

# Digital Rights Derailed *in* Bahrain



**BAHRAIN CENTER FOR HUMAN RIGHTS**

*Defending and promoting human rights in Bahrain*



# Digital Rights Derailed *in* Bahrain



مركز البحرين لحقوق الإنسان  
Bahrain Center for Human Rights

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## About Us

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The Bahrain Center for Human Rights (BCHR) is a non profit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close down, BCHR is still functioning after gaining a wide local and international support for its struggle to promote human rights in Bahrain. The vast majority of our operations are carried out in Bahrain, while a small office in exile, founded in 2011, is maintained in Copenhagen, Denmark, to coordinate our international advocacy program.

For more than 13 years, BCHR has carried out numerous projects, including advocacy, online security training, workshops, seminars, media campaigns and reporting to UN mechanisms and international NGOs. BCHR has also participated in many regional and international conferences and workshops in addition to testifying in national parliaments across Europe, the EU parliament, and the United States Congress. BCHR has received a number of awards for its efforts to promote democracy and human rights in Bahrain.

The current President is **Nabeel Rajab**, who has been jailed repeatedly, including most recently on 13 June 2016 for “spreading false news and rumours about the internal situation in a bid to discredit Bahrain.” His recent arrest has been criticized by a number of human rights organizations, the governments of the UK, the USA and France, as well as a number of UN dignitaries, including UN Secretary General Ban Ki Moon, who have called for his release.

BCHR’s Vice-President **Said Yousif Al-Muhafdah** has been forced into exile since October 2013 after being a target of arbitrary arrests for his human rights work in Bahrain. Most of the staff inside Bahrain remain anonymous, including a second Vice-President and members of the Documentation Team.

**Our Mission:** To encourage and support individuals and groups to be proactive in the protection of their own and others’ rights; and to struggle to promote democracy and human rights in accordance with international norms. To document and report on human rights violations in Bahrain. To use this documentation for advocacy to influence international policies according to the Universal Declaration of Human Rights.

For more information on our work, please visit our website: [www.bahrainrights.org](http://www.bahrainrights.org)

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“My activism, my talk, the awareness  
I try to create among my society.  
This is what they say is dangerous.”

– *Nabeel Rajab, President*  
*Bahrain Center for Human Rights*

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Nabeel Rajab, In Their Own Words: Nabeel Rajab, Amnesty International, 4 March 2016,  
<https://www.amnesty.org.uk/podcast-in-their-own-words-nabeel-rajab-bahrain>

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## Introduction

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Bahrain, the country with the highest Internet penetration rate in the MENA region<sup>1</sup>, has witnessed in recent years a steady and violent crackdown on dissent, often in the form of severe restrictions of the internationally sanctioned right to freedom of expression.

Despite being guaranteed by Bahrain's Constitution, the vague conditions allow room for arbitrary interpretation by the authorities in order to further restrict freedom of expression. Accordingly, Article 23 states:

“Freedom of opinion and scientific research is guaranteed. Everyone has the right to express his [or her] opinion and publish it by word of mouth, in writing or otherwise under the rules and conditions laid down by law, provided that the fundamental beliefs of Islamic doctrine are not infringed, the unity of the people is not prejudiced, and discord or sectarianism is not aroused.”

Since its advent in the country in 1995, civil society activists and opposition figures have used the Internet for their activities, such as communication and advocacy, as the traditional media are either owned or strictly monitored by the government and on the ground forms of expression such as demonstrations are regularly banned and attacked.

However, over the years, the Bahraini authorities have introduced several restrictive laws and regulations to prosecute online free expression. Crackdowns on Bahrain Internet users escalated in 2011, following widespread protests calling for more freedoms and democratic reforms to be introduced in the country. Since 2011, Bahrain was categorized as “Not Free” by Freedom House in its net freedom report. Since 2012, Reporters Without Borders included Bahrain in its list of “Enemies of the Internet.”

Protesters used various social media platforms, such as Twitter, Facebook and blogs to call for demonstrations and express their dissent.

As the importance of online tools grew, so did the government's control over these means, through extended censorship and harsh repression of online activists.

The authorities began introducing new regulatory bodies, surveillance software, restrictive laws and regulations to limit the content published on social media about rights violations by the Bahraini authorities and violence, especially after the government succeeded in banning traditional journalism, by denying international journalists from entering Bahrain.

In this report, we will discuss the measures taken by the authorities to tighten their grip on the Internet and increase surveillance of content published online.

