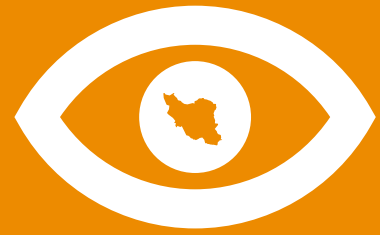# Tightening the Net

Online Openings and Closings in Iran

November 2017

Foreword: ARTICLE 19 Iran at 30

As we launch our fourth brief of our *Tightening the Net* series in the midst of our 30th anniversary, we'd like to review some of our previous digital work on Iran leading the discourse on online freedom of expression with a special focus on law, policy, and advocacy. One of our first legal analyses on Iran's Press laws[1], published in 2006, was our first venture into the quagmire that the Islamic Republic of Iran has created to regulate freedom of expression, access to information, and privacy in Iran.

ARTICLE 19's Iran programme has developed different strategies to deal with the complex, and often incoherent, Internet policies of the Iranian government. Our work within the United Nations mechanisms of the Human Rights Council, the Universal Periodic Review, and recently within the International Telecommunication Union (ITU) and Internet Governance bodies has placed ARTICLE 19 as one of the strongest advocates and experts on freedom of expression online. Our analysis of the Computer Crimes Law published in January 2012 remains an often cited piece of research in the field of Iranian Internet policy.[2]

No matter how important, however, this was not enough. That is why we followed up with a report in 2013 titled Computer Crimes in Iran: Online Repression in Practice, focusing on the history of online repression in Iran, the complex nature and number of bodies responsible for the repression, coupled with case studies. In 2015, we continued our research into how online behaviours affected human rights defenders in Iran by publishing a report called Computer Crimes in Iran: Risky Online Behaviour alongside a game for Iranian users called Iropoly (Monopoly) to make it more accessible to our average audience. Additionally, we made a series of eight short videos to talk about the risks identified in the report, over the game of Iropoly, called Iropoly: The Computer Crimes Game. We spread some of the best practices from this project through stickers (attached) that were shared amongst Iranians through Telegram channels and other social communications apps, reaching over 500,000 Iranians.

In 2016, we initiated our series *Tightening the Net*, the first of which was published in March 2016, titled Iran's National Internet Project, analysing the 'Halal' Internet Scheme in Iran. This was accompanied by our infographics called Opening Soon? Iran's Internet Laundrette. The second part to Tightening the Net was published in February 2017, titled The Soft War and Cyber Tactics in Iran, and provided insight into the online tactics and networks active in the production and promotion of state-sanctioned ideological content as well as cyberattacks (aka Iran's Soft War). Since then, our series has expanded to better understand and document all the sources for 'tightenings', including the effects of the policies and actions of foreign governments and technology companies in addition to the Iranian government on the Internet inside of Iran.

Our Iran programme is positioned as one of our more unique, country-specific focuses. We are particularly proud of the work we have accomplished in its short existence, and are excited to mark our 30th anniversary with a report that highlights both the progress and repression that mark the paradox that is Iran online.

Your mobile networks may be insecure.

In Iran the government owns the telecommunications

David Diaz-Jogeix
Director of Programmes
ARTICLE 19

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[1] ARTICLE 19, Memorandum analysing the legal framework regulating the media in Iran against international standards on freedom of expression, 2 May 2006. Available from: https://www.article19.org/resources.php/resource/451/en/iran:-press-law. Accessed 18 November 2017.

[2] ARTICLE 19, Islamic Republic of Iran: Computer Crimes Law, 2012. Available from: https://www.article19.org/data/files/medialibrary/2921/12-01-30-FINAL-iran-WEB%5B4%5D.pdf. Accessed 18 November 2017.

