

Liability of Satellite Channels for Violating the Right to Privacy



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Abstract

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In general, civil liability constitutes the basis for the responsibilities of professionals, including the liability of satellite channels. Modern scientific means have increased significantly, changing the way of living the life of people and exposing their privacy. Sometimes satellite channels breach the privacy code however, they still have a humanitarian task of informing people of news and information. Consequently, a fundamental distinction should be made between two opposing interests: one is the right of satellite channels to publish news and information, which is a right of society. The other interest is an individual's right to privacy not be violated. Moreover, the extent of the right of the satellite channel to inform and when does this right come into conflict with personal freedom, how must a balance be struck between them, and what are the applicable legal rules if the satellite channel crossing its limits violates the sanctity of private life. We try to find the answer and solution to all these questions and problems through this research named 'The Liability of Satellite Channels for violation of Privacy Rights. This is pursued through a methodology that relies on comparative analysis, aiming to reach findings and recommendations that provide answers to the research questions.

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مسؤولية القنوات الفضائية عن انتهاك حرمة الحياة الخاصة

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معلومات المقالة	الخلاصة
تاريخ الاستلام 2026/5/9	تُعد المسؤولية المدنية الأساس الذي تقوم عليه مسؤوليات المهنيين، بما في ذلك مسؤولية القنوات الفضائية. فقد أدى التطور الكبير في الوسائل العلمية الحديثة إلى تغيير نمط حياة الأفراد بشكل ملحوظ، وفي الوقت نفسه كشف خصوصياتهم لمخاطر غير مسبوقة. وفي بعض الأحيان، تنتهك القنوات الفضائية قواعد الخصوصية، غير أنها تظل تتحمل واجباً إنسانياً يتمثل في إبلاغ المجتمع بالأخبار والمعلومات.
تاريخ القبول 2026/5/28	وعليه، يجب التمييز بين مصلحتين متعارضتين: فمن ناحية، هناك حق القنوات الفضائية في نشر الأخبار والمعلومات، وهو حق للمجتمع بأسره؛ ومن ناحية أخرى، هناك حق الفرد في الخصوصية الذي لا يجوز المساس به. ومن ثم تثار أسئلة جوهرية: ما مدى حق القناة الفضائية في الإخبار؟ ومتى يتعارض هذا الحق مع الحرية الشخصية؟ وكيف يمكن تحقيق التوازن بينهما؟ وما هي القواعد القانونية الواجبة التطبيق إذا تجاوزت القناة الفضائية حدودها وانتهكت حرمة الحياة الخاصة؟ نحاول إيجاد إجابة وحل لكل هذه الأسئلة والمشاكل من خلال هذا البحث المسمى "مسؤولية القنوات الفضائية عن انتهاك حقوق الخصوصية". وذلك من خلال منهجية تعتمد على المقارنة والتحليل بهدف التوصل إلى نتائج وتوصيات للإجابة على تساؤلات البحث.
تاريخ النشر 20L6L2026	الكلمات المفتاحية: المسؤولية القانونية؛ القنوات الفضائية؛ حقوق الخصوصية؛ حرية تداول المعلومات؛ الإطار القانوني

Ibrahim Ali Humadi, Liability of Satellite Channels for Violating the Right to Privacy, Researcher Journal for Legal Sciences, ISSN: 5960-2706, Vol. 7, No. 1, June, 2026, Pages 203-226.

1.Introduction:

The growing influence of satellite television channels has brought with it complex legal and ethical challenges, particularly in relation to the protection of individual privacy. While these channels play a vital role in informing the public and fostering transparency, their practices can sometimes cross the delicate boundary into unwarranted intrusion into private life. Instances such as broadcasting personal details without consent or airing defamatory content highlight the tension between media freedom and the sanctity of privacy.

From a legal perspective, responsibility arises when such violations cause demonstrable harm to individuals. Civil liability is often established through the recognition of damage, causation, and fault, obliging the offending channel to provide compensation. This compensation serves not only to redress the harm suffered but also to reinforce the principle that media freedom must operate within the limits of respect for human dignity. Thus, the debate over satellite channels' liability reflects a broader effort to balance the right to disseminate information with the fundamental right to privacy.

1.2. Research Significance:

This study is of paramount importance as it addresses the growing tension between freedom of information and the protection of privacy in the era of satellite broadcasting⁽¹⁾. It seeks to advance both theoretical and practical perspectives on civil liability by examining how satellite broadcasting has reshaped the boundaries of privacy protection. The rapid growth of satellite channels has not only made information more accessible but has also increased the risk of privacy breaches, often seen in cases of defamation and slander. These risks are largely fueled by the competitive nature of the media landscape, where channels are eager to secure sensational stories and draw in larger audiences, sometimes sacrificing accuracy and ethical standards in the process. This issue is particularly relevant given the broader challenges posed by digital technologies, which are increasingly shaping social values and family dynamics. The widespread influence of digital media especially puts households—particularly minors and children—at risk, highlighting the urgent need for stronger legal protections.⁽²⁾

In this context, the responsibility of satellite channels becomes clear, as their actions have a direct impact on privacy protection. Judicial authorities have the important job of enforcing legal rules that safeguard both individual rights and the public interest. For this enforcement to work effectively, laws need to be clear and strong enough to prevent violations of privacy while still allowing for media freedom, which is crucial in a democratic society. Finding this balance isn't just a legal necessity; it's also a social imperative. We must ensure that the quest for information doesn't compromise personal dignity.

1.3. Research Problem:

In this context, the role of satellite channels is crucial, as their broadcasting practices play a significant part in defining the limits of privacy protection. The judiciary is tasked with interpreting and enforcing the relevant laws in a way that balances two competing priorities: protecting individual privacy and upholding

(1) Beam, C. (2019, June 26). Soon, satellites will be able to watch you everywhere all the time: Can privacy survive? MIT Technology Review. <https://www.technologyreview.com/2019/06/26/102931/satellites-threaten-privacy/>

(2) Abu Okeal, T. E.-S. M., Al-Kasasbeh, H., Abdullah, H. I., & Fathelbab, S. R. (2026). Preventive Legislative Approaches to Child Protection in the Digital Environment: A Comparative Study of Australia, France, and Egypt. (2026). Nusantara: Journal of Law Studies, 5(1), 205–228. <https://doi.org/10.66325/nusantaralaw.v5i1.222>

the essential freedoms of the press. For this balance to be effective, the legal framework must be clear and strong enough to prevent privacy violations while allowing media outlets to perform their vital democratic role of keeping the public informed. Therefore, the challenge lies not only in developing comprehensive legislation but also in fostering judicial approaches that address the evolving risks associated with modern communication technologies.

1.4. Hypothesis:

It is widely acknowledged among scholars that tort law fulfills several interconnected functions within contemporary legal systems. Beyond providing remedies for victims through compensation, it also penalizes wrongdoers, redistributes wealth, deters harmful behavior, and allocates risks across society. A key aspect of these functions is the remedial role, which ensures that individuals who suffer harm are entitled to compensation that reflects the severity of their injury. This compensatory mechanism embodies both a legal duty and a moral obligation to restore victims, as much as possible, to their pre-injury status⁽¹⁾.

The present study operates on the premise that satellite channels, while playing a vital role in disseminating information, bear legal responsibility when their activities infringe on individuals' right to privacy⁽²⁾. It is further posited that the existing framework of civil liability provides a basis for holding these channels accountable. However, its effectiveness hinges on the establishment of clearer legislative standards and consistent judicial interpretations. Only through such advancements can the law strike a suitable balance between protecting individual privacy and upholding the fundamental principle of freedom of information.

1.5. Methodology:

The research methodology is qualitative, based on doctrinal investigation of principles of civil liability and right to privacy under selected legal systems. Through the analysis of statutory rules, case law and academic writing, the study seeks to define the perimeter of satellite channels' liability when its broadcasting activity infringes on an individual's privacy. This analytical perspective is intended to emphasize the conflict between the right to know and the right of the individual, with a final view of providing instrumentally useful suggestions for legislative and judicial reform aimed at the privacy protection without sacrificing media freedoms.

1.6. Research plan:

Considering the importance of the subject, the study has been organized into three substantial chapters. It deals with the precarious balance of the private life and freedom of the media, the legal and ethical conflicts arising in this field. Chapter Two describes different types of invasions of privacy, and focuses on how satellite-broadcasting procedures can violate the rights of individuals. The final chapter discusses

(1) Hage, J. (2017). Tort Law. In: Hage, J., Waltermann, A., Akkermans, B. (eds) *Introduction to Law*. Springer, Cham. https://doi.org/10.1007/978-3-319-57252-9_6

(2) Pedram, M., Chandler, S., & Georgiades, E. (2025). When open-source information backfires: Satellite imagery and privacy breaches. pp.120- 155. https://research.usq.edu.au/download/8c3f2bfd5b8bc103b406bd17b694dc6362b5ca58ba2d61feab557170386a351c/658508/Pedram_Paginated.pdf

the harm caused by such breaches, concentrating on the means of compensation for harm under civil liability and evaluating the extent to which such means are able to compensate victims.