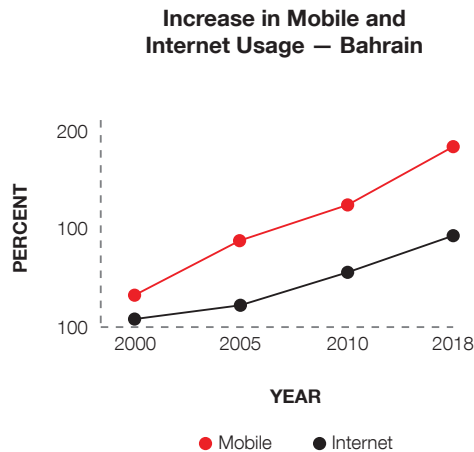
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<sup>1</sup> Internet Users in the Middle East, November 2015 <http://www.internetworldstats.com/stats5.htm>



## Bahrain's Internet Status

From a technological perspective, Bahrain is one of the most connected countries in the world,<sup>2</sup> starting from the introduction of mobile phones and the Internet in the mid-1990s, through the market liberalization which started in 2003 and made prices highly competitive.<sup>3</sup> Bahrain is currently the country with the highest Internet and mobile phone penetration in the region,<sup>4</sup> whose growth is staggering.



\* Table 1: Increase in Mobile and Internet Usage over the Years - Bahrain (data source: The World Bank)

As data collected by the World Bank<sup>5</sup> (Table 1) and the Bahrain Telecommunications Regulatory Authority (TRA)<sup>6</sup> suggest, Bahrain witnessed the doubling of mobile and Internet users in about a decade (2005 - 2015). Mobile subscriptions in 2015 amounted to 185% of the population, while Internet users were 93%.

As of February 2016, Bahrain has 11 ISPs, of which the major ones are Zain, VIVA and Batelco<sup>7</sup>. The last one, Batelco, is the only company of which the government owns a big share, while the others are private. Nevertheless, all providers are *de facto* controlled by the government through the TRA.

With over half of the population under the age of 35,<sup>8</sup> new social media have found in Bahrain an extremely fertile breeding ground in which to proliferate.

2 Telecommunications Regulatory Authority, Bahrain ICT on the World Spotlight, 4 August 2016 <http://tra.org.bh/en/press-releases/bahrain-ict-on-the-world-spotlight.html>

3 Freedom House, Freedom on the Net 2015 - Bahrain [https://freedomhouse.org/sites/default/files/resources/FOTN%202015\\_Bahrain.pdf](https://freedomhouse.org/sites/default/files/resources/FOTN%202015_Bahrain.pdf)

4 AREGNET, Bahrain ICT Market Overview, 2013 <https://www.itu.int/en/newsroom/gsr-14/Documents/bahrain-ict-market.pdf>

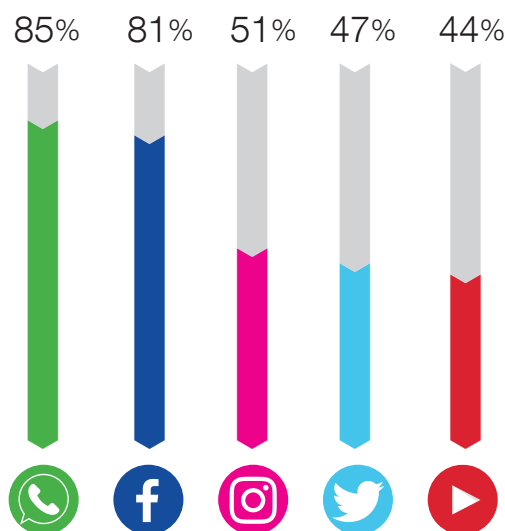
5 The World Bank - Bahrain - Internet Users (per 100 people) <http://data.worldbank.org/indicator/IT.NET.USER.P2?locations=BH>

6 Telecommunications Regulatory Authority, Telecommunications Markets Indicators in the Kingdom of Bahrain, February 2016 <http://tra.org.bh/media/document/Telecommunications%20markets%20indicators%202015%20vF%20-%20Public%20version.pdf>

7 Telecommunications Regulatory Authority, Telecommunications Markets Indicators in the Kingdom of Bahrain, February 2016 <http://tra.org.bh/media/document/Telecommunications%20markets%20indicators%202015%20vF%20-%20Public%20version.pdf>, slide 6

8 CIA - The World Factbook - Bahrain <https://www.cia.gov/library/publications/the-world-factbook/geos/ba.html>

Mostly used to connect to relatives and friends, social media are also used to get access to up-to-date and unbiased information, contrary to state television and government propaganda. Accordingly, the most preferred media channels in Bahrain are Whatsapp and Facebook (table 3).



\*Table 2: Social Media Users/Population in 2015 - Bahrain (source: TNS<sup>9</sup>)

Unable to seek representation through official media outlets, political activists as well as regular Bahrainis, turned to the digital world to give voice to their frustration with the *status quo* and find a space for resistance.

Social media’s usage skyrocketed during the revolution in 2011, used both as a tool to organize protests as well as to expose the authorities’ brutality in crushing them.

Unfortunately, the extent to which it empowered people had been greatly outweighed by state surveillance through the same vehicle; not only has the government started using the very same tools to organize counter-protests, but it increased its grip on society through further means of surveillance and even more restrictive policies and laws regulating people’s digital rights.