Introduction

A lot has happened during the start of payeez (Persian for autumn) in Iran. In this report, our fourth of the Tightening the Net series, ARTICLE 19 looks at Internet development from September to November 2017. A significant event has been the closing of Cloob, the Iranian alternative to Facebook, after its owners gave up their struggle to appease government authorities. This is a significant blow to the National Information Network (NIN), especially as the government continues to maintain a strict policy that the NIN underpins the Supreme Council of Cyberspace (SCC)'s efforts to counter the 'cyberwar' efforts of Iran's 'enemies'.

Our documentation of the implications of the new social media regulations continue, as the SCC warns (again) of imminent filtering of Telegram and Instagram due to the non-compliance of foreign platforms with the new policies.

Chaos on Internet policy, implementation, and the distribution of responsibilities across various institutions are similarly a marker of this period, as the Ministry of Information and Communications Technology (ICT) struggles to justify the decisions of the judiciary to censor platforms such as Swarm and Foursquare. Additionally, the Rouhani government fails to protect freedoms and create opportunities online as the country's hardline judiciary and Revolutionary Guards continue their arrests, targeted campaigns of hackings, and prosecution of Iranian Internet users.

Censorship and access online

The shutdown of Cloob and its implications for the National Information Network and local platforms

Iran's oldest, locally developed, social network Cloob was shut down on 16 October 2017 after its administrators explained they were giving up trying to regulate content on the platform according to government demands. Cloob was originally created in 2004 as an alternative to the now shuttered Google social network, Orkut. Over the years, its design and functionality have come to resemble Facebook, and it was often seen as the local rival to US social media giant. At its height, run by the same owners who developed the local video sharing website, Aparat (similar to YouTube), Cloob had around 2,600,000 members. Amongst them, notably, were many government officials. However, in recent years, prominent Iranians, including the current President Hassan Rouhani and the Supreme Leader Ayatollah Khomeini, rely on foreign platforms such as Instagram and Twitter, the latter of which is blocked in Iran, as their main outlets to speak to mass audiences.

This speaks to the management of the larger project of the NIN (previously referred to as the National Internet Project). We previously detailed in our March 2016 *Tightening the Net* report[3] that one of the efforts behind the project was to encourage and support companies such as Saba Idea, the startup behind Cloob, and Aparat, to cultivate local platforms that would draw Iranians and their data away from US companies such as Facebook and Google. Early on, Cloob had aligned its ethos with the policies underpinning the NIN, and had previously explained the purpose of the platform was to 'uphold Islamic values' through the content they hosted. However, investigations by the research team at Small Media indicated that user content seeking sexual liaisons were widely noted across the platform.[4] These were the reasons the platform was under constant scrutiny by the government, having censored them three times for failing to monitor or remove politically sensitive comments and the deluge of photos from women showing their hair. The founder of Cloob, Mohammad Javad Shakouri Moghadam, in a 23 October blog post[5] explained the decision:

We started the administration of a social network when it was more dangerous than dealing crack and meth.

It was a hard time, simultaneous with the start of the government of Mahmoud Ahmadinejad, when there was no clear vision for the regulations over digital spaces, especially for social networks and user-driven websites.

If you could just imagine yourselves as the administrator of Cloob dot com, responsible for all the activities and posts, pictures and comments of close to one million users in a world full of legal and operational weaknesses within the executive, judicial and police forces...Cloob dot com came close to permanent filtering nearly 3 times. The last time we were blocked, we had to survive through 28 days...I remember one of those days, when an official responsible for the management and monitoring of cyberspace called us, along with several other blogging services, and told one of my colleagues and engineers working with us, said: "If we do not arrest you it is out of our kindness. You must watch your actions."

