.

Note: Those publications which are published by Islamic liberation movements of other countries may be published with non-Iranian capital and directorship within the framework of the regulations governing expatriates in Iran and upon the approval of the ministries of Islamic Culture and Guidance and Foreign Affairs.

Article 9: A real person who applies for a license must have the following qualifications:

1. Be a citizen of Iran;
2. Be at least 25 years old;
3. Be free of incapacity, or, bankruptcy by fraud or guilt;
4. Be free of moral corruption, or, a record of criminal conviction which, according to the Islamic code, strips him/her of social rights; and
5. He/she must possess at least a bachelor's degree, or, have completed basic seminary education verified by the Press Supervisory Board as mentioned in Article 10 of the by-law.

Note 1: An applicant for a publication license should introduce himself/herself or another qualified person as a legally-responsible director for the publication as outlined in this article.

Note 2: For internal publications published and distributed free of charge by government or private organizations, institutes and companies merely for the information of their employees only a permit from the Ministry of Islamic Culture and Guidance would suffice provided the provisions of Article 2 of this law are observed.

Note 3: One cannot publish more than one publication under a single license.

Note 4: The license holder is responsible for the general policies of the publication and the responsibility for any article published by the publication or any other affairs related to the publication lies with its managing director.

Note 5: Prime ministers, ministers, governors general, army, police and gendarmerie commanders, heads of government departments, managing directors and chairmen of the boards of government companies and banks, Majlis and Senate deputies, ambassadors, governors, mayors, heads of city councils in Tehran and provincial capitals, members of SAVAK (the former Shah's intelligence agency), heads of departments of Rastakhiz Party (of the former regime) in Tehran and provincial capitals and towns, those affiliated to the former

regime who held similar posts from 15 Khordad 1342 (June 5, 1963) to 22 Bahman 1357 (Feb. 11, 1979) or those who have publicly spoken in favor of the former regime through the news media, radio or TV, are prohibited from publishing a publication.

Article 10: The Press Supervisory Board shall consist of devoted Muslims who possess the required scientific and moral competence and are committed to the Islamic Revolution as follows:

- a. One of the judges of the state Supreme Court as elected by the Supreme Judiciary Council.
- b. Minister of Islamic Culture and Guidance or his fully authorized representative.
- c. A Majlis deputy as elected by the Majlis.
- d. A university professor appointed by the Minister of Culture and Higher Education.
- e. One of the press managing directors as elected by the press.

Note 1: Two months after this law, the Press Supervisory Board shall be formed for a period of two years. For subsequent terms it shall be formed one month before the expiration of the earlier term upon the invitation of the Ministry of Islamic Culture and Guidance.

Note 2: The sessions of the Press Supervisory Board shall be considered valid upon the presence of two-thirds of the members and the decisions shall be valid and binding if adopted by the absolute majority.

Note 3: After due investigation, the Press Supervisory Board will forward its comments to the Minister of Islamic Culture and Guidance for implementation.

Note 4: The Ministry of Islamic Culture and Guidance is responsible for calling and organizing the election meeting related to paragraph E and, those mentioned in paragraphs A, B and C will have the right to examine and approve the qualifications of the election nominees. This law shall become effective after its ratification (Appendix dated 22 June, 1986).

Article 11: The Press Supervisory Board is responsible for examining applications for press licenses and the competency of the applicant and the managing director.

Article 12: The Press Supervisory Board shall examine press violations directly, or, upon the request of the Minister of Islamic Culture and Guidance and, if necessary, it may file written requests for legal proceedings at competent courts.

Article 13: Three months after receiving an application for a press license, the Press Supervisory Board must determine the competence of the applicant or the responsible managing director by close observation of the provisions of the present law and it must announce its acceptance or rejection to the Ministry of Islamic Culture and Guidance, citing related reasons and evidence. The Ministry of Islamic Culture and Guidance is required to issue a press license to the applicant not later than two months after receipt of the approval of the Press Supervisory Board.

Article 14: In case a managing director happens to lack the qualifications specified in Article 9, or he/she dies or resigns, the license holder is bound to introduce another qualified managing director within a maximum period of three months to the Ministry of Islamic Culture and Guidance. Otherwise his/her publication shall be banned. Meanwhile, as long as the qualification of the managing

director has not been approved, the license holder shall be responsible for the publication and the liabilities of the managing director.