In a study conducted by Northwestern University in Qatar, the climate of fear and self-censorship that followed the initial enthusiasm for democratic changes is clearly visible. Despite having the highest media usage among the countries taking part in the survey, Bahrain is the one with the lowest political engagement on the net. It is the country in which people feel the least safe to express their opinion, criticize the government or talk about politics.<sup>10</sup>

<sup>9</sup> TNS, *Arab Social Media Report*, 2015 <http://dmc.ae/img/pdf/white-papers/ArabSocialMediaReport-2015.pdf>

<sup>10</sup> Northwestern University in Qatar, *Media Use in the Middle East: An Eight-Nation Survey*, 2013 <http://menamediasurvey.northwestern.edu/#>

## Legalization of Crackdown on Internet Freedom

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The government of Bahrain introduced over the past few years measures to further restrict freedom of expression on the Internet by establishing governmental bodies, introducing new laws and regulations, and using surveillance software.

While the authorities allege that they are taking these measures to safeguard national security, in practice BCHR has observed that these powers have been used to arbitrarily interpret and criminalize online speech as well as to block websites tied to the political opposition and human rights websites.<sup>11</sup>

### Introduction of Bodies

Multiple governmental bodies regulate the flow of information in Bahrain.

**Telecommunications Regulatory Authority (TRA):** a governmental body, whose members are appointed by royal decrees. It regulates mobile phone services and ISPs. The TRA is responsible for licensing telecommunication providers and for developing “a competition led market for the provision of innovative communications services, available to all.”<sup>12</sup>

In February 2016, the TRA revoked the license of the telephone and Internet services provider 2Connect<sup>13</sup> for failure to comply with national security obligations including not providing a plan to allow security units’ access to the calls data and access related information sent over the provider’s network.<sup>14</sup>

**Information Affairs Authority (IAA):** formed in 2010 by a royal decree separating the information portfolio from the then “Ministry of Culture and Information.” According to its statutes, “the authority will be in charge of all information affairs as stipulated in the laws, edicts, rules and regulations.”<sup>15</sup> The IAA monitors and controls both traditional media (Radio, TV and the Bahrain News Agency) and online media outlets in Bahrain. Most of the decisions to block websites are issued by the IAA, although the Ministry of the Interior has been issuing some of these decisions as well, which are then enforced by ISPs.<sup>16</sup> The IAA blocks websites allegedly “instigating hatred of the political regime, encroaching on the state’s official religion, breaching ethics, encroaching on religions and jeopardizing public peace or raising issues whose publication is prohibited by the provisions of this law.”<sup>17</sup> Any site critical of the government is therefore at risk of being blocked. The IAA is responsible for application of the press law and it also issues regulations related to the control of media publishing (please also refer to the following section: Restrictive Laws & Regulations).

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11 Bahrain Center for Human Rights, Bahrain: *The “Cyber Safety Directorate” Monitors Internet Activity In Style Similar to Big Brother*, 25 November 2013 <http://www.bahrainrights.org/en/node/6624>

12 Kingdom of Bahrain - Telecommunications Regulatory Authority / Vision and Mission <http://tra.org.bh/en/about-us/vision-mission.html>

13 Telecommunications Regulatory Authority, Revocation of telecommunications licenses granted by the Telecommunications Regulatory Authority, 25 February 2016 <http://tra.org.bh/en/press-releases/revocation-of-telecommunication-licenses-granted-by-the-telecommunications-regulatory-authority5.html>

14 Telecommunications Regulatory Authority, Article 35 Order No. 2 of 2016 Connect’s breach of Articles 24(b) 53 and 78 of the Telecommunications Law and of its License Term, 4 February 2016 [http://www.tra.org.bh/media/document/TRAScan\\_160204\\_423681.pdf](http://www.tra.org.bh/media/document/TRAScan_160204_423681.pdf)

15 Gulf Digital News, His Majesty Introduces Decrees, 09 July 2010 <http://archives.gdnonline.com/NewsDetails.aspx?date=04/07/2015&storyid=281924>

16 Freedom House, Freedom on the Net 2015 - Bahrain [https://freedomhouse.org/sites/default/files/resources/FOTN%202015\\_Bahrain.pdf](https://freedomhouse.org/sites/default/files/resources/FOTN%202015_Bahrain.pdf)

17 Bahraini Press Law, Art. 19 [http://www.bahrainijournalists.org/References\\_and\\_documents/Law](http://www.bahrainijournalists.org/References_and_documents/Law)

**eGovernment Authority (EGA):** is responsible for the automation of all of the government's services, in parallel with gathering as much data as possible about the kingdom's citizens. On July 2017, the eGovernment Authority has become officially an entity directed by the Ministry of the Interior, through a royal decree<sup>18</sup>, which only contributes to the government efforts on surveillance on the citizens.

**General Directorate of Anti-Corruption & Economic & Electronic Security:** established in the Ministry of the Interior by royal decree in November 2011.<sup>19</sup> The unit is responsible for "combating all electronic crimes," including: offending, defaming, and insulting others online. It tracks Internet users who have allegedly violated the law, and investigates the case. The unit has summoned and interrogated human rights defenders, political activists, and social media activists over charges of insulting or offending a governmental body, the King, or a neighboring country.