2. The Boundary Between Privacy Protection and Satellite Channels' Right to Access and Share Information

The right to privacy is a focal point in modern law, with a majority of the legal systems attempting to protect their citizens from the interference with or mishandling of personal data by satellite broadcasters. Everyone has the right to a private life that cannot be interfered with, but the limits of that life determine what can be inferred about a person according to their social role, the context in which the information about the person is presented, and the time at which it is revealed. Politicians and artists — who frequently have a smaller band of privacy to begin with - politicians, because of office, open themselves up to examination in the name of public responsibility; artists, in their quest for fame, anticipate media scrutiny as an element of their professional identity. Yet even in these instances, the bottom line is the right to privacy- a basic, inviolate principle that it is the law's obligation to protect.”⁽¹⁾.

In the interest of journalistic exclusivity, satellite broadcasters at times commit slander and libel and violate the honor and privacy of persons. That is conduct that cannot be tolerated under the law and that results in civil liability for the violation of personal rights. While the media will often cite freedom of expression/press in such cases, the right to privacy will trump those claims. Thus, the result is a constant battle between two fundamental values: the personal right to privacy and the public interest role of the media. It is for the law to decide a sufficiently clear line to mark so that it does not trample upon either ⁽²⁾.

2.1. The Right to Private Life:

The idea of a private sphere is intrinsic to human dignity, as people desire to live their lives autonomously without undue interference or public scrutiny. As a result, legal systems stress that this domain should be safeguarded against unconsented dissemination, more so in the era of satellite broadcasting. Such treatments with personal information have been found to be clear violations of privacy. Among the most notorious examples is the airing of an actress's photograph without permission — a gesture that inflicts reputational and emotional harm, which is compounded by the broadcasting channel's profit from the individual's misery. And these cases highlight the need for adequate legal protection to prevent private life from becoming violated as a matter of course – and commerce⁽³⁾.

Technological progress has significantly magnified the risks of privacy violations. Modern surveillance devices and satellite broadcasting expose individuals to levels of intrusion that were previously

(1) Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In: Comparative Perspectives on the Right to Privacy. *Ius Gentium: Comparative Perspectives on Law and Justice*, vol 109. Springer, Cham. https://doi.org/10.1007/978-3-031-45575-9_4

(2) rajpal, manpreet. (2022). State's Control and Balance Over Right of Privacy and Promotion of Freedom of Speech and Expression. *Juni Khyat*. <https://doi.org/10.36893/JK.2022.V12I11N01.019-024>

(3) Saqr, Y. S. A. (2007). Protection of personality rights within the framework of tort liability. Cairo: Dar Al-Nahda Al-Arabiya.p.362.

unimaginable⁽¹⁾. In practice, sensational reporting, the unauthorized circulation of personal images, and the fabrication of scandals are often employed as strategies to capture public attention. Political rivalries further intensify these practices, giving rise to defamatory campaigns that undermine reputations and distort public discourse.

Privacy infringements are not confined to individuals; corporations also face serious threats when confidential information is exploited for competitive advantage. Such developments have triggered a noticeable increase in litigation against satellite channels, with plaintiffs seeking redress for both material losses and moral harm. These cases highlight the inseparable connection between privacy, human dignity, and the principle of legal accountability, underscoring the urgent need for effective regulation of media practices⁽²⁾.

2.1.1. Definition of Privacy Right:

The definition of the right to privacy has long been a subject of debate, reflecting its fluid and evolving character across different historical periods, social contexts, and professional roles. Privacy is not a static notion; rather, it is shaped by cultural traditions and occupational circumstances, which explains why constitutions and civil codes in Iraq, Egypt, and France refrain from offering rigid formulations, leaving the matter to scholarly interpretation.

Although public figures such as politicians and artists are subject to greater scrutiny due to the visibility of their professions, they are nonetheless entitled to a protected core of private life. This sphere is regarded as integral to public order and morality, and it cannot be permanently surrendered or waived, even by those who operate in the public eye⁽³⁾.

Public disclosure requires the communication of private facts to more than a few people, and liability arises only when the information would be offensive to a reasonable person and lacks legitimate public interest. False light involves portraying someone in a misleading or damaging way, with liability depending on proof that the publisher knew the material was false or acted with reckless disregard. Appropriation, finally, refers to the unauthorized use of a person's name or image for commercial gain, constituting a direct infringement of personal autonomy.

This principle was confirmed by the Paris Court of Appeals in a 1965 ruling for the first time in a case involving actress Brigitte Bardot. The court found that the fact Bardot tolerated coverage by the press does not mean she waived her right to privacy. To assume otherwise would be to say that she renounced a private sphere in its entirety, a conclusion the court did not find to be acceptable, as it would allow for considerable, indeed gross, violations and would impair the very nature of human dignity⁽⁴⁾.

Satellite channels ought to be the mere platforms of transmission of bona fide public interest and not the revelation of personal secrets or intrusion into privacy. From a language point of view, privacy often is

(1) Fayed Abdel Fattah, A. (2004). Publishing crime victims' images: Civil liability for displaying victims' tragedies in the media, a comparative study in Egyptian and French law. Cairo: Dar Al-Nahda Al-Arabiya.pp28-29.

(2) Fahmy, K. M. (2009). Civil liability of journalists: A comparative study. Dar Al-Fikr Al-Jamii, Alexandria. P.209.

(3) Fahmi, K. M. (2009). *Civil Liability of the Journalist: A Comparative Study* (1st ed.). Alexandria: Dar Al-Fikr Al-Jamie.

(4) Hughes, K. (2019). THE PUBLIC FIGURE DOCTRINE AND THE RIGHT TO PRIVACY. The Cambridge Law Journal, 78(1), 70–99. <https://www.jstor.org/stable/26851016>

defined as the inverse of publicity that is a reference to aloneness and uniqueness. However, in the jargon of legal scholarship, private life can be understood in both a narrow and broad sense, as both the small-scale details of individuals' lives and the more large-scale patterns of living, though these are not fixed categories but are dependent on context and subject to change.

Narrow Definition: The right to privacy is essentially the individual's entitlement to be left alone. Privacy is a term with several meanings both in the public and private spheres. The limited view is to consider it the individual's private sphere from which he is excluded by others. This is Judge Thomas Cooley's famous observation of "the right to be let alone," emphasizing privacy, peace, and protection from unnecessary invasion.

Legal scholarship identifies four recognized forms of violation: intrusion, public disclosure of private facts, false light, and appropriation. Intrusion occurs when a person's private affairs or solitude are invaded, whether physically or otherwise, and is actionable if the interference would offend a reasonable person, even without publication.

Expanded Definition: The ambit of privacy is considered to extend to one's dealings with the outside world, and differs among cultures, eras, and locations. Privacy is often defined more broadly in Western countries, which are seen as more cultural open, while privacy is much more limited in Eastern cultures. The Paris Court of Appeal also ruled on voluntary disclosure in the case of singer Lara, the right to publish information relating to her sexual orientation after she had made it public in her autobiography, but it concluded that she could not oppose publication of such information.⁽¹⁾

Public life encompasses activities such as working hours, social interactions, travel, and presence in public spaces. The broad definition of private life lies in the individual's sense of modesty regarding the intimacy of his personal life; where modesty begins, private life begins. Yet, the question arises: if a person discloses an important aspect of his private life, would others repeating what he has said and revealed constitute a violation of privacy? The Paris Court answered this in the case of the singer Lara, ruling that she had no right to object to the publication of information about her homosexuality, since she herself had revealed this matter in her autobiography (*The Adventure of the Lost Violin*)⁽²⁾.

Some scholars further expand privacy to include freedom of opinion, bodily autonomy, dignity, and liberation from coercion. However, privacy must be distinguished from honor and reputation, which are separately protected by legal provisions⁽³⁾.

As for the right to honor and reputation, it must not be conflated with the right to private life, since legal provisions ensure the protection of this right⁽⁴⁾.

(1) Hijazi, M. A. A. (2001). *Private Life and Journalist Liability*. Cairo: Dar Al-Fikr Al-Arabi.

(2) Paris Court of Appeal. (1988). Case of singer Lara: Disclosure of private life in autobiography and limits of privacy protection. Judgment reported in French civil law commentaries.

(3) Hughes, K. (2019). *Op.cit.*

(4) Qaid, O. A. (1994). *Criminal protection of private life and information banks: A comparative study* (3rd ed.). Cairo: Dar Al-Nahda Al-Arabiya, p. 59.

2.1.2. Legal Characterizations of the Right to Private Life:

There are several doctrinal approaches to the legal characterization of the right to private life, which may be outlined as follows:

A. Private Life as a Property Right:

Proponents of this view argue that privacy constitutes a form of property belonging to its holder. Consequently, the individual may exercise broad authority over this right, including its use, exploitation, or even transfer, whether for compensation or gratuitously⁽¹⁾. Upholding the right to privacy is a matter of public concern and infringement thereof shall all be *prima facie* cause of action. This attitude is consistent with the conception of privacy as a fundamental good, and the fact that the invasion is sufficient in and of itself to impose liability. E.g., An artist might not feel injured by the publication of her photo, but if she brings an action her request would be granted, the publication would be enjoined and she would be compensated⁽²⁾.

Yet the critiques insist humanity's private life is not for sale, and that humans cannot be turned into objects in monetary or commercial transactions⁽³⁾.

In light of the criticisms leveled against the property conceptualization of privacy, many scholars have argued that privacy is one of the core concepts of personal rights. Such rights are both non-transferable and are bound to the person, showing the analogy between privacy, dignity and autonomy⁽⁴⁾.