Article 15: The Press Supervisory Board shall announce its acceptance or rejection of the managing director within a maximum period of three months after the matter has been forwarded to it by the Ministry of Islamic Culture and Guidance.

Article 16: The license holder is bound to publish his/her intended publication within six months after receipt of his/her license. Otherwise he/she will receive a written warning and a 15-day respite to publish his/her magazine/newspaper. Should, after this warning, the license holder fail to present a plausible excuse for failure to publish, his/her publication license shall be revoked. Meanwhile, failure to regularly publish a publication within a year without plausible excuse, too, shall result in the cancellation of the license (upon the discretion of the Press Supervisory Board).

Note: Publications published on an annual basis (such as year books) shall be exempt from the above ruling but should the license holder fail to publish the magazine after one year his/her license shall be revoked.

Article 17: Licenses issued on the basis of the previous regulations for the existing publications shall continue to be valid provided three months after the enforcement of this law the license holder takes steps to adapt himself/herself with the provisions of this law.

Article 18: Each issue of a publication should bear the name of the license holder, managing director, office address and the address of the printing house where the publication is printed. Moreover, the publication must insert its field of activity (religious, scientific, political, economic, literary, artistic, etc.) and its order of appearance in a fixed page and column. Printing houses are also required to comply with this article.

Article 19: Publications are permitted to publish commercial advertisements for products and services whose qualities have been officially verified by one of the recognized research centers in the country, by complying with the provisions of Article 12 of the regulations covering the establishment and supervision of the method of operation of advertising organizations, and its related paragraphs.

Note: In cases where according to the above article, the press is allowed to publish advertisements including remarks in praise of goods and services, such remarks may go beyond the remarks specified in official commendation letters issued by legal authorities referred to in this article.

Article 20: Every newspaper or magazine must procure sealed ledgers, according to the law, and record all its expenditures and revenues in them and submit an annual balance sheet covering its revenues and expenditures to the Ministry of Islamic Culture and Guidance. The Ministry of Islamic Culture and Guidance shall inspect these financial ledgers whenever it deems appropriate.
Note: Every month all publications are required to provide the Ministry of Islamic Culture and Guidance with statistics on their monthly circulation, in writing.

Article 21: Managers of printing houses in Tehran and provincial towns are required to forward two copies of their publications to the Ministry of Islamic Culture and Guidance, regularly and free of charge.

Article 22: Entry to and exit from the country of publications shall be in accordance with the basis of religious codes and the Constitutional Law of the Islamic Republic.

The regulations covering entry and exit of publications to and from the country shall be formulated within six months by the Ministry of Islami Culture and Guidance and shall be ratified by the Islamic Consultative Assembly.

Chapter 6: Violations

Article 23: Should a publication publish articles containing insult, libel and false statements, or, criticize individuals (real or legal persons), the concerned party shall have the right to forward a response to the same publication in writing within a period of one month. Upon receipt, the publication is obligated to publish, free of charge, such responses and explanations in one of the two subsequent issues on the same page and column, and in the same font in which the original article had appeared, provided that the response does not exceed double the size of the article and does not insult or libel anybody.

Note 1: If the publication publishes additional matters or explanations beside the complainant's response, the latter has the right to protest again. Meanwhile, publishing a part of the protester's reply in such a manner that it might render the response incomplete or ambiguous, or, adding additional topics to the reply is considered tantamount to non-publishing of the reply and the full text of the response must be published in a single issue.

Note 2: The response received from candidates during elections must be published in the first issue of the publication provided the reply is delivered to the newspaper against receipt at least 6 hours before it goes under print.

Note 3: In case a publication refuses or fails to publish the response, the complainant shall have the right to complain to the public prosecutor. Should the matter be verified by the public prosecutor, he will send a written warning to the publication to publish the reply. However, should such a warning fail to produce the desired effect, the prosecutor shall send the case to the court for action after issuing an order for temporary suspension of the publication in question and such a suspension shall not exceed 10 days.