**Cyber Safety Directorate:** inaugurated on 18 November 2013 by the Ministry of Telecommunications Affairs to "assume its role in monitoring websites and social media networks to ensure they are not used to instigate violence or terrorism and disseminate lies and fallacies that pose a threat to the kingdom's security and stability." Additionally, a hotline and an email address were published for the general population to report "any websites or accounts inciting violence and acts of terror, jeopardizing people's lives and public interests or targeting national unity and civic peace."<sup>20</sup>

### Restrictive Laws & Regulations

Online media, as well as print journalism, in Bahrain is regulated by a **2002 Press Law (Law 47/2002)**, that allows for strict control and censorship on sensitive subjects. Accordingly, Article 19 prohibits the circulation of publications "instigating hatred of the political regime, encroaching on the state's official religion, breaching ethics, encroaching on religions and jeopardizing public peace." Moreover, Articles 68, 69, 70 and 71 envisage punishments, in the form of fines and jail sentences, for crimes such as criticizing the King and instigating sectarian divisions to jeopardize the unity and stability of the country, as well as "imperfection against a King or Head of an Arab or Islamic state, or any other country that exchanges with the Kingdom of Bahrain diplomatic representation" and "publishing false news or falsified or forged papers aimed towards disrupting public security and affecting public interests."<sup>21</sup>

In July 2016, the Minister of Information, Mohammed Al-Rumaihi, issued **Decree 68/2016**, an extension of Bahrain's 2002 Press Law, which further restricts the dissemination of electronic media and empowers the state to easily target content producers with prosecution. According to the decree, licensed newspapers may disseminate electronic media only after receiving a temporary license from Bahrain's mass media directorate. The law does not detail under what criteria Bahraini officials will judge and approve applications for a one-year, electronic media license. As part of the application to receive these licenses, applicants are required to give a list of social media accounts, website addresses, and the names of those responsible for them. This could lead to quick prosecution of individuals, if the content be deemed violating. Once granted a license, newspapers may not post videos over two minutes in length and are forbidden from live-streaming. The content of the videos is excessively regulated, with the law stipulating that

18 <http://www.bna.bh/portal/en/news/734853>

19 General Directorate of Anti-Corruption & Economic & Electronic Security <http://www.acees.gov.bh/>

20 Bahrain Center for Human Rights, *Bahrain: The "Cyber Safety Directorate" Monitors Internet Activity In Style Similar to Big Brother*, 25 November 2013 <http://www.bahrainrights.org/en/node/6624>

21 Bahraini Press Law [http://www.bahrainjournalists.org/References\\_and\\_documents/Law](http://www.bahrainjournalists.org/References_and_documents/Law)

“electronic media should be part of the printed content or a reflection of it, and tackles the same topic [sic].”<sup>22</sup>

Promulgated in 2002, the **Telecommunication Law (Law 48/2002)** allows for strict surveillance of communications, giving the Telecommunications Regulatory Authority (TRA) full power to supervise and inspect. Moreover, Article 78 “allow(s) security organs to have access to the network for fulfilling the requirements of national security.”<sup>23</sup>

Two further laws are used to criminalize freedom of expression in the country: Bahrain’s Penal Code and the Anti-Terrorism Law.

**Bahrain’s Penal Code** is used to target Internet users. According to Article 169, “A punishment of imprisonment for a period of no more than two years and a fine not exceeding BD200, or either penalty, shall be inflicted upon any person who publishes by any method of publication untrue reports, falsified or forged documents or falsely attributed to other person should they undermine the public peace or cause damage to the country’s supreme interest or to the State’s creditworthiness. If such publication results in undermining public peace or causing damage to the country’s supreme interest or to the State’s creditworthiness, the punishment shall be a prison sentence.” The law also envisages punishment for individuals who insult or criticize the government, public institutions, neighboring countries, and religious figures.<sup>24</sup>

To further crackdown on Internet activists, on 18 November 2013, the Shura Council approved parliament’s amendments to **Article 214 of the Penal Code** to increase the punishment of “insulting the King.”<sup>25</sup> In February 2014, the King enacted the law which states that “a prison sentence shall be the penalty for any person who offends the emir of the country [the King], the national flag or emblem.”<sup>26</sup>

The amendment states that whoever publicly offends or insults the King of Bahrain, the flag or national emblem shall be punished with imprisonment of a period not less than a year or more than seven years and a fine between USD\$2,652 to USD\$26,523. The punishment shall be harsher if it occurred in the presence of the King. It is not specified within the language of the law what constitutes an offence, and by leaving it vague it allows space to criminalize any form of criticism of the King.

The **2006 Law on the Protection of Society from Acts of Terrorism (Law 58/2006)**, commonly referred to as the “Anti-Terrorism Law”, is also used to prosecute online free expression. Its vague and broadly defined crimes give the authorities space to interpret its articles as they wish.