B. Private Life as a Personality Right

Another doctrinal view is to recognize the right to a private life as one of the fundamental human rights which form part of human personality. Such rights include the core elements of personality in nature, morality, social and individual⁽⁵⁾. They express the individual's power and volition over the matters they identify with, and protect them from outside intervention. Personality rights are eternal and continue for the whole life of an individual and does not expire due to disuse. Though they cannot be verified by heirs, since they die with death, if indemnity has been fixed up by contract or by determination of a court in the previous instance, heirs may as well assert such right. This illustrates the personal and non-transferable nature of such resources⁽⁶⁾.

Heirs can only seek damages if they too suffer personal harm to a demonstrable degree; if they do not, compensation is not paid. This right was again confirmed by the Court of Cassation (1st Civil Chamber) on 22 October 2009. The case involved the daughter of a deceased artist who challenged the use of her father's image, claiming that it misrepresented his private life and violated her moral rights. The Court

(1) Zenati-Castaing (F.) : « La Propriété, Mécanisme Fondamental Du Droit », RTD civ. 2006. P. 445.

(2) J-M. Bruguière, Le droit à l'image, possible objet du contrat, Légipresse, n°232, juin 2006, p. 112

(3) Fahmi, K. M. op.cit..

(4) Al-Ahwani, H. K. (1985). The Right to Respect for Private Life and the Right to Privacy: A Comparative Study. Cairo: Dar Al-Nahda Al-Arabiya.

(5) Sundari, T. (2024). The clash of rights: Privacy and freedom of speech. International Journal of Applied Research, 7(35, Part B), 101–104. <https://www.allresearchjournal.com/archives/2024/vol10issue7/PartB/10-7-36-105.pdf>

(6) Jeffrey Prince, Scott Wallsten, Empirical Evidence of the Value of Privacy, Journal of European Competition Law & Practice, Volume 12, Issue 8, October 2021, Pages 648–654, <https://doi.org/10.1093/jeclap/lpab034>

further held that although family members can contest such publications, they must prove personal harm. When no harm was demonstrated, the court said, the complaint was dismissed.⁽¹⁾

The pecuniary nature of personality rights is not, in itself, subject to doubt. However, courts when violated, may award damages as a means of redress, and thus recognize that that in itself is a harm which warrants monetary compensation. This best captures the protective function of civil liability in the realm of non-utilitarian interests such as dignity and privacy.

The right to private life is not explicitly recognized in the present Iraqi Civil Code. Unlike the Iraqi legislator, the Egyptian one clearly recognized the right to private life. Article 50 of the Egyptian civil code provides that a person who has been subject to an illegal breach of his personal rights may seek an injunction against the violation and hold the violator liable for damages. This article demonstrates a definitive legislative stance to protect privacy as part of human dignity.

Constitutional provisions also confirm the protection of the private life as a fundamental right inherent to human personhood. The 2005 Iraqi Constitution codifies this principle and confirms the right of an individual to personal privacy and the sanctity of the home, which may only be violated by a lawful judicial order.

Similarly, the Egyptian Constitution guarantees the inviolability of one's privacy. Article 45 states explicitly that the private life of citizens is inviolable and protected by the law placing privacy as a constitutional right and urging for its role in a system that guarantees the protection of personal freedom and dignity henceforth as a core component of its articles.

C. Private Life as a Right under the Law:

The right to private life is protected by many national constitutions and civil laws, which prohibit interference with it. To these are added penalties provided for by the laws on the press and on publications, and reparation for damages caused to the injured parties⁽²⁾. Therefore, the right to private life is so anchored in the legal system that it is explicitly legislated for. and if I violate them – be it through satellite channel or any other media – I will have to answer for that in these legislations.

France, la violation de la vie privée était d'abord combattue par le biais des dispositions relatives à la responsabilité civile édictées dans l'article 1382 du Code civil, qui prévoyaient une obligation de preuve de la faute, du préjudice et du lien de causalité. Des appels persistants à un régime plus spécifique contribuèrent à l'élaboration de la Loi du 17 juillet 1970, qui introduisait dans le Code civil l'article 9. That law states in Article 22 that everyone has the right to respect for his private life and allows judges to order preventive and protective measures, such as sequestration, seizure or other emergency measures to prevent or suspend violations, without prejudice to claims for damages. It signaled a definitive move toward clear statutory privacy protection.

In Egypt, the press's liability for invading privacy is explicitly defined in law. Don't forget about the other protections! The Law No. 132 of 1995 (the Crisis Law), followed by the Press Law (Law No. 96 of

(1) Audience Publique du geudi 22 octobres 2009 .no .de pourvoi : 08- 10557. P1.

(2) Al-Amawi, A. (2025). Protection of private life in the digital space under Yemeni law: Safeguarding the right to image. <https://doi.org/10.13140/RG.2.2.17508.90240>

1996) make the media liable for any breach, but also open for satellite channel's attacks. These measures solidify the privacy guarantees promised in the Constitution and by civil law by penalising and compensating those whose privacy has been invaded ⁽¹⁾.

Privacy in Iraq is protected under a set of civil, criminal, and professional rules. Article 204 of the Civil Code is aligned with provisions of the Penal Code No. 111 of 1969, the Publications Law No. 206 of 1968, and the Law of the Journalists' Syndicate No. 187 of 1969, all of which criminalize breaches of privacy. When satellite channels air personal data without permission or display defamatory material, the resulting damage is recognized as a tort and not a contractual breach as no contract exists between the channel and the individual. Especially damages caused may be immaterial and moral, such as injury to honor or name or loss of honor due to breach of promise to marry. Compensation for harm exists to make the victim whole and to compensate for pain and suffering, and penalties exist to send a deterrent message to potential offenders. Iraqi legislation provides also for holding individuals and media institutions liable for any illegal interference with personal privacy.

2.1.3. Elements of the Right to Private Life:

Defining the elements of the right to private life is necessary due to the general nature of the notion and the fact that it is multi-layered. It includes the right to have a good reputation, which includes core values such as dignity, truthfulness and reliability⁽²⁾ which are all merged into the umbrella of honor and social reputation. The right to private life also extends to the right to one's own image and the respect for the secrecy of personal communications, both of which are means of protecting the individual's freedom and shielding them from unauthorized interference⁽³⁾.

First: The Right to Honor and Reputation

Protection of honor and reputation is well established in the Iraqi laws and the responsibility for moral harm was introduced in Art. 205(1) of the Civil Code. Modern dogmatics confirms that approach. An October 2026 comparative study published by Springer highlights the increasing recognition to award compensation for moral damage in the physical world as well as the digital one and holds that violations of dignity and honor need to be compensated in court. These layers of statutory language and contemporary commentary illustrate a growing sensitivity to protecting the non-pecuniary interests, particularly in the media context, from unauthorized intrusion ⁽⁴⁾. So too, recognized as derring-do, luscious revenge pearls of reparations fashioned by swift keystrokes; and it is a broad concept of morality.

(1) El Hariry, Hager. (2025). Media Laws in Egypt: A Comprehensive Analysis of Legal Frameworks, Liability, Offenses and Penalties.10.

<file:///C:/Users/vip/Downloads/MediaLawsinEgyptAComprehensiveAnalysisofLegalFrameworksLiabilityOffensesandPenalties.pdf>

https://www.arabruleoflaw.org/files/pdf/media/english/p2/egypt_mediareportp2_en.pdf

(2) Bygrave, L. A. (2010). Privacy and data protection in an international perspective. Scandinavian studies in law, 56(8), 165-200. <https://www.scandinavianlaw.se/pdf/56-8.pdf>

(3) L. Marino dans Traité de la presse et des médias, Litec, 2009 cite F. Rigaux, La liberté de la vie privée, RID comp. 1990, p. 539, spéc. p. 563

(4) Al-Zawahreh, M.M., Sobeih, M.H.Y. (2026). Compensation for Moral Damages in the Digital Environment: A Comparative Study. In: Sarea, A., Echchabi, A., Salami, M.A., Mahmood, A. (eds) Artificial Intelligence for Sustainable Innovation Management and Risk Management. Studies in Systems, Decision and Control, vol 227. Springer, Cham. https://doi.org/10.1007/978-3-031-95310-1_46

And along the same lines, Article 263 of the Lebanese Code of Commerce and Contracts acknowledges reparation for moral damage, such as damage to one's honor and position in the community⁽¹⁾.

Honor is inward and reputation is outward, it is a reflection of the social credit one builds up by the way one conducts himself with his peers, colleagues, and the rest of the society. Encroachments of private life will, as a matter of course, undermine this standing, but at the same time they also compromise the perception of the self and impair the individual's dignity, which results in moral damage that expects reparation through the law⁽²⁾.

The Iraqi Penal Code No. 111 of 1969 considers defamation and insult crimes, and it considers that such crimes are aggravated if committed by means of public media, including by means of satellite channels. Defamation is the public communication of a statement that is false and injurious to a person's reputation and, if proven, could subject the victim to criminal penalties or contempt; insult can become illegal if it harms someone's honor or reputation. Compensation can be claimed by victims of either criminal or civil proceedings. In contrast the French system demands that claims for compensation for journalistic crimes be brought in the same criminal proceedings, with the criminal conviction being binding proof of civil liability. Besides reputation, the right to private life also includes the protection of communications Secrecy. International regimes such as ITU standards and the GDPR support sanctions on unauthorized disclosures and highlight the global recognition of communication privacy as a protected legal interest. The Right to Confidential Communications⁽³⁾.

