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ORIGINAL ARTICLE

Media Apology as a Means of Compensating Non-Pecuniary Damage in Iranian Law

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EXTENDED ABSTRACT

Interdiction:

This article analyses media apology as a non-pecuniary remedy for moral, reputational and dignity-based harm in Iranian law. The central claim is that apology should not be treated as a marginal ethical gesture or a symbolic addition to monetary damages. In media-related harm, the injury is often created before an audience and is sustained through public memory, searchability, repetition and digital circulation. Therefore, an effective remedy must also operate in the communicative sphere. The article seeks to answer three interrelated questions: what legal basis exists for compelling a media apology in Iranian law; what criteria should guide courts in determining the form and medium of apology; and how such a remedy can be adapted to digital media and social networks.

Methods:

The study applies an analytical-doctrinal method with a functional comparative orientation. Iranian legal sources, including Article 10 of the Civil Liability Act, Note 1 to Article 14 of the Criminal Procedure Code, the Computer Crimes Act, the Act on Publication and Free Access to Information, the Press Act and selected judicial decisions are examined through the lenses of media credibility theory, advanced civil liability and restorative justice. The comparative discussion is used not to transplant foreign rules, but to clarify the problems of compelled apologies, proportionality, freedom of expression and enforceability.

Findings:

The research finds that Iranian law recognizes apology and publication of judgments as possible non-pecuniary remedies, but it does so in a general and underdeveloped manner. Existing rules do not specify the relationship between apology, correction, reply, retraction and publication of judgment. They also do not provide clear standards for the medium of publication, visibility, duration, audience reach, drafting of the apology text or sanctions for incomplete performance. In digital settings, these deficiencies become more serious because harmful content may be shared, indexed, stored and re-circulated even after removal. The Computer Crimes Act's reference to restoration of reputation and the Free Access to Information Act's recognition of correction and explanation are useful, but incomplete, bases for digital reputation repair.

Conclusions:

A legally meaningful media apology should be proportionate, visible, audience-oriented and enforceable. It should normally be published in the same medium or in a medium with comparable reach, remain accessible for a reasonable period, avoid justificatory language, and be accompanied by correction, deletion or a right of reply where necessary. The article proposes legislative clarification of media apology as a distinct remedy, a judicial proportionality test for selecting non-pecuniary remedies, and a practical model for digital apology in websites and social networks.

Data Availability Statement

Data available on request from the authors.

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Ethical considerations

Not applicable.

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Conflict of interest

The authors declare no conflict of interest.

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