Article 1 defines terrorism as “the use of force or threatening to use it or any other unlawful means constituting a crime legally punishable by law resorted to by a perpetrator for the execution of an individual or collective criminal plan with the aim of disrupting public order or threatening the Kingdom’s safety and security or damaging national unity or security of the international community if this would result in harming persons terrorizing and intimidating them and

22 Bahrain Center for Human Rights, *NGOs: Bahrain’s New Expansive Press Regulations a Threat to Journalists*, 27 July 2016 <http://bahrainrights.org/en/node/8032>

23 Bahraini Telecommunications Law <http://www.tra.org.bh/media/document/TelecommunicationsLaw-secondedition-English.pdf>

24 Bahraini Penal Code [https://www.unodc.org/res/cld/document/bhr/1976/bahrain\\_penal\\_code\\_html/Bahrain\\_Penal\\_Code\\_1976.pdf](https://www.unodc.org/res/cld/document/bhr/1976/bahrain_penal_code_html/Bahrain_Penal_Code_1976.pdf)

25 Gulf Daily News, Seven years in jail for insults, 19 November 2013 <http://archives.gdnonline.com/NewsDetails.aspx?date=04/07/2015&storyid=365175>

26 Bahrain Center for Human Rights, Bahrain King: Up to 7 Years Imprisonment if You Insult Me!, 9 February 2014 <http://www.bahrainrights.org/en/node/6747>

endangering their lives, freedoms or security or causing damage to the environment, public health, national economy or public utilities, facilities or properties or seizing them and obstructing the performance of their business activities, preventing or obstructing the government authorities, places of worship or academic institutions from carrying out their activities.”<sup>27</sup>

The “Anti-Terrorism Law” has been internationally criticized for its failure to comply with international legal standards. The law is vague and lacks precision which allows the government to liberally apply it in prosecuting its critics and generally limiting basic freedoms such as the freedom of expression, assembly and association. An individual’s political opinions could be considered as promotion of terrorists’ acts under these guidelines. Those who are deemed to be a ‘threat to public security’ are denied their right to due process, and ultimately justice.<sup>28</sup>

In September 2013, the Bahraini government passed another piece of legislation related to joint efforts “to combat cyber-terrorism and enhance cyber-security” in the Gulf Cooperation Council (GCC). Based on the **Riyadh Document** that was approved by the GCC Supreme Council in its 33rd session in Bahrain, the Bahraini government used terrorism as a justification to pass another piece of legislation “criminalizing anyone who establishes a website, publishes information online or uses any information technology tool to assist or aid communications with terror cells, as well as promoting disruption of public order or morale.”<sup>29</sup>

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27 Bahraini Anti-Terrorism Law [http://www.vertic.org/media/National%20Legislation/Bahrain/BH\\_Law\\_No\\_58\\_Protection\\_Community\\_against\\_Terrorist\\_Acts.pdf](http://www.vertic.org/media/National%20Legislation/Bahrain/BH_Law_No_58_Protection_Community_against_Terrorist_Acts.pdf)

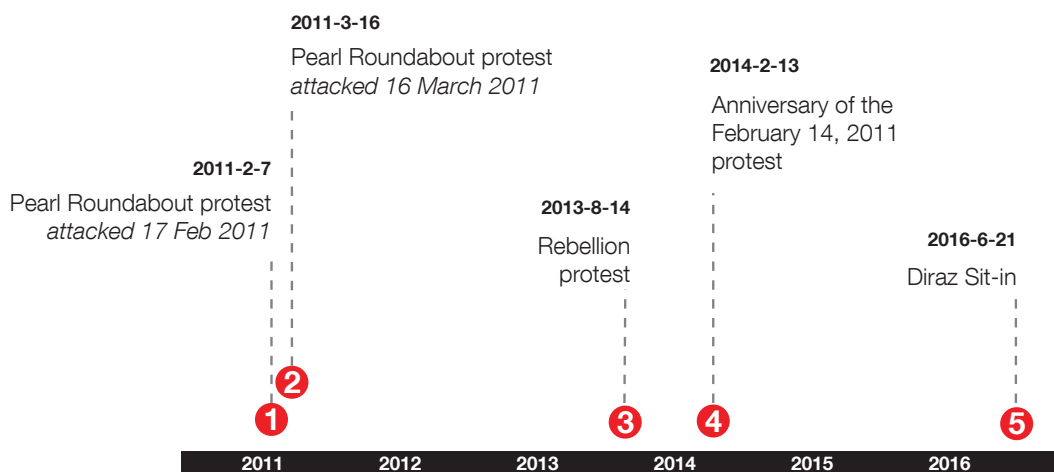
28 Bahrain Center for Human Rights, *The Terrorism Law in Bahrain: a Tool to Silence Dissent*, March 2014 <http://www.bahrainrights.org/sites/default/files/Terrorism%20Laws%20in%20Bahrain%20-%20FINAL.pdf>

29 Bahrain News Agency, HRH the Prime Minister Chairs the Weekly Cabinet Meeting, 15 September 2013 <http://www.bna.bh/portal/en/news/579650>

## Internet Restrictions

### Internet shutdown/slowdown instances

Since 2011 and the start of the street protests, the Internet has proved to be a remarkable communication and information tool in Bahrain.<sup>30</sup> The Internet became the most popular tool for the opposition to express its grievances and discontent towards the government, and to create international awareness on the human rights violations in their country. At this same period, the government adopted drastic measures to disrupt, block and slow down the Internet.