Second: The Right to Confidential Communications

The secrecy of correspondence is an essential aspect of the right to private life. People have a right to keep their personal communications private, whether by telephone, internet or otherwise. Such is the case when satellite channels disclose that information which is a violation of the legal provisions that protect the privacy and punish the violation. Professional codes of journalistic ethics reaffirm this duty. Fraud, deliberate distortion of truth, defamation, character assassination, baseless accusations, and bribery are also considered serious professional misconduct under Article 8 of the International Federation of Journalists' Code of Ethics. The convergence of legal and ethical principles highlights the need to safeguard the privacy of communications against media intrusions.

The national codes of journalistic ethics are providing a supplementary layer to the legal ones when it comes to protecting the confidentiality of communication. Without basing anything solely on background information, we should not accuse, use media platforms to exploit private life or for personal gain, etc. In like manner, Article 13 of the Media Charter of Lebanon for the Promotion of Civil Peace stresses the need to be accurate and prohibits the use of hate language or language of praise, insult or defamation⁽⁴⁾. Together, these professional guidelines reiterate that the right of communications privacy is not simply a

(1) Al-Ouji, M. (2004). Civil law, Vol. 2: Civil liability (2nd ed.). Al-Halabi Legal Publications, Beirut.p.64.

(2) Mahmod, T. E. S., Al-Alwani, K. A. H., Hellawss, I., Alaloosh, M. S. A., & Fathelbab, S. R. (2026). Regulatory gaps in digital witness protection for cybercrime: Integrating international standards, Egyptian law, and Islamic jurisprudence. *Al-Istinbath: Jurnal Hukum Islam*, 7(1). <https://journal.iaincurup.ac.id/index.php/alistinbath>

(3) Furizal, A., Ma'arif, A., Maghfiroh, H., Suwarno, I., Prayogi, D., Kariyamin, S., Lonang, S., & Sharkawy, A.-N. (2025). Social, legal, and ethical implications of AI-generated deepfake pornography on digital platforms: A systematic literature review. *Social Sciences & Humanities Open*, 12, 101882. <https://doi.org/10.1016/j.ssaho.2025.101882>

(4) Dabbous, Dima. (2016). The Meaning and Limits of Expression in Lebanon: Publications Court Jurisprudence on Freedom of Expression vs. Defamation.

file:///C:/Users/vip/Downloads/Stanforddima_dabbous_working_paper_final2016.pdf

legal right, but an ethical one, highlighting the importance of communication privacy in shielding private life from media intrusions⁽¹⁾.

Third: The Right to One's Image

Right to one's image the right to one's image confers on the individual the legal power to halt the commercial use or publication of their likeness. A uniform dignity applies to every one of us and embraces every image, at least for everyone don't we? It is prohibited to air, re-air or distribute in any way the image of another person without their express consent, and it is a must for all media — including satellite channels — to respect this right. Without your consent, your image can neither be produced, reproduced nor disseminated and the media, including satellite channels, are requested to respect this right. Significantly, the obligation to abstain from the unauthorized publication exists ipso facto independently from the liability for damages, since the compensation is only the effect of the breaching of the obligations. The Egyptian lawmaker explicitly deals with the right of image as one of the rights of personality. Article 50 of the Civil Code provides that he who is subject to unlawful infringement of a right pertaining to his personality may claim a stop to the infringement and damages for the loss caused.

Private life is also protected under Article 309 of the Penal Code, which criminalizes the breach of private life even through secretly recording or broadcasting images from private places. Image rights are in fact an essential element of personality rights⁽²⁾, like confidentiality, right to name, honor and reputation. They are non-transferable, are non-negotiable and are protected under the civil and criminal law. Recognition of the right of image reaffirms that the dignity of the person must always be respected, and when violated, it is the violation of such dignity that can be stopped and compensated.

3. The Freedom of Satellite Channels in Media

To satellite channels, rights and obligations are conferred. It is entitled to transmit news and pictures subject to no restrictions other than those of the law. This principle is a reflection of the general doctrine that rights are not absolute and that the exercise of a right is contingent upon the need within the right-holder to respect other people's dignity and interests. Due to its significance, this part will define media freedom at the outset and then address the freedom of media organizations.⁽³⁾

3.1. Defining Media Freedom:

Freedom is a key term in the media field; around satellite channels whose function of information provision goes beyond national frontiers. Many different definitions of media freedom have been put forward by academics. An authoritative statement argues that it is the right to seek, receive and impart

(1) Kerr, R., Park, A., & Youm, K. (2023). A century of JMCQ legal issues in media: Scholarly commitment to free press, free speech, and more. *Journalism & Mass Communication Quarterly*, 100(4), 875–900.
<https://doi.org/10.1177/10776990231207964>

(2) Thamer, J. M. (2018). The right to image and its civil protection: A comparative study between the Iraqi Civil Code and the Egyptian Civil Code. *Anbar University Journal*, 15, 217. Iraq.

(3) Hijazi, E. H. (2008). *Right to Privacy and Journalist Liability in Light of Islamic Sharia and Civil Law*. Alexandria: Dar Al-Fikr Al-Jamie

information through the media at the international level, and that the protection of journalists performing their duties is an essential aspect of this right. Indeed, protection from abuse of power by the government is what this freedom includes, particularly when the infringements are justified in the name of public morals, public good or national security. The very principle signifies the traditional understanding of freedom of expression, which has to be maintained, even while it is evaluated in accordance with and limited by the rights of other people and the principles of democratic order⁽¹⁾.

Another influential formulation media freedom as the right of all citizens to seek and receive information and ideas of all types, including information about the government, in any medium of one's choosing without interference⁽²⁾. Notably, the information right is more than press freedom. The public also has a right to access, to transmit, to circulate and to broadcast news on all platforms of media which is equivalent to the public's right to know. Freedom of press, on the other hand, is limited to the dissemination of news by means of publication, which covers satellite channels. The right is ultimately the public's, as the press finds its right to exist through the public's collective right to be aware of political, artistic, sports, literary, scientific and social matters. The differentiation solidifies the larger thesis that freedom of the press is not an end in itself, but contingent on the public's right to know.

3.1.2. The Freedom of Media:

The media should be entitled to a wide range of freedom to enable it to properly inform the public. But this freedom must still be regulated and must not violate the other person's rights. It is an abuse of the right if it exceeds such limits. Therefore, satellite channels are obligated to inform without infringing on privacy. Such liberty or its meeting to the unauthorized purpose is to be considered an abuse of functioning in the limits of such liberties of media criticism⁽³⁾. For instance, attacks against public officials are to be limited to the performance of their official duties and to be in public interest. Applying such criticism to private life or private interests is a punishable offense extension of this criticism. With this conception, freedom and responsibility in the media should go hand-in-hand, so that the press can help society without trampling on the individual⁽⁴⁾.

This principle was reaffirmed by the Paris Criminal Court in its judgment of October 9, 2025, which held: "While national defense secrecy is protected by law, the public's right to information must also be respected, thereby safeguarding freedom of expression against disproportionate restrictions." The ruling illustrates the modern judicial approach of balancing media freedom with the protection of fundamental rights, ensuring that the exercise of expression does not result in unjustified harm⁽⁵⁾.

Press freedom is guaranteed by constitutions, international agreements, and domestic laws. The Iraqi Constitution of 2005, Article 38(2), provides: "The State shall guarantee, in a manner that does not violate public order and morals: (i) freedom of expression by all means; (ii) freedom of press, printing, advertisement, media, and publication."

(1) Daqouqi, I. (1986). Media law. Baghdad: Printing Press of the Ministry of Awqaf and Religious Affairs, p. 98.

(2) Yaqout, M. N.op.cit, p. 20.

(3) Hassan, M. (2021). Is Freedom of Expression a Tool of Oppression and Harm? A Study on Hate Speech and its Harms in Case Law and Doctrine of the US and European Court of Human Rights [Master's Thesis, the American University in Cairo]. AUC Knowledge Fountain. <https://fount.aucegypt.edu/etds/1625>

(4) Alia, S. (1987). Criminal Court of Cassation rulings in press cases from 1950 to 1978 (2nd ed.). Beirut: University Encyclopedia for Studies, Publishing and Distribution, p. 103.

(5) Court : Paris Criminal Court, Tribunal correctionnel de Paris, October 9, 2025. <https://www.mediadefence.org/news/ariane-lavilleux-landmark-judgment-source-protection-appealed/>

Similarly, the Egyptian Constitution of June 6, 1979, Article 47, affirms: “Freedom of opinion is guaranteed. Every person has the right to express and publish their opinion by speech, writing, photography, or other means of expression within the limits of the law. Self-criticism and constructive criticism are guarantees for the safety of national development.”

The Lebanese Constitution of May 23, 1926, Article 13, declares: “Freedom of opinion, whether expressed orally or in writing, freedom of the press, freedom of assembly, and freedom of association are all guaranteed within the limits of the law.”

This principle was reaffirmed in the Lebanese Press Law of September 14, 1962. Article 1 provides: “Printing, the press, libraries, publishing houses, and distribution are free, and this freedom shall be restricted only within the scope of general laws and the provisions of this law.”

International instruments have explicitly recognized press freedom as a fundamental right. The Article 19 of the General Comment 34 of the International Covenant on Civil and Political Rights (ICCPR) of 16 December 1966 states:

- “Everyone shall have the right to hold opinions without interference.”
- “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice.”