What is to be noted for Cloob is how it fell into the project of the NIN, to try to localise platforms and maintain the data of Iranians inside the country. The closing of Cloob marks a significant dissonance between Iran's Internet policies against their implementation. In February 2017, for example, Iran's Vice President for Science and Technology announced they would give app developers grants of 260K US dollars for every 1 million users their platforms attract, in an effort to localise platforms and data away from foreign companies such as Telegram.[6] In an interview with the Revolutionary Guard's cyber division on 17 October 2017, Gerdab, the Minister of ICT, Mohammad-Javad Azari Jahromi explained Cloob's closure to be a result of lack of users. He further explained the government's strategy to promote local messaging applications would differ through their support and guidance from the Supreme Council of Cyberspace:[7]

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[2] See 11 May 2017 report: http://bit.ly/2qvRn4Q

[3] See more on Jahromi's past work experience in Persian. http://bit.ly/2v5cCy4

[4] -Small Media, Iranian Internet Infrastructure and Policy Report, July 2014. Available from: https://smallmedia.org.uk/sites/default/files/u8/IIIP_July2014v2.pdf

[5] Shakouri Moghadam, blog explaining his decision to shutter Cloob, 23 October 2017. Available from: http://mohammadjavad.mihanblog.com/post/31. Accessed 18 November 2017.

[6] See the VP for Science and Technology's statements in the Tehran based technology news agency TechRasa, Million Dollar Incentives for Local Messaging Apps in Iran, 25 February 2017. Available from: http://techrasa.com/2017/02/25/million-dollar-incentives-local-messaging-apps-iran/. Accessed 18 November 2017.

[7] See Jahromi's statements to Gerdab.ir, http://bit.ly/2hwXZON. Accessed 18 November 2017.

> *Naturally it is not justifiable for investments to continue a network that does not have customers. If a very good national project grows, and from a technical perspective has no faults, however they do not have a market strategy, they will not succeed and find themselves in trouble. In terms of supportive laws, the Supreme Council of Cyberspace has endorsed the rule of authorized messengers in a resolution with a series of steps that need these local messengers to grow to higher stages, and this bill has been drafted [8] and now awaits being streamlined.*

A few days following this statement, Minister Jahromi further reiterated this sentiment by stating: "According to a resolution by the Supreme Council of Cyberspace, Iranian messaging applications will be supported, and the barriers of growth against them are on the agenda."[9] What Jahromi is reluctant to concede is the government's role in attempting to control content over these platforms drives developers and users away from local applications. While the founder of Cloob, Moghadam, made clear that government efforts to regulate them alienated users, Jahromi has failed to acknowledge that government meddling stifles this industry. The feedback Jahromi receives on Twitter, and his occasional engagement, is however very telling of the mood of Iranian Internet users in Iran. One freelance journalist based in Tehran, Sadegh Zanganeh, responded to his Tweet by asking "the most important reason why local platforms are not used is because of the lack of trust in maintaining privacy. Are there any plans to maintain a standard of privacy and security?" Jahromi's response that an important part of the "social media messaging legislation is the creation and mechanism of procedures for the privacy of users" fell short of quelling privacy concerns. Our translation and analysis of the law from the September 2017 *Tightening the Net* report[10] clearly outlined that the standardisation of protocols for these applications were meant to protect the privacy of users and their data from foreign government and companies rather than the Iranian government.

Figure 1: Jahromi responds to a technology journalist's query of how he expects Iranian users to trust Iranian messaging applications when the government is known to violate and make demands from local platforms.

For now, Minister Jahromi's strategy to successfully draw users to these platforms seems to be a continued violation of the norms of net neutrality.[11] He announced on his Instagram account on 13 November that users who subscribed to local, state-approved, messaging applications would receive a 30% discount on their Internet bills (see Figure 2).[12]

Figure 2: On his Instagram account, Jahromi declares that if users use local state-approved messaging applications, they will receive a 30% discount on their Internet bills.

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[8] ARTICLE 19, Tightening the Net: A New Cabinet and New Attempts at Control, 18 September 2017, see Appendix for draft law referenced. Available from: http://bit.ly/2xXdWEl. Accessed 18 November 2017.