\*Table 3: Timeline of Internet Disruption (2011 – 2016)

In 2011, the government had slowed down Internet access to prevent media uploading that exposed the government's brutality in response to the protest. In some locations it was completely offline, as in the Pearl Roundabout. Internet traffic into and out of Bahrain dropped by 20 percent during the February 2011 attacks on protests,<sup>31</sup> and phone lines were disrupted in many areas.<sup>32</sup>

Over the following years, the government has continued to slow down the Internet as a medium to control the online coverage of the on the ground protests, and subsequent brutal police response. In August 2013, on days when there were calls for mass protests, there were reports of abnormally slow Internet speeds.<sup>33</sup> And again in 2014, the government throttled the Internet speed around the anniversary of the February 14 protests.<sup>34</sup>

While the previous incidents of Internet throttling lasted for several hours, the most recent incident that started in June 2016 is ongoing at the time of writing this report (August 2016). Following the revocation of citizenship of Sheikh Isa Qasim, the spiritual leader of Bahrain's Shia community, on 20 June 2016, hundreds of demonstrators began a peaceful sit-in around his home

30 Enemies of the Internet: 2013 Report by Reporters without Borders for Freedom of Information [http://surveillance.rsf.org/en/wp-content/uploads/sites/2/2013/03/enemies-of-the-internet\\_2013.pdf](http://surveillance.rsf.org/en/wp-content/uploads/sites/2/2013/03/enemies-of-the-internet_2013.pdf)  
31 The Register, Internet use disrupted in Bahrain as protests turn bloody, 18 February 2011 [http://www.theregister.co.uk/2011/02/18/bahrain\\_internet\\_disruption/](http://www.theregister.co.uk/2011/02/18/bahrain_internet_disruption/)  
32 Freedom House, *Freedom on the Net 2012 - Bahrain* [https://www.freedomhouse.org/sites/default/files/Bahrain%202012\\_0.pdf](https://www.freedomhouse.org/sites/default/files/Bahrain%202012_0.pdf)  
33 Bahrain Freedom Index - On Bahrain Tamrod day: Internet slow, Chatting apps blocked, 14 August 2013 <http://bahrainindex.tumblr.com/post/58264073435/on-bahrain-tamrod-day-internet-slow-chatting>  
34 Bahrain Freedom Index - Slow Internet reported on the eve of the revolution anniversary, 13 February 2014 <http://bahrainindex.tumblr.com/post/77604642724/slow-internet-reported-on-the-eve-of-the>

in the village of Duraz, where he also preaches. Since then, the authorities have subjected Duraz to an unprecedented lockdown, in what is a form of collective punishment against the entire village. All major ISPs – including the three largest, Batelco, Zain, and Viva – have enforced a daily Internet blackout between 7:00 p.m. and 1:00 a.m. since 20 June. A technical report has provided further evidence that ISPs Batelco and Zain have been deliberately degrading and disabling Internet services every night in the village of Duraz between these hours for more than a month.<sup>35</sup> The blackouts affect not only Duraz but also the surrounding villages, having a negative impact on the villages' businesses. E-commerce traders and consumers, IT professionals, and office workers in and around Duraz cannot engage in their regular work activities. Shopkeepers' card machines are rendered useless, as they use Internet connections to process payments, and transactions can only be made by cash, potentially limiting customers.<sup>36</sup>

### Website Censorship

The tradition of Internet filtering, blocking and monitoring did not take immediate effect after Internet was introduced<sup>37</sup> in 1995. Such restrictive measures began in April 2005, after the introduction of the 2002 Press Law, during the legislative election where the government obliged all websites documenting information about the country to register their information at the Ministry of Information before any publication. At the same time, the government prohibited<sup>38</sup> the publication on the web criticism of the government and did not hesitate to block interactive exchanges especially when they were not in support of its views. As such, in the years that followed, several blogs and websites were blocked and mobile phone services regulated by the TRA. These measures have contributed to the blocking of prominent blogs, newspapers, television channels and other media websites.

In January 2009, the then Ministry of Information launched a mass web censorship campaign, introducing a series of stringent measures, among which was ordering all ISPs to block websites "containing pornography or materials that might provoke viewers to violence or religious hatred." That year, the IAA blocked or shut down at least 1,000 websites in Bahrain,<sup>39</sup> including human rights websites, blogs, online forums, and individual pages from social media networks. The BCHR website and the Arab Network for Human Rights Information (ANHRI) website have been blocked since 2006. Bahrain Online, a prominent online forum, has been blocked since its launch in 1998. Additionally, Google Page Translate and Google cached pages are both blocked to avoid having them be used to override censorship.