The provision shows that a free press is not only a domestic constitutional guarantee but is a right enshrined in international law. It affirms that media (satellite broadcasting included) is a legitimate means of transmitting information across borders. However, this prompts interesting issues as to whether this freedom can be reconciled with the protection of individual privacy, particularly when taken in account the fact that modern satellite channels are transcending national boundaries and expanding their reach and influence beyond any imaginable limit.

4. Violation of Private Life by Satellite Channels

The private life has its inviolable sanctity which should not be violated by the satellite channels or any kind of media. Everyone has a public life (which is openness to view by other people) and a private life (which you live your own life, whether at home or in private rooms at your office).

4.1. Instances of Privacy Violations

The intrusion on a person’s private life by satellite channels is often carried out in the form of a talk show or a live debate, where the manner of interrogation may provoke defamation or revelation of private matters. Such violations can occur, for example, when a channel uses the image of an artist or a public figure without consent, or produces a story on a person without that person’s permission. Such treatment is an obvious invasion of privacy, and the freedom of the press cannot be cited as a legitimate defense.

Though the satellite channels have a considerable margin of appreciation in criticism, free expression and raising matters of public interest, including revealing corruption and making the authorities answer for the

same, this freedom certainly has a limit. It should never include infringing on the rights of individuals, leveling baseless accusations or engaging in defamatory statements. The distinction is to be found of “the public interest which is to be served and in maintaining personal dignity and privacy of life.”

In practice, satellite violations of privacy occur in two key instances:

1. When the channel proactively releases or reveals private information without consent, in the course of its programs.
2. When the channel proactively releases or reveals private information without consent, in the course of its programs.

4.1.1. Violations Resulting from Acts Committed by Satellite Channels

Insults against private life from satellite channels can be when an article is published that defames a person, or the broadcast of a negative photo of an artist or public figure is displayed without consent. These acts violate the rules and laws relating to the conduct of journalism and make the Channel responsible.

Journalists must maintain their professional standards by law. And for instance, the Egyptian Press Law No. 96 of 1996 provides: “Journalists shall observe, respecting honor, integrity, truth and ethical values of Journalism as well as the values of society and they should not cause any harm to the freedom or rights of citizens throughout their work in all forms of publication and in accordance with the Principles and Values of the Constitution and the provisions of this law.

Infringements of these rules by satellite channels give rise to a possible civil and/or penal action against them, depending on the infringement. Such responsibility may be civil - with an obligation to pay a certain sum to the victim or criminal - if the act has been criminalized. In some instances, both at once⁽¹⁾.

Civil liability may be contractual, for breach of a contract between the channel and the other party, or tortious, if there is no contractual relationship with the victim. When the publication is inaccurate, liability arises, no matter what were the intentions or purposes. Even if the channel says that it was simply republishing content from yet another source, the channel is responsible for its own decisions.⁽²⁾

Comparative jurisprudence has confirmed this rule. The French Court of Cassation held in its decision of 22 October 2009 that re-publication of the same defamatory text in a magazine with a large distribution some weeks after the first publication in an economic journal constituted an illegal act that caused moral prejudice⁽³⁾. The Lebanese Press Court also, in its ruling of 14 July 2014, decreed that the previous publication by other publishers does not waive responsibility, stressing that “everyone is responsible for

(1) Coffey, M. M. (2020). Balancing Privacy Rights and the Production of High-Quality Satellite Imagery. *Environmental Science & Technology*, 54, 6453-6455. <https://doi.org/10.1021/acs.est.0c02365>

(2) Gabrynowicz, J. I. (2005). The perils of Landsat from grassroots to globalization: A comprehensive review of US remote sensing law with a few thoughts for the future. *Chi. J. Int'l L.*, 6, 45.

(3) « ALORS QU'en présence d'une atteinte portée par une publication à la vie privée et au droit de chacun de s'opposer à la publication de son image, la victime a droit d'obtenir réparation du préjudice matériel consistant dans le manque à gagner qu'elle a pu éprouver dès lors que son image a fait l'objet d'une exploitation commerciale aux profits de laquelle elle n'a pas été associée ; qu'en évaluant le préjudice subi par Mme Valérie X... d'après la représentation de son image dans des scènes courantes de la vie familiale et l'ancienneté des clichés en cause sans tenir compte du manque à gagner résultant de ce qu'elle a été privée des profits attachés à l'exploitation de son image, la Cour d'appel a violé l'article 1382 du Code civil ». Cour de cassation, civile, Chambre civile 1, 22 octobre 2009, 08-10.557, Publié au bulletin. <https://www.legifrance.gouv.fr/juri/id/JURITEXT000021194220/>

his deeds punishable by law, whether others have committed similar deeds and not been prosecuted.” The court fined the channel four million Lebanese pounds and the channel has to bear the cost of publishing a summary of the ruling.

4.1.2. Violations Resulting from the Omission of Acts Required by Law

Inaction as well as action can be punishable by law, including specific liability for satellite channels having to fulfil “positive duties” (obligations). For example, the mistake of one satellite channel that owner company refuses to publish correction or denial after finding the information delivered before was wrong, is a fault to be taken to court.

Article 24 of the Egyptian Press Law 96 of 1996 also directly incorporates this duty: “The editor-in-chief or the editorial responsible has to publish a correction in case of any errors related to the facts or statements previously published in the press, upon the concerned parties requests within three days from receiving such a correction, or otherwise it should be published in the first issue of the newspaper in all its distribution while conforming to the printing schedules. The correction shall be made in the same place and in the same font as the article, news or material to be corrected.”

This provision reiterates the view that journalistic obligations do not end with reporting, but also include an obligation to issue corrections. Non-fulfillment of the obligation constitutes a violation of the law, with the consequence of becoming liable. In satellite broadcasting, this made clear the view that freedom of the press is the professional responsibility when the rights of the individual are involved.

A satellite channel can be ordered to pay damages for failing to issue right of reply corrections and reaffirming that journalistic freedom is linked to professional responsibility. The right of reply and correction is recognized by the Lebanese Press Law no. 162-1962 (modification thereof) in article 2 which also obliges the press to grant and publish corrections or replies. Equally Article 15 of the Iraqi Press Law of 1968 makes it obligatory for the owners of periodicals to publish, free of charge, the replies of those who have been defamed, and extends this right to relatives of deceased persons. It also places an obligation on editors to stop such defamatory/ privacy-breach stories from being aired presuming liability in case of neglect⁽¹⁾.

Otherwise, satellite channels are subject to civil liability and not just for illegal acts but also for the omission of obligations imposed by law. Neglecting to publish a correction or a retraction of erroneous information is also a fault of omission.

This is an affirmed principle under the laws of the various jurisdictions. Article 204 of the Iraqi civil Code states: “Every prejudice inflicted on another which is not mentioned in the foregoing articles has to be made up for.” In the same spirit, the Egyptian code states in article 163: “Every fault that causes damage to another is bound to make compensation to the injured.” In French law, there is also a liability for omissions, see Articles 1147 and 1148 contractually and Articles 1382 and 1383 delictually.

Seen in this comparative light, it is clear that civil liability is not limited to unlawful actions, but also extends to failing to perform duties mandated by law.

(1) Hijazi, I. H. (2008). The right to privacy and journalists' liability in light of Islamic law and the civil code. Alexandria: Dar Al-Fikr Al-Jami'i, p. 373.

4.2.1. Proof of Violation:

Need to prove violation is critical in satellite channel liability. Since a violation of the right of private life is punishable, the existence of proof or not of that violation has an immediate effect on responsibility. In assessing such evidence account must be taken, inter alia, of the satellite channels' freedom to inform the public on matters of general interest. "But that freedom does not give you the right to go into a person's home and take their privacy without their consent."

Moreover, in the case that a channel goes beyond the permitted frame or a channel agreement is violated with respect to publication, this entails liability on its part. This principle was affirmed by the Lebanese Press Court on 9 June 2014, which stated that breach of privacy rights, though allegedly in the name of journalistic freedom, is a violation that entails liability⁽¹⁾.

4.2.2. Burden of Proof in Privacy Violations

The question of burden of proof is paramount in deciding whether a satellite channel has breached the right to privacy of a person. Responsibility under civil liability rules is equated to negligence, and there is liability, if the (1) fault (breach of duties), (2) damage, and (3) causal link between the two are established. Yet, in some cases notably defamation liability of satellite channels or reporters may be different from the general rules of this: fault can be presumed by the very act of publication.

The Egyptian Court of Cassation strengthened this principle in a ruling in 1997 that defamation liability is triggered upon publication. The trial court judge takes fault from the facts themselves, and publication is enough to find liability. This presumption of fault stands regardless of whether the journalist had strayed from professional standards of due care and irrespective of intent or motive – even whether the journalist maintains the statements were simply republished from elsewhere, from another newspaper or news agency.”⁽²⁾

French legal doctrine similarly maintains that fault arises when professional conduct deviates from accepted standards, particularly where defamatory statements damage or undermine an individual's reputation. Such deviation embodies the essential elements of tort liability and requires compensation⁽³⁾.

A clear distinction must be drawn between defamation of private individuals and that of public officials. Defamation of private persons is impermissible, as it serves no legitimate public interest. By contrast, liability in cases involving public officials depends on the circumstances. Where publication is made in good faith and the information is accurate, the broadcasting channel bears no responsibility. However, if the publication is carried out in bad faith, liability attaches once the official demonstrates that the channel knowingly disseminated false information. In such cases, full responsibility rests with the channel.