[9] See the Minister of ICT, Mohammad-Javad Azari Jahrami's Twitter statement, 29 October 2017. Available from: https://twitter.com/azarijahromi/status/924733594526015490. Accessed 18 November 2017.

[10] Tightening the Net: A New Cabinet and New Attempts at Control, 18 September 2017. Available from: https://www.article19.org/resources.php/resource/38874/en/tightening-the-net:-a-new-cabinet-and-new-attempts-at-control. Accessed 18 November 2017.

[11] We outlined our concerns over this policy to promote local platforms through violations of international standards of neutrality in Tightening the Net: Online Freedoms in Iran Following Rouhani's Reelection, 17 July 2017 at p. 6-7. Available from: https://www.article19.org/resources.php/resource/38827/en/tightening-the-net:-online-freedoms-in-iran-following-rouhani%E2%80%99s-reelection. Accessed 18 November 2017.

[12] Instagram post from @azarijahromi account, 13 November 2017. Available from: https://www.instagram.com/p/BbcDxSEAkcM/. Accessed 18 November 2017.

Supreme Council of Cyberspace discusses Instagram and Telegram filtering

In the September 2017 Tightening the Net brief we covered the new draft legislation that the SCC had proposed regarding the "policies and actions regarding organizing social media messaging applications."[13] Two months on, it seems the SCC remain doubtful that foreign platforms will comply with such rules. On 14 November, the head of the SCC, Hassan Firouzabadi, told an audience at the 11th Digital Media Fair that they are moving toward restrictive policies with the administrators of large Telegram channels, asking them to start moving to local applications. Firouzabadi cautioned:

> Messaging applications encrypt their communications which does not allow us to monitor them; I call on Telegram and Instagram to give us capabilities to enforce and protect Islamic values. If they do not comply, we will be left no choice but to limit their access. We are negotiating with the management of Telegram and Instagram to create the suitable protection policies...Our advice to those working in the media who own or administer channels of more than 5000 users, is to also be active on internal messengers in case we are left with no other choice but to block these platforms, we are not hurting the media industry.

This is a significant statement from the SCC, and indicative of their knowledge of how encryption works. Technologists and companies have often had to explain that it is not technically possible to implement a 'backdoor' on encryption on a selective basis.[14] In any event, the statement by the head of the SCC in relation to Telegram and Instagram is misplaced, as neither platform is known for its encrypted capabilities. Telegram's public channels, which are used as the nation's primary platform for social media, are not encrypted. While Instagram uses encryption on some traffic on its photo-sharing platform, some content is not. Iran has previously blocked platforms known for their encryption capabilities such as Signal and Wire, but never put out statements to explain why such filtering occurred.[15] There has been no indication from Facebook, which is behind Instagram, the second most popular social media platform in Iran behind Telegram, whether the Iranian government has made requests or ultimatums towards their service in Iran.

While the Iranian government references negotiations and communications with these technology companies, ARTICLE 19 calls on them to document their communications in a transparent manner in order to ensure the rights and security of its users.

Telegram's founder Pavel Durov, however, has put out a number of public statements since September denouncing these requests. On 26 September 2017, Tehran's prosecutor general declared that the Iranian judiciary had filed a lawsuit against Telegram, explaining:[16]

> A lawsuit has been filed against the Telegram manager, and this case has been referred to the International Affairs [section] of the Tehran Court. Telegram has become an appropriate platform for the activities of organized criminal groups, in addition to providing services to terrorist groups, including Daesh [Islamic State], and promoting child pornography, human trafficking and narcotics trafficking.

Durov responded on his Telegram channel on 27 September 2017 by saying: "Today, Iran joined the list of countries I can't travel to — Tehran's prosecutor just filed criminal charges against me there."[17] Previously, the government's need to regulate Telegram were framed into 'fake news' concerns in October 2016. The spread of false information were the concerns expressed in November 2016 as well, when the government initiated a regulation to register the administrators of all public channels with over 5,000 followers.[18]

[13] See Tightening the Net: A New Cabinet and New Attempts at Control, 18 September 2017, p. 13-15. Available from: https://www.article19.org/resources.php/resource/38874/en/tightening-the-net:-a-new-cabinet-and-new-attempts-at-control. Accessed 18 November 2017.