From the early days of the 2011 protests, the government has blocked most live-broadcasting websites that were used by protesters to provide live coverage of the on the ground events. Those sites remain blocked until today. Online chatting services that are deemed popular between protesters are blocked, like PalTalk which has been blocked since June 2011. Matam.tv, a local live broadcasting website that broadcasts religious events and sermons from Shia religious centers (Matams) across Bahrain, has been blocked since November 2013.

35 Bahrain Watch, Press Release: Bahraini ISPs Impose Internet Curfew in Protest Village, 4 August 2016

<https://bahrainwatch.org/blog/2016/08/04/press-release-bahraini-isps-impose-internet-curfew-in-protest-village/>

36 Bahrain Center for Human Rights, *Duraz: a Community under Siege*, 13 July 2016 <http://bahrainrights.org/en/node/8005>

37 VPN Accounts, Bahrain Internet Censorship <https://www.vpn-accounts.com/bahrain-internet-censorship.html>

38 Freedom House, Freedom on the Net 2011 <http://www.refworld.org/pdfid/4dad51b22.pdf>

39 Reporters Without Borders, Enemies of the Internet, 12 March 2012

[https://www.reporter-ohne-grenzen.de/fileadmin/rte/docs/2010/Feinde\\_des\\_Internets.pdf](https://www.reporter-ohne-grenzen.de/fileadmin/rte/docs/2010/Feinde_des_Internets.pdf)



In August 2013, the Minister of Communications ordered ISPs to block 70 websites<sup>40</sup> supposedly “affiliated with internationally recognized organizations that fund and promote terrorism.” However, news sites affiliated with Bahrain’s popular February 14th Coalition protest movement, and online forums linked to the political opposition and the main religious group Ulama Islamic Council, were also blocked.<sup>41</sup>

It is important to note, though, that Bahrain’s Internet filtering directives can be blurry. According to statistics,<sup>42</sup> the majority of websites that have been blocked had nothing to do with pornography, violence, or terrorism. Instead, the filtering policy targets sites that have in one way or the other presented views that opposed the government or exposed its violations of human rights. On the other hand, as observed by BCHR, many sites affiliated with terrorist groups like Daesh (or ISIS) are still accessible in Bahrain, which confirm that those sites were never the target of the censorship.

In April 2015, it was announced that Bahrain is intending to use Russian expertise to create its own “national search engine,”<sup>43</sup> which would facilitate filtered search results according to the Bahraini government’s criteria for accepted content, eliminating any unwanted critical content.

In 2016, the blocking efforts continued as leading Bahraini ISPs moved to block the popular messaging phone application Telegram starting at least in June 2016.<sup>44</sup> This blockage has been attributed to the popular use of the service by activists. It has also banned independent news sites like Bahrain Mirror from disseminating news to thousands of followers. Amid a heightened crackdown on civil society organizations in Bahrain in June 2016, the authorities blocked the websites of the largest political society in the country, Al-Wefaq Islamic Political Society - following its closure. Similarly, the authorities blocked the website of the Islamic Enlightenment (Al-Tawyea) Society, and during one week only they blocked at least four alternative addresses of the independent LuaLua TV channel, and the alternative address of BCHR’s website. Additionally, because it took a critical stance in an article written by its Editor-in-Chief, online site “Raialyoum” was blocked, thus making its access through the service of certain ISPs challenging.<sup>45</sup>

During the previous years and albeit not having a centralized Internet filtering system, the Bahraini government has been indirectly enforcing its filtering policies to all ISPs through orders from the IAA or the Ministry of the Interior, which the ISPs are obliged to follow in order to maintain their licenses with the TRA.

However, in February 2016, the Bahraini government sealed a USD\$1.2 million deal with the Canadian web filtering company Netsweeper,<sup>46</sup> to purchase a “National Website filtering Solution,” which could contribute to advanced content censorship in Bahrain. On 5 August 2016, the government issued decision 12/2016 regarding regulations on safety over the Internet.<sup>47</sup> According

40 “Blocking websites that promote terrorism, as recommended by the national assembly” [in Arabic] Bahrain News agency, 3 august 2013 <http://www.bna.bh/portal/news/573943>

41 Al- Monitor, Bahraini court dissolves Islamic Scholars Councils: <http://www.al-monitor.com/pulse/security/2014/01/bahrain-court-decision-resolve-islamic-council.html>

42 Herdict - Bahrain <https://www.herdict.org/explore/indepth?fc=BH>

43 Sputnik News, Bahrain wants Russia to help it create a National Search Engine, 22 April 2015 <http://sputniknews.com/world/20150422/1021217370.html>

44 Bahrain Watch, Leading Bahraini ISPs are Blocking Telegram Traffic, 28 June 2016 <https://bahrainwatch.org/blog/2016/06/28/leading-bahraini-isps-are-blocking-telegram-traffic/>