4.2.3. The Party Bearing the Burden of Proof

Generally speaking the burden of proof is on the party alleging defamation or slander, as the claimant must prove a deviation from the legal presumption. The injured party therefore has to prove that there was a harm. However, the matter becomes: under the general rules, are the claimant obliged to prove all the

(1) Lebanese Press Court. (2014, July 14). Decision No. 213. Unpublished decision.

(2) Court of Cassation, Egypt. (1997, June 29). Appeal No. 11685.

(3) Yaqout, M. N. (1987). Civil liability of journalists in cases of defamation against public officials. *Journal of Sharia and Law*, United Arab Emirates University, (1), 33.

elements of the liability – fault, damage and causation of damage – or is liability exceptionally established by the mere publication of defamatory statements?

As is now well-known among broadcasters, the civil liability of satellite channels is in reality often triggered by the very act of publication. Even the publication of false information about the claimant is capable - under the press code – of triggering a presumption of liability, whether strict or arising from fault, and the channel must prove good faith or that it was in the public interest to make the publication. Rather tellingly: none of these comments can be used as a defense by the channel — including the supposed bad reputation of the claimant.

When a public official is the subject of defamation, the burden of proof shifts. In this context, it is the official who must prove that the media suffered abuse or acted in bad faith. In the case of good faith publication of true information, the channel is not liable. On the other hand, when the publication is in bad faith, the channel is liable in full⁽¹⁾.

5. Consequences of Privacy Violations:

Liability is civil when its elements (fault, damage and causal link) are proved. If damage is caused by the activity of a satellite channel, this channel must compensate the harm party, as the compensation is the immediate result of the violation. This issue will be examined from two perspectives: first, the concept of compensation itself; and second, the circumstances influencing the assessment of compensation.

5.1. Compensation:

Civil liability arises when its three elements fault, damage, and causal link—are established. Liability may be contractual, resulting from breach of a contractual obligation, or tortious, arising from unlawful acts committed by the defendant. In both cases, the injured party may bring an action for compensation, which serves to redress the harm suffered⁽²⁾.

Damage compensation can be categorized according to different standards. According to the type of infringed right, damage compensation can be categorized as bodily injury compensation, property damage compensation, or mental stress compensation. According to the nature of the compensated damage, it can be categorized as general damage compensation or special damage compensation. According to the form of damage suffered, it can be categorized as property damage compensation or non-property damage compensation, etc.⁽³⁾.

Compensation is not a penalty but a mechanism of reparation. It must, insofar as possible, be commensurate with the damage sustained. Courts may award compensation even in the absence of proven fault, provided that actual harm to the claimant is established. In defamation and slander cases against

(1) Papademetriou, G. T. (2023). Disrupting digital authoritarians: Regulating the human rights abuses of the private surveillance software industry. *Harvard Human Rights Journal*, 36, 191–222. https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2023/06/HLH105_crop.pdf

(2) Al-Muslimi, M. M. K. H. (2001). Civil liability arising from infringement of the right to image in light of the development of modern communication media. Cairo: Dar Al-Nahda Al-Arabiya, p. 14.

(3) Li, X., Jin, J. (2014). Damage Compensation. In: Concise Chinese Tort Laws. China-EU Law Series, vol 1. Springer, Berlin, Heidelberg. https://doi.org/10.1007/978-3-642-41024-6_12

satellite channels, liability is often presumed, as the act of publishing defamatory statements encompasses all elements of civil liability⁽¹⁾.

The general rule is that compensation is monetary. However, courts may exceptionally award alternative forms of compensation, such as corrective publication or other measures deemed appropriate to restore the claimant's dignity and mitigate the harm.

5.1.1. Monetary Compensation

Monetary compensation is the general rule in civil liability, but in exceptional cases courts may grant other forms of compensation.

According to Article 209(2) of the Iraqi Civil Code, compensation is usually quantified by money. However, the court, at the request of the injured party and taking into consideration the circumstances of the case, may also order the restoration of the status quo ante, the performance of a specific act or, as a substitute form of compensation, the restitution in kind.

The said principle⁶ is corroborated in comparative law. Under Article 136 of the code, the plaintiff is usually entitled to compensation in the form of monetary damages. In the judge may, if the circumstances so warrant, substitute a reparation more suited to the interests of the injured party – such as by ordering a corrective publication in newspapers.⁽²⁾

A majority of the legal systems recognize the compensation as the essential remedy since money is a vehicle both as a medium of exchange and as a standard of value and it allows quantifying harm. Although some argue that moral injury cannot be adequately monetized in contemporary jurisprudence, it is well established that material and moral harm are both compensable⁽³⁾.

Material damages are determined solely based on the actual loss suffered, regardless of the level of culpability or the surrounding circumstances, and such claims are inheritable. Moral damage, on the other hand, is essentially personal and is not in principle, transferable to third parties, except when the value of it has been established by an agreement or by a particular ruling of a court. This is stated in article 205 of the Iraqi Civil Code and now -thanks to the directives issued by the President of the Republic- compensation for moral injury is explicitly recognized and is also granted to spouses and nearest relatives in case of death, although restricted in its transferability.

5.1.1.2. Alternative (Non-Monetary) Compensation

Alternate relief refers to the other than money compensation awarded to the injured party. Although the redress in the form of money is still the dominant and most powerful one, non-monetary relief can be

(1) Khatib, H. (1955). The scope of tort liability and contractual liability in French law and comparative Iraqi law. Basra, Iraq: Haddad Press, p. 46.

(2) See also: Article 171(2) of the Egyptian Civil Code stipulates: "Compensation shall be assessed in money; however, the judge may, depending on the circumstances and upon the request of the injured party, order the restoration of the situation to its previous state, or rule the performance of a specific act connected to the unlawful conduct, by way of compensation.". This provision reflects the legislator's intent to make monetary compensation the general rule, while allowing alternative remedies in exceptional cases. Such remedies may include restitution or specific performance, thereby granting the court flexibility to tailor compensation to the nature of the harm and the interests of the injured party.

(3) Saeed, M. (1985). Compensation for moral damage in civil liability: A comparative study. Beirut: Dar Al-Kutub Al-Haditha, 1st ed., p. 81.

granted by the courts under certain conditions. When the claimant asks for such measures and the defendant demands monetary compensation, it is within the discretion of the court ⁽¹⁾.

Restitution of earnings is not always the best available remedy. For example, the court may not order a physician to directly repair harm caused to a patient, on consumability grounds, because it would be ordering performance beyond professional capacity. But in the area of satellite broadcasting, non-monetary remedies are more feasible. It is also possible for courts to order the channel to publish the judgment, to issue a formal apology or to air a program providing right of reply in substitution for the defamatory or slanderous material. These are designed to redress the reputation of the claimant and the damage that the claimant has suffered.

On some occasions alternative remedies are considered cumulative and they complement rather than substitute monetary compensation. This is especially the case with ethical damage resulting from defamation or slander, where the aim of non-pecuniary redress is to obtain a measure of satisfaction on the part of the victim, to mitigate emotional harm, and to re-establish the victim's social position. Ordering the publication of a judgment or a corrective statement through newspapers or the same broadcasting channel may contribute to remove the shame linked to defamation.⁽²⁾

5.1.1.3. Circumstances Affecting the Assessment of Compensation Doctrinal Approaches

I must be the first to admit that the general principle that the amount of compensation should be equivalent to the injury suffered is very true. However, the severity of impact on it can be affected by a number of related factors. In matters concerning moral damage, the parties' social position and its relation to them is to be taken into consideration by the judge, while material damage shall be appraised on the actual damage suffered. More or less than the real damage of a material nature to award in the name of justice would be a mistake.⁽³⁾

Reparation for moral damage is in essence influenced by contextual factors. For example, a judge, university professor, parliamentarian or minister may be entitled to different damages than a lay person, given that for a public figure the damage to his or her reputation caused by a publication of a satellite channel is usually more severe. 39 This poses a fundamental doctrinal question: Is the judge to consider the situation of the victim only, or also that of the victimizer – the broadcasting channel?

in tort doctrine for the most part is divided between two approaches ⁽⁴⁾. The first maintains which is only available to the injured party or really extend to both the tortfeasor and the victim, the “seeing both sides of the coin” approach. In practice, in evaluating compensation for harm, the judge takes into account the “surrounding circumstances” of the injured party only; the injurer must compensate the victim without considering his own (economic) situation.

(1) Sundari, T. op.cit.

(2) Abdullah, H. (2008). Unlawful acts: Civil liability (Vol. 3). Beirut: Al-Halabi Legal Publications, p. 81.

(3) Council of Europe (2023). Guidelines on Safeguarding Privacy and Corrective Rights in the Media.

(4) Karlı, M., Bilgin, S. C., Özzeybek, A., & Motugan, M. (2024). Principles and practices of full compensation in international arbitration. Global Arbitration Review. <https://globalarbitrationreview.com/guide/the-guide-damages-in-international-arbitration/6th-edition/article/principles-and-practices-of-full-compensation-in-international-arbitration>

The other is that the circumstances that can be taken into account include the injurer too, rather than just the victim (incidentally it follows from this view stringent fairness is equity) justice requires taking both parties into account). This is the second view, which we endorse – for equity the ‘light’ of each party’s circumstances must be reflected in the lens of the other.