[14] See the 27 November 2015 blog post by Nadim Kobeissi following the Paris attacks explaining mathematical and technological impossibilities for requiring "backdoors" to encrypted software. Available from: https://nadim.computer/2015/11/23/on-encryption-and-terrorists.html. Accessed 18 November 2017.

[15] We covered the issue of encryption in Tightening the Net: Online Freedoms in Iran Ahead of the 2017 Presidential Elections, 11 May 2017, p. 5. Available from: http://bit.ly/2qvRn4Q. Accessed 18 November 2017.

[16] See Dolatabadi's accusations against Durov from 26 September. Available from: http://bit.ly/2yDJYlG. Accessed 18 November 2017.

[17] Durov's Telegram channel. Available from: https://telegram.me/durov Accessed 18 November 2017.

[18] See analysis over Telegram channel regulations over fake news concerns from 2016, advox/Global Voices, The Thin Line Between Political Censorship and Fighting Fake News in Iran, 8 December 2016. Available from: https://advox.globalvoices.org/2016/12/08/the-thin-line-between-political-censorship-and-fighting-fake-news-in-iran/ . Accessed 18 November 2017.

On 8 October 2017, Minister Jahromi declared: "we are seriously seeking to derail channels that oppose the state."[19] Telegram channels came under great scrutiny in early October after a popular opposition Telegram news channel based outside of Iran published a report claiming the Judiciary Chief Sadegh Larijani's daughter had been arrested on suspicion of spying for the United Kingdom. Larijani denied the news and declared the false information as part of the "2009 sedition," in reference to the 2009 Green movement. In reference to the upset over the news on the Amad News channel, Jahromi tweeted to Durov on 8 October: "We support the free flow of information, but we condemn the publication of hate and false information in cyberspace." In response, on both Twitter and a subsequent blog post, Durov explained they only removed content and channels that call for violence and hate speech.[20]

While the situation for Telegram's filtering remains precarious, it should be noted that discussions on filtering or finding mechanisms to censor Telegram have been ongoing with no result since October 2015. Two years ago the Committee Charged with Determining Offensive Content (CCDOC) convened to discuss its censorship but failed to arrive at a decision.[21]

Openings: unblocking of Soundcloud and Spotify

Iranian Internet users started reporting on social media that Soundcloud and Spotify were accessible in Iran on 18 October. The technology website Digiato later picked up on this news, and declared this a great opportunity for Iran's music industry to grow.[22] Other Internet users in Iran, like the blogger Pooria Asteraky, took the unblocking as an opportunity to thank Minister Jahromi.[23] Users quickly discovered the unfiltering made no difference for Spotify however, as the company does not allow for users to connect from Iran in compliance with US financial sanctions regulations. The government did not comment on the reasons or processes that went into the lifting of censorship on these platforms.

Closures: Foursquare and Swarm, and the opacity of filtering decision making

Despite relaxing some of the content restrictions on music platforms, authorities have taken issue with the social media location sharing platforms, Foursquare and Swarm. It was reported that the two applications had been blocked at the end of October.[24] Iranians were reporting the blocking on social media, while Iranian media also covered the topic. Both platforms are owned by the same company and complement each other. Foursquare allows users to find restaurants, stores, and various other venues based on their location, with ratings, reviews, and tips. Swarm allows users to check into their locations and share with their friends on a social feed. The platforms have seen a surge in users in Iran in recent years, highlighting the trendiest restaurants and cafes, especially for youths, in major cities such as Tehran. Minister Jahromi acknowledged the censorship of the platforms, but indicated this was not a decision from his Ministry, but from the judiciary. He told his Twitter followers on 1 November 2017 he understood the filtering occurred because of fears that public decency might be compromised, but had requested transparent documentation and re-evaluation from the judiciary on the reasons for the recent filterings of platforms.[25]

Filtering decisions, as written in the Computer Crimes Laws, are a multi-stakeholder process within the CCDOC, which includes the Minister of ICT as one of the decision makers. However, as marked by the unilateral decision by the judiciary to block Telegram voice calls in April 2017,[26] it seems the adherence to these processes are often circumvented by the judiciary.