45 Bahrain Center for Human Rights, On Eve of UN Resolution for Internet Freedom: Websites blocked, Internet Disrupted, and Social Media Posts Continue to Lead to Arrests in Bahrain <http://www.bahrainrights.org/en/node/7969>

46 Sam Kellogg, Samkellogg.be <http://samkellogg.be/blog/canadian-company-netsweeper-closes-1-2-million-deal-to-filter-bahraains-internet/>

47 Al-Wasat Newspaper, “الانتماءات تصدر لائحة السلامة على الإنترنت متضمنة “الحل التقني الموحد” لمنع النفاذ للمواقع المحظورة” <http://www.alwasatnews.com/news/1145277.html>

to this order, all ISPs must implement a centralized Internet filtering system for the first time. The decision stated that all telecommunications companies in Bahrain should purchase and use a unified technical system for blocking websites. The control over this system will be centralized and managed by the TRA. With the new centralized system, the government will be leaving no chance that any site escapes its censorship as it will be in direct control of the filtering.<sup>48</sup>

### **Content Ban and Removal**

Bahrain authorities regularly take steps toward banning or forcefully removing content from the Internet. Many Bahraini websites have been shut down in 2011 following the arrest of their administrators, and they were not reactivated after that.<sup>49</sup>

Similarly, many twitter accounts were suspended following the arrest of their users, and all their posts have become inaccessible. For example, @Takrooz, a satirical Twitter account, lost all 97,000 tweets after the arrest of its user in June 2014. **Ghada Jamsheer**, a woman human rights defender, closed her twitter account<sup>50</sup> and stopped tweeting or blogging after her blog (Bahrain Eve) was blocked in 2009.<sup>51</sup> However, she was arrested for three months and put on trial in 2014. She was sentenced to one year in prison,<sup>52</sup> which was upheld in June 2016. (See section V. below for more details.)

Registered independent newspapers face restrictions when it comes to their online presence. On 7 January 2016, “Al-Wasat” was banned from publishing (short) videos or footage under the pretext of Media Law number 47 of 2002. The authorities claimed that “Al-Wasat”’s license doesn’t include or permit publishing videos on its social media website, mainly Instagram. On 25 January 2016, “Al-Wasat” received a call from the Ministry of Information to stop using Youtube. In July 2016, the Minister of Information, Mohammed Al-Rumaihi, issued Decree 68/2016, an extension of Bahrain’s 2002 Press Law, which further restricts the dissemination of electronic media. (Refer to the section above on Restrictive Laws & Regulations).

### **Information manipulation (Army of trolls)**

Bahraini online space is known for the widespread and active presence of Internet “trolls”. Hundreds of accounts that are pro-government appeared in 2011 with the objective of disrupting and hijacking online conversations, attacking pro-democracy protesters, activists, and commentators on Bahrain hashtags, as well as disseminating false and sectarian information that would distort the image of the pro-democracy movement in Bahrain.<sup>53</sup> These accounts have maintained certain behaviors that have strongly suggested they belong to a well-organized system, as they all appeared at the same time on Twitter to broadcast false information around a certain political event on the ground.

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48 Bahrain Center for Human Rights, Bahrain Moves Forward with Measures to Centralize Internet Censorship, 8 August 2016 <http://bahrainrights.org/en/node/8055>

49 Freedom House, Freedom on the Net 2012 - Bahrain [https://www.freedomhouse.org/sites/default/files/Bahrain%202012\\_0.pdf](https://www.freedomhouse.org/sites/default/files/Bahrain%202012_0.pdf)

50 Twitter - Ghada Jamsheer [https://twitter.com/Ghada\\_Jamsheer](https://twitter.com/Ghada_Jamsheer)

51 Blogspot - Bahrain Eve (Ghada Jamsheer’s blog) <http://bahrain-eve.blogspot.dk/>

52 Bahrain Center for Human Rights, Women Human Rights Activists Zainab Al-Khawaja and Ghada Jamsheer sentenced to prison again, 23 June 2015 <http://www.bahrainrights.org/en/node/7540>

53 Bahrain Center for Human Rights, Bahrain: After destruction of the actual protesting site at “the Pearl”, the government shifts to eliminate virtual protests, 22 May 2011 <http://bahrainrights.org/en/node/4101>

The most recent appearance of these accounts has been noticed since the start of the Duraz sit-in on 20 June 2016, following the revocation of the citizenship of Sheikh Isa Qasim, the highest spiritual authority in Bahrain. Combined with disrupted Internet connections in Duraz that limited the protesters' ability to share live coverage of the sit-in, thousands of automated Twitter accounts have dominated the Bahrain hashtag with sectarian and anti-Shia tweets,<sup>54</sup> referring to Qasim as a "terrorist."<sup>55</sup> In fact, approximately 51% of tweets posted with #Bahrain are said to have been generated from automated sectarian Bots accounts.<sup>56</sup>

### Surveillance and Privacy

The privacy of Internet users is violated, including through the regulations of the TRA, which forces all Internet providers to keep records of all their customers' phone calls, emails, and website visits in Bahrain for up to three years, and they must provide a plan to