From the point of view of the law, the Egyptian Civil Code then proceeds to deal with surrounding circumstances specifically in Article 170, which stipulates: "The judge shall determine the amount of compensation for the harm suffered by the plaintiff according to articles 221 and 222 considering the surrounding circumstances." "If the judge finds it impossible to fix the amount of compensation as a matter of a final judgment, he shall reserve the right of the injured party to file a petition for reconsideration within a period to be specified." On the other hand, there is no reference to surrounding circumstances in the Iraqi Civil Code, a gap that should be filled by legislation rendering consideration of such factors mandatory in seeking an award of compensation.

5.1.1.4. The Position of the Injured Party

When a satellite channel airs derogatory or slanderous matter against a person, a pertinent question surfaces: Is damage to reputation to be awarded equal for all People or is it to be scaled according to the social or professional standing of the aggrieved party?

There is a split in civil law doctrine between two theories. The first is that everyone is equal in dignity, regardless of age, wealth or social status, thus compensation must be equal because the law must protect the honor of all people without differentiation. The other theory is that damages should be administered based on the social status or professional standing of the person who is defamed. For example, a defamatory statement against a minister may do more damage than if the same statement were made about a low-level employee. Similarly, the harm to reputation of a well-established company is different to the harm caused to a company which is already known for bad practice. This has implication for individuals too: a man of integrity is likely to suffer greater moral harm than one who has a record of misdeeds themselves.⁽¹⁾

From a legislative point of view, the consideration of the social status of the parties is explicitly stated in the Egyptian Civil Code in article 170. In contrast, the Iraqi Civil Code does not contain such a provision, it is silent. The never-adopted 1986 draft Iraq Civil Code: "...shall in accordance with surrounding circumstances including the seriousness of the fault, the financial capacities of the two parties and the health of the injured party." In practice, Iraqi judges do factor these considerations into their damage awards, but they do it in the absence of statutory authority to do so – and again pointing to the need for legislative reform.

5.1.1.5. The Position of the Responsible Party (Satellite Channel):

Satellite channels can sometimes air scandals or defamatory content about people without any grounds, and which causes them damage. This raises the question of whether the award of damages should always be tied rigidly to the amount of the damage suffered or whether the judge should also consider the position of the tortfeasor—the channel itself. In so far as canal fault is concerned, the judge has to evaluate the gravity of the fault. Compensation for material damage must be calculated exactly by reference to the

(1) Furutani, T., Miyazawa, S. (2021). The Meaning of Compensating Damages: Tort Law. In: Yanagawa, T., Takahashi, H., Ouchi, S. (eds) Econo-Legal Studies. Springer, Singapore. https://doi.org/10.1007/978-981-16-5145-8_8

value of the loss suffered, while redress for moral damage is included in the judge's wide discretion. In such cases the judge may also make use of experts to ascertain the extent of the injury even though the judge is not bound to depend on experts⁽¹⁾. Defamatory statements or press interviews can generally be assessed directly by the judge without the need for experts, as the judge can be considered capable of ascertaining on his own if the information is defamatory or insulting.

However, the media and publishing courts often do turn to experts, especially when deciding whether statements constitute damage to reputation.⁽²⁾.

From our point of view, a great deal of deference to expert opinion in such cases may not be appropriate, since the judge is capable of reading the language of the broadcast and its context and making a determination as to whether it is a violation. In issues of redress, especially moral damages, the court is entitled to take an expert's opinion. This round was not there for the media and publication courts, but it has been confirmed in the Federal Court of Cassation. Per its ruling on September 15, 2014: "...In its scrutiny of the impugned judgment, it is found to suffer from error and contradiction of law. The court should make a record of the content of the CD and may appoint experts in journalism to ascertain whether the statements therein constitutes an injury to the reputation of the plaintiff. Since the trial court rendered its judgment without so doing, the judgment is vacated and the case is remanded for further proceedings consistent with this opinion"⁽³⁾

The opinion demonstrates the judiciary's acknowledgment that expert evidence is an important resource in evaluating reputational injury, but at the same time highlights the procedural limitations on the inferior courts.

6. Conclusion

The present study has examined the satellite channel's civil liability for privacy, defamation and slander cases. By addressing comparative legislation and judiciary practices in Egypt, Iraq, Lebanon and France, the study highlights the thin line between protecting freedom of expression and the right of the individual.

6.1. Findings

1. The liability of a publisher may result not only from doing something (publishing defamatory material) but also from failing to do something (not correcting or denying a false statement).
2. The claimant under the general civil law has to prove fault, damage and causation of harm, but in defamation cases, liability is often presumed on publication of the statement.
3. The amount of compensation for moral harm can be different if the injured party is of high or low social or professional status, but jurisprudence is not unanimous on whether the criteria are equal or they must differ.

(1)Alnaami, K. (2026). Financial compensation for moral damages in Islamic jurisprudence and judicial law in Saudi Arabia. Journal of Law and Business, 63. <https://doi.org/10.63585/WDCG8854>

(2) Andringa, P. (2023, November). Juries in defamation cases: A democratic imperative or a barrier to justice. Index on Censorship. https://www.indexoncensorship.org/wp-content/uploads/2023/11/index-report-2023-november-defamation-and-juries_web_proof3.pdf

(3) Federal Court of Cassation, Iraq. (2014). Decision No. 54/Press/Civil. Unpublished decision.

4. The seriousness of the channel's fault is also an element to be taken into account by judges, who enjoy considerable latitude in quantifying moral damages.
5. Although courts commonly call on experts to determine whether statements are defamatory or not, there is also a power for judges to directly review the content.
6. The primary remedy is still monetary relief, but there can be other relief, including corrective publication, or public apologies, especially for the moral injury.
7. The Iraqi civil law, however, is silent with respect to the surrounding circumstances and social status of the two parties, whereas the Egyptian civil law explicitly contemplates such factors.

6.2. Recommendations

1. Make necessary Amendments to the Iraqi Civil Code to provide that surrounding circumstances and the social status of the parties shall be taken into account in the award of compensation.
2. Define standards for alternative remedies—such as corrective publication or formal apologies—to promote predictable responses from the judiciary.
3. Enshrine the fact that the publication of defamatory statements carries an assumption of fault, relieving victims from some evidentiary burdens.
4. Enhance judge capacity to assess reputational harm or harm to privacy (without over-reliance on expert testimony) through specialized media law/privacy rights training.
5. Promote a dialogue for a balancing between freedom of expression and privacy protection on the part of courts, so that the freedom of journalistic information does not outweigh the dignity of the person.
6. Exploit comparative experiences (Egypt, Lebanon, France) towards the identification of a coherent regime for satellite channels and victims of media abuse.
7. Promote awareness among media institutions of their legal obligations to correct false information and to avoid defamatory practices.

7. References:

- [1] Abdullah, H. (2008). *Unlawful acts: Civil liability* (Vol. 3). Beirut: Al-Halabi Legal Publications, p. 81.
- [2] Abu Okeal, T. E.-S. M., Al-Kasasbeh, H., Abdullah, H. I., & Fathelbab, S. R. (2026). Preventive Legislative Approaches to Child Protection in the Digital Environment: A Comparative Study of Australia, France, and Egypt. (2026). *Nusantara: Journal of Law Studies*, 5(1), 205–228. <https://doi.org/10.66325/nusantaralaw.v5i1.222>
- [3] Aftab, S. (2024). Right to Privacy and Freedom of Expression in the Constitution of Pakistan. In: *Comparative Perspectives on the Right to Privacy*. Ius Gentium: Comparative Perspectives on Law and Justice, vol 109. Springer, Cham. https://doi.org/10.1007/978-3-031-45575-9_4
- [4] Al-Abdallah, H. (2008). *Lessons in civil law: The general theory of obligations* (Vol. 1). Al-Halabi Legal Publications, Beirut.p.40.
- [5] Al-Ahwani, H. K. (1985). *The Right to Respect for Private Life and the Right to Privacy: A Comparative Study*. Cairo: Dar Al-Nahda Al-Arabiya.
- [6] Al-Amawi, A. (2025). Protection of private life in the digital space under Yemeni law: Safeguarding the right to image. <https://doi.org/10.13140/RG.2.2.17508.90240>
- [7] Alia, S. (1987). *Criminal Court of Cassation rulings in press cases from 1950 to 1978* (2nd ed.). Beirut: University Encyclopedia for Studies, Publishing and Distribution, p. 103.
- [8] Al-Muslimi, M. M. K. H. (2001). *Civil liability arising from infringement of the right to image in light of the development of modern communication media*. Cairo: Dar Al-Nahda Al-Arabiya, p. 14.
- [9] Alnaami, K. (2026). Financial compensation for moral damages in Islamic jurisprudence and judicial law in Saudi Arabia. *Journal of Law and Business*, 63. <https://doi.org/10.63585/WDCG8854>
- [10] Al-Ouji, M. (2004). *Civil law, Vol. 2: Civil liability* (2nd ed.). Al-Halabi Legal Publications, Beirut.p.64.