[19] Minister Jahromi's statement from 10 October. Available from: http://bit.ly/2y7Hah5

[20] See Durov's exchange with Minister Jahromi on Twitter. Available from: https://twitter.com/durov/status/917076707055751168 and subsequent blog post on freedom of speech. Available from: http://telegra.ph/Telegram-and-Freedom-of-Speech-10-29 . Accessed 18 November 2017.

[21] The first CCDOC meeting to discuss Telegram censorship was held on 30 October. Available from: http://bit.ly/2z2CAog . Accessed 18 November 2017.

[22] See Digiato report, 18 October. Available from: http://bit.ly/2hpMx3B . Accessed 18 November 2017.

[23] See Pooria's tweet from 17 October 2017: "The unfiltering of #soundcloud and #spotify is not a simple unfiltering, its freedom for sound. Many thanks @ azarijahromi #TwitterForIran," Available from: https://twitter.com/pooriast/status/920405750295474176. Accessed 18 November 2017.

[24] Some initial tests indicate this is blocking by means of Domain Name System (DNS) tampering. Our work with the Open Observatory Network Initiative (OONI) has demonstrated this kind of censorship is the most prevalent in Iran, indicating a centralised decision making system. OONI, Internet Censorship in Iran: Network Measurement Findings from 2014-2017, 28 September 2017. Available from: https://ooni.torproject.org/post/iran-internet-censorship/ Accessed 18 November 2017.

[25] Minister Jahromi stated his demands on his Twitter account on 1 November 2016 asking the judiciary to document why they have filtered platforms such as Foursquare and Swarm. A translation of the tweet: "Recently filtered sites were determined by the judiciary to be against public decency I have written to the honorable prosecutor to do a re-evaluation." Available from: https://twitter.com/azarijahromi/status/925722232881664000 . Accessed 18 November 2017.

[26] See Tightening the Net: Online Freedoms in Iran Ahead of the 2017 Presidential Elections, 11 May 2017, Available from: https://www.article19.org/resources.php/resource/38743/en/tightening-the-net:-online-freedoms-in-iran-ahead-of-the-2017-presidential-elections Accessed 18 November 2017.

Inequality in access: Iran's media agencies and journalists to be granted unrestricted Internet

On 29 October 2017, in a speech at the 23rd Press Fair in Tehran, the Minister of ICT explained the CCDOC intended to allow uncensored Internet access to news agencies and journalists. He explained the Ministry of Culture and Islamic Guidance, which oversees the regulations of Iran's press and media, will have the final say on whether this new policy will be implemented. However, he promised that the Ministry of ICT will provide the infrastructure to enable such access.[27]

It is well-known that government Internet access, such as within Ministries, institutions such as the Islamic Republic of Iran Broadcasting (IRIB), or international institutions such as the United Nations buildings in Tehran receive unfiltered connections to the Internet. This widens the pool of inequality that exists within Iran's use and distribution of Internet laws and policies. The New York based NGO Centre for Human Rights in Iran (CHRI) have noted their concern that such a policy is meant to incentivise positive reporting towards the government instead of enabling access opportunities.[28]

[27] Minister Jahromi's speech at the Press Fair on 29 October 2017. Available from: https://www.mehrnews.com/news/4128129. Accessed 18 November 2017.
[28] CHRI, Iran's Telecommunications Minister Says He's Looking Into Lifting the State Ban on Twitter, 12 November 2017. Available from: https://www.iranhumanrights.org/2017/11/iran-telecommunications-minister-says-hes-looking-into-lifting-the-state-ban-on-twitter/ . Accessed 18 November 2017.

