

OPEN PEER REVIEW

Examination of the Status of Privacy in the Legal Systems of Iran and Iraq

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1. Round 1

1.1. Reviewer 1

Reviewer:

"Privacy is one of the fundamental rights of every individual which is addressed in various legal frameworks..." — This is a broad and generic statement. To enhance the academic rigor, consider narrowing it down by highlighting specific privacy issues prevalent in Iran and Iraq, and how the legal frameworks attempt to address them differently.

"The term 'privacy' originates from the Arabic word 'Harem!'" — The discussion of privacy's etymology should be expanded to incorporate different interpretations and understandings of privacy in legal theory. A more detailed comparison between traditional and modern definitions of privacy in both countries would enhance this section.

The section on "protection of privacy in cyberspace" is superficial. This could be significantly improved by addressing how the respective legal systems handle modern challenges such as data breaches, cyberstalking, and governmental surveillance in the digital age.

The terms "privacy," "personal data," and "confidentiality" are used interchangeably. Consider defining each term precisely and consistently throughout the paper to avoid confusion.

The structure of the paper blends discussion of Iranian and Iraqi laws without clear segmentation. I recommend restructuring sections to separately discuss each country's legal system before bringing them together for a more coherent comparison in the conclusion.

The paper would benefit from the inclusion of statistical or empirical data. For example, how frequently privacy violations occur in each country, or what percentage of legal cases in Iran and Iraq pertain to privacy violations, would provide a stronger evidentiary basis for the analysis.

There is a heavy reliance on secondary sources for the analysis. Incorporating more primary legal texts, such as specific articles from the Iranian and Iraqi constitutions or recent amendments to privacy laws, would strengthen the legal analysis.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The literature review section lacks a clear theoretical framework. It would benefit from the inclusion of key theories related to privacy (e.g., privacy as control over information, legal versus moral rights) to structure the comparative analysis.

"Using a descriptive-analytical method, the researcher has concluded..." — The methodology section requires more detail. How was data collected for the comparative analysis? What criteria were used to evaluate the privacy laws in both countries? Clarify whether this was a purely doctrinal research or if empirical methods were employed.

"It is concluded that although numerous laws concerning privacy have been enacted..." — The conclusions drawn from the legal analysis are vague. Provide specific examples of where Iranian and Iraqi laws converge or diverge on privacy protection. Adding more concrete case studies or legal precedents would make the comparisons more robust.

The paper asserts that Iraqi privacy laws are better aligned with international standards but provides minimal comparative detail. Strengthen the comparative analysis by integrating international benchmarks (e.g., GDPR or ICCPR) and evaluating how closely each country aligns with these standards.

Some references such as "(Ansari, 2017)" are not consistently aligned with the information provided. Ensure that all citations are up-to-date and accurately reflect the sources used, particularly in discussions on legal precedents and theoretical foundations.

Given the cultural and religious contexts of Iran and Iraq, a deeper exploration of the role of Islamic jurisprudence (Sharia) in shaping privacy laws is warranted. For example, how do interpretations of Imamiyyah jurisprudence influence modern privacy laws in these countries?

"The legislative philosophy which aims to preserve and protect the fundamental rights of individuals..." — While this is an important point, the policy implications of the comparative findings are underdeveloped. Recommend exploring how each country can reform their laws to better protect privacy in light of global standards and modern technological challenges.

There is mention of the International Covenant on Civil and Political Rights (ICCPR), but the analysis of how international treaties influence domestic law is insufficient. Strengthen this section by discussing the level of compliance and enforcement mechanisms in both Iran and Iraq.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.