- [11] Al-Zawahreh, M.M., Sobeih, M.H.Y. (2026). Compensation for Moral Damages in the Digital Environment: A Comparative Study. In: Sarea, A., Echchabi, A., Salami, M.A., Mahmood, A. (eds) Artificial Intelligence for Sustainable Innovation Management and Risk Management. Studies in Systems, Decision and Control, vol 227. Springer, Cham. https://doi.org/10.1007/978-3-031-95310-1_46
- [12] Andringa, P. (2023, November). Juries in defamation cases: A democratic imperative or a barrier to justice. Index on Censorship. <https://www.indexoncensorship.org/wp-content/uploads/2023/11/index-report-2023-november-defamation-and-juries-web-proof3.pdf>
- [13] Audience Publique du geudi 22 octber 2009 .no .de pourvoi : 08_ 10557. P1.
- [14] Beam, C. (2019, June 26). Soon, satellites will be able to watch you everywhere all the time: Can privacy survive? MIT Technology Review. <https://www.technologyreview.com/2019/06/26/102931/satellites-threaten-privacy/>
- [15] Bygrave, L. A. (2010). Privacy and data protection in an international perspective. Scandinavian studies in law, 56(8), 165-200. <https://www.scandinavianlaw.se/pdf/56-8.pdf>
- [16] Coffe, M. M. (2020). Balancing Privacy Rights and the Production of High-Quality Satellite Imagery. Environmental Science & Technology, 54, 6453-6455. <https://doi.org/10.1021/acs.est.0c02365>
- [17] Dabbous, Dima. (2016). The Meaning and Limits on Freedom of Expression in Lebanon: Publications Court Jurisprudence on Freedom of Expression vs. Defamation. file:///C:/Users/vip/Downloads/Stanforddima_dabbous_working_paper_final2016.pdf
- [18] Daqouqi, I. (1986). Media law. Baghdad: Printing Press of the Ministry of Awqaf and Religious Affairs, p. 98.
- [19] El Hariry, Hager. (2025). Media Laws in Egypt: A Comprehensive Analysis of Legal Frameworks, Liability, Offenses and Penalties. 10. <file:///C:/Users/vip/Downloads/MediaLawsinEgyptAComprehensiveAnalysisofLegalFrameworksLiabilityOffensesandPenalties.pdf>
- [20] Fahmy, K. M. (2009). Civil liability of journalists: A comparative study. Dar Al-Fikr Al-Jamii, Alexandria. P.209.
- [21] Fayed Abdel Fattah, A. (2004). Publishing crime victims' images: Civil liability for displaying victims' tragedies in the media, a comparative study in Egyptian and French law. Cairo: Dar Al-Nahda Al-Arabiya.pp.28-29.
- [22] Furizal, A., Ma'arif, A., Maghfiroh, H., Suwarno, I., Prayogi, D., Kariyamin, S., Lonang, S., & Sharkawy, A.-N. (2025). Social, legal, and ethical implications of AI-generated deepfake pornography on digital platforms: A systematic literature review. Social Sciences & Humanities Open, 12, 101882. <https://doi.org/10.1016/j.ssaho.2025.101882>
- [23] Furutani, T., Miyazawa, S. (2021). The Meaning of Compensating Damages: Tort Law. In: Yanagawa, T., Takahashi, H., Ouchi, S. (eds) Econo-Legal Studies. Springer, Singapore. https://doi.org/10.1007/978-981-16-5145-8_8
- [24] Gabrynowicz, J. I. (2005). The perils of Landsat from grassroots to globalization: A comprehensive review of US remote sensing law with a few thoughts for the future. Chi. J. Int'l L., 6, 45.
- [25] Hage, J. (2017). Tort Law. In: Hage, J., Waltermann, A., Akkermans, B. (eds) Introduction to Law. Springer, Cham. https://doi.org/10.1007/978-3-319-57252-9_6
- [26] Hassan, M. (2021). Is Freedom of Expression a Tool of Oppression and Harm? A Study on Hate Speech and its Harms in Case Law and Doctrine of the US and European Court of Human Rights [Master's Thesis, the American University in Cairo]. AUC Knowledge Fountain. <https://fount.aucegypt.edu/etds/1625>
- [27] Hijazi, E. H. (2008). Right to Privacy and Journalist Liability in Light of Islamic Sharia and Civil Law. Alexandria: Dar Al-Fikr Al-Jamie
- [28] Hijazi, I. H. (2008). The right to privacy and journalists' liability in light of Islamic law and the civil code. Alexandria: Dar Al-Fikr Al-Jami'i, p. 373.
- [29] Hijazi, M. A. A. (2001). Private Life and Journalist Liability. Cairo: Dar Al-Fikr Al-Arabi.
- [30] Hughes, K. (2019). THE PUBLIC FIGURE DOCTRINE AND THE RIGHT TO PRIVACY. The Cambridge Law Journal, 78(1), 70–99. <https://www.jstor.org/stable/26851016>
- [31] Jeffrey Prince, Scott Wallsten, Empirical Evidence of the Value of Privacy, Journal of European Competition Law & Practice, Volume 12, Issue 8, October 2021, Pages 648–654, <https://doi.org/10.1093/jeclap/lpab034>
- [32] J-M. Bruguière, Le droit à l'image, possible objet du contrat, Légipresse, n°232, juin 2006, p. 112

- [33] Karlı, M., Bilgin, S. C., Özzeybek, A., & Motugan, M. (2024). Principles and practices of full compensation in international arbitration. *Global Arbitration Review*. <https://globalarbitrationreview.com/guide/the-guide-damages-in-international-arbitration/6th-edition/article/principles-and-practices-of-full-compensation-in-international-arbitration>
- [34] Kerr, R., Park, A., & Youm, K. (2023). A century of JMCQ legal issues in media: Scholarly commitment to free press, free speech, and more. *Journalism & Mass Communication Quarterly*, 100(4), 875–900. <https://doi.org/10.1177/10776990231207964>
- [35] Khatib, H. (1955). The scope of tort liability and contractual liability in French law and comparative Iraqi law. Basra, Iraq: Haddad Press, p. 46.
- [36] L. Marino dans *Traité de la presse et des médias*, Litec, 2009 cite F. Rigaux, *La liberté de la vie privée*, RID comp. 1990, p. 539, spéc. p. 563
- [37] Lebanese Press Court. (2014, July 14). Decision No. 213. Unpublished decision.
- [38] Li, X., Jin, J. (2014). Damage Compensation. In: *Concise Chinese Tort Laws*. China-EU Law Series, vol 1. Springer, Berlin, Heidelberg. https://doi.org/10.1007/978-3-642-41024-6_12
- [39] Mahmod, T. E. S., Al-Alwani, K. A. H., Hellawss, I., Alaloosh, M. S. A., & Fathelbab, S. R. (2026). Regulatory gaps in digital witness protection for cybercrime: Integrating international standards, Egyptian law, and Islamic jurisprudence. *Al-Istinbath: Jurnal Hukum Islam*, 7(1). <https://journal.iaincurup.ac.id/index.php/alistinbath>
- [40] Nouri, A. (2015). Criminal protection of private life: A comparative study between Algerian and French law. Algiers: Houma Publishing, p. 6.
- [41] Papademetriou, G. T. (2023). Disrupting digital authoritarians: Regulating the human rights abuses of the private surveillance software industry. *Harvard Human Rights Journal*, 36, 191–222. https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2023/06/HLH105_crop.pdf
- [42] Pedram, M., Chandler, S., & Georgiades, E. (2025). When open-source information backfires: Satellite imagery and privacy breaches.pp.120-155.https://research.usq.edu.au/download/8c3f2bfd5b8bc103b406bd17b694dc6362b5ca58ba2d61feab557170386a351c/658508/Pedram_Paginated.pdf
- [43] Qaid, O. A. (1994). Criminal protection of private life and information banks: A comparative study (3rd ed.). Cairo: Dar Al-Nahda Al-Arabiya, p. 59.
- [44] Rahhal, A. (2022). The legal construction of the crime of taking and publishing photographs in Algerian and French legislation: A comparative substantive and procedural study. *Journal of Law and Human Sciences*, 15(1), 349. <http://search.mandumah.com/Record/1270336>
- [45] rajpal, manpreet. (2022). State’s Control and Balance Over Right of Privacy and Promotion of Freedom of Speech and Expression. *Juni Khyat*. <https://doi.org/10.36893/JK.2022.V12I11N01.019-024>
- [46] Rizkallah, D. (2013). Criminal liability for media crimes: A comparative study. Beirut: Zain Legal Publications, p. 34.
- [47] Saeed, M. (1985). Compensation for moral damage in civil liability: A comparative study. Beirut: Dar Al-Kutub Al-Haditha, 1st ed., p. 81.
- [48] Saqr, Y. S. A. (2007). Protection of personality rights within the framework of tort liability. Cairo: Dar Al-Nahda Al-Arabiya.
- [49] Sundari, T. (2024). The clash of rights: Privacy and freedom of speech. *International Journal of Applied Research*, 7(35, Part B), 101–104. <https://www.allresearchjournal.com/archives/2024/vol10issue7/PartB/10-7-36-105.pdf>
- [50] Thamer, J. M. (2018). The right to image and its civil protection: A comparative study between the Iraqi Civil Code and the Egyptian Civil Code. *Anbar University Journal*, 15, 217. Iraq.
- [51] Yaqout, M. N. (1987). Civil liability of journalists in cases of defamation against public officials. *Journal of Sharia and Law*, United Arab Emirates University, (1), 33.
- [52] Yaqout, M. N. (n.d.). The concept of the right to reputation. *Al-Jalaa Al-Jadida Library*, Mansoura.p.27.
- [53] Zenati-Castaing (F.) : « La Propriété, Mécanisme Fondamental Du Droit », *RTD civ*. 2006. P. 445.