Arrests and intimidations

While the Rouhani administration tries to live up to the image of moderation and freedoms that got them elected, the hardline institutions of the Revolutionary Guards, the cyber police (FATA), and the judiciary have countered these efforts with their continued crackdown which aims to intimidate and stifle expression. Of particular note is the targeting of the Telegram administrators that operated public channels in support of President Rouhani in the lead up to the May 2017 elections.

Malware campaign against Iranian journalists abroad and activists inside

According to an investigation from CHRI, the revolutionary guards targeted several Iranian journalists, human rights lawyers, and activists abroad, using Macs, with corrupted zip files. The files were camouflaged as an "article on women's rights" that would release spyware (malware) onto their computers. Further investigations by CHRI also highlighted efforts by hackers of attempting to intercept two-step verification codes sent to the mobile phones of at least ten reformist political activists in Iran between 31 October and 4 November 2017. According to CHRI, these hackers work for Islamic Revolutionary Guards Corps (IRGC). ARTICLE 19's February 2017 Tightening the Net report on Soft War and Cyber Tactics[29] concluded, however, that attribution of these kinds of hacking attempts are difficult. Nonetheless, the targets make it highly likely a hardline Iranian government organ such as the IRGC would be the source. These kind of efforts effectively work to chill freedom of expression, creating a climate of fear that surpasses the actual surveillance capabilities of the state, and encourages either self-censorship or an end to activist or journalistic work. organ such as the IRGC would be the source.

Arrests and convictions of Telegram channel administrators

ARTICLE 19 has been following the concerning situation of 12 Telegram channel administrators who were arrested and detained in the lead up to the May 2017 elections.[30] The arrests were initiated by the Revolutionary Guards and the incarcerations were maintained and justified by the judiciary,

despite protests by the Rouhani administration and a number of moderate members of parliament.[31] Arrests that took place prior to the May 2017 presidential elections were concerned with cracking down on the reformist and moderate journalists supporting Rouhani through the administration of Telegram channels. Despite the release of a few of the administrators, the final convictions of those originally arrested were handed down in early September. Saeed Naghdi who ran a pro-Rouhani Telegram news channel was sentenced to four years in prison and two years under prohibition from any media involvement on 4 September. The previous week, the lawyer for six of the other administrators announced they had combined sentences of 23 years. Sobhan Jafari received three years; Saeed Naghdi and Javad Jamshidi received four years; Nima Keshavarzi and Ali Ahmadnia received five years each.[32] They were charged based on 'anti-security actions' and 'issues that harmed public morality'.

On 14 September 2017 a new demographic were added to the list of persecuted channel administrators – administrators promoting 'homosexuality'. Nasser Atabati, the Public Prosecutor for the province of Aradabil, announced that six administrators had been arrested for "promoting homosexuality." According to the prosecutor, they were arrested by the Cyber Police of the province.[33]

Key officials within the Rouhani administration have taken issue with these arrests, in particular the persecution of supporters of the President. The Prosecutor General has taken issue with the administration for not regulating Telegram channels. Prior to the start of the new Minister of ICT Jahromi's term, the Deputy Prosecutor General and the Secretary of the CCDOC, Abdul Samad Khoramabadi complained "so far about 800,000 channels that threaten the security of our nation have been identified and sent to the Ministry of ICT for filtering, but they have yet to filter them." It is unclear whether all of these channels are administered from Iran, or how Khoramabadi is suggesting the Ministry 'filter' the channels given the lack of cooperation Telegram, the company, claims to have with the government. The newly instated Minister of ICT, Jahromi, who is known to have worked for the country's intelligence services, has yet to condemn the arrests. He has stated "cultural

[29] ARTICLE 19, Tightening the Net Part 2: The Soft War and Cyber Tactics in Iran, 3 February 2017. Available from: https://www.article19.org/resources.php/resource/38619/en/tightening-the-net-part-2:-the-soft-war-and-cyber-tactics-in-iran . Accessed 18 November 2017.