Article 24: Those persons who publish confidential military documents and orders, and secrets of the Islamic Revolutionary Guards Corps (IRGC), or, maps of military installations and fortifications during war or peace time in the press, shall be handed over to the court for trial according to pertinent regulations.

Article 25: If a person, through the press, expressly and overtly instigates and encourages people to commit crimes against the domestic security or foreign policies of the state, as specified in the public penal code, and should his/her action bear adverse consequences, he/she shall be prosecuted and condemned as an accomplice in that crime. However, if no evidence is found on such consequences he/she shall be subject to a decision of the religious judge according to Islamic penal code.

Article 26: Whoever insults Islam and its sanctities through the press and his/her guilt amounts to apostasy, shall be sentenced as an apostate and should his/her offense fall short of apostasy he/she shall be subject to the Islamic penal code.

Article 27: Should a publication insult the Leader or Council of Leadership of the Islamic Republic of Iran or senior religious authorities (top Islamic jurisprudents), the license of the publication shall be revoked and its managing director and the writer of the insulting article shall be referred to competent courts for punishment.

Note: Attending to crimes mentioned in articles 24, 25, 26 and 27 need not be based on a complaint by a private party.

Article 28: Publication of indecent pictures and materials that offend public decency is prohibited and is subject to Islamic punishment and insistence on publishing such pictures and materials would lead to tougher punishment and cancellation of the publication's license.

Article 29: Publication of closed-door deliberations of the Islamic Consultative Assembly (Majlis) and courts of justice, or, of investigations conducted by intelligence and judiciary authorities disclosure of which is forbidden by law, is prohibited. Should a publication violate this ruling it shall be treated by the Islamic penal code and by a religious judge.

Article 30: Publication of any article containing slander and libel and use of invective language and derogatory allegations, etc. against individuals is prohibited and the guilty managing director shall be referred to judiciary authorities for punishment. Legal proceedings would follow if, the injured party lodges a complaint against such offenses. However, should the complainant withdraw his/her complaint the prosecution would stop at whatever stage it might be.

Note 1: In the above circumstances the complainant (real or legal person) may lodge a complaint at a competent court and demand compensation for the damage inflicted on him/her as a result of publication of an offensive article and the court should attend to the complaint and issue a proper judgment.

Note 2: If the said publication offends a dead person but the offense also affects the survivors of the deceased, each of the legal heirs of the dead person may file a complaint, according to the above article and note, from penal and legal points of view.

Article 31: Publication of articles that threaten to harm or disgrace a person or disclose his/her confidential affairs is prohibited and the guilty managing director shall be introduced to judiciary authorities and punished according to the Islamic penal code.

Note: With regards to articles 30 and 31, as long as the matter is under investigation the publication has no right to publish anything about the issue under investigation. In case of violation, the public prosecutor must issue an order for the temporary suspension of the publication before the investigation is completed. The suspension shall cover the first issue after receipt of the court order and should the publication repeat the offense the court shall ban the publication as long as the court has not issued its ruling.

Article 32: If an individual falsely introduces himself/herself as a license holder or managing director of a publication, or, attempts to publish a paper without a license, he/she shall be prosecuted by a religious judge.

The provisions of this article also apply to those license holders whose licenses have been revoked by the law or those managing directors of the press who have been stripped of their position by the law.

Article 33: Should a publication falsely imitate the name or emblem of another publication even with slight changes in the original logo or name in such a way which may mislead the reader, it shall be banned and the offender shall be handed over to an Islamic court. Prosecution and punishment of such an offense is subject to a complaint by an injured private party.

Article 34: Crimes attributed to the press shall be examined by competent courts in the presence of a jury.

Article 35: The executive by-law of the present law shall be prepared within a maximum period of six months by the Ministry of Islamic Culture and Guidance and shall be ratified by the Council of Ministers.

Article 36: Upon the ratification of this law all contrary regulations shall be considered as null and void and the Ministry of Islamic Culture and Guidance shall be responsible for its execution.

The above law consisting of 36 articles and 23 notes was ratified in the open session of the Islamic Consultative Assembly (Majlis) on Thursday March 13, 1986, and by the Council of Guardians of the Constitution on March 17, 1986.