[30] Tightening the Net: Online Freedoms in Iran Ahead of the 2017 Presidential Elections, 11 May 2017, p.10. Available from: https://www.article19.org/resources.php/resource/38743/en/tightening-the-net:-online-freedoms-in-iran-ahead-of-the-2017-presidential-elections. Accessed 18 November 2017.

[31] Tightening the Net: Online Freedoms in Iran Following Rouhani's Reelection, 17 July 2017, p. 8-9. Available from: https://www.article19.org/resources.php/resource/38827/en/tightening-the-net:-online-freedoms-in-iran-following-rouhani%E2%80%99s-reelection. Accessed 18 November 2017.

[32] See report from Deutsche Welle Persian, 4 September 2017. Available from: http://p.dw.com/p/2jKKj. Accessed 18 November 2017.

considerations on the Internet are important; instead of these clashes we must coordinate." In a turn from the stance the former Minister of ICT Mahmoud Vaezi took in opposing the judiciary's statements to further restrict Telegram, Jahromi has indicated he wants to cooperate with them. With regards to the statements of Khoramabadi, Jahromi has stated "By law, filtering requires either the direct order of a judge or the resolution of the CCDOC. So there are no differences of opinions here." [34]

[33] Otherwise known as FATA.
[34] See Jahromi's statements on filtering Telegram from 14 September. Available from: http://p.dw.com/p/2jxdy

ARTICLE 19 Recommendations

The Minister's statements on his desire to unfilter Twitter and keep Telegram and Instagram from censorship are clearly at odds with his efforts to reconcile the desires of the nation's hardline elements, especially the judiciary. The Rouhani administration faces a number of challenges if it is to keep its promise to protect Internet freedoms and encourage innovation. ARTICLE 19 recommends as follows:

For the Ministry of ICT:

• Cease policies that encourage the nationalisation of content and platforms for the purposes of controlling information flows;

• Cease the ICT Ministry's practice of giving discounts to those using local social media, in breach of the net neutrality principle;

• Engage with the judiciary to end its restrictive approach to freedom of expression in Iran, especially in relation to its adverse treatment of Telegram channels and their administrators;

• Ensure transparent documentation of filtering decisions such as the recent blocks on Swarm and Foursquare, and clarify the processes behind the CCDOC implementation of filtering;

• To document the communications and negotiations with technology companies Telegram and Facebook (for Instagram).

For the Supreme Council of Cyberspace:

• Withdraw the social media regulations;

• Cease existing censorship and threats to further censor platforms;

• Stop encouraging the use of local platforms and instead encourage local development of technology without intimidation or violations of international standards such as net neutrality and freedom of expression.

For the judiciary:

• Immediately and unconditionally release the Telegram channel administrators arrested for running pro-Rouhani Telegram channels;

• Immediately release and stop the persecution of Telegram users and administrators for sharing content related to homosexuality;

• Recognise the right of Telegram channels and other bodies and individuals to express ideas and information without restraint;

• Bring international human rights standards in Iranian law and its implementation.

For the press and media:

• Reject the government's preferential treatment for media organisations through the provision of unrestricted access to the Internet;

• Work instead with marginalised groups to ensure equal access for all persons in Iran.

For Iran's telecommunication industry:

• Decline to cooperate with the government in providing discounts to users who choose to use local social media platforms and receive local content, in violation of international standards on net neutrality.

For social media companies (particularly Telegram and Facebook):

• Consider new features and abilities for Telegram channel administrators to protect their offline identities to prevent further prosecution from Iranian authorities;

• Documentation and transparency by companies such as Telegram and Instagram regarding the Iranian government's claims of communication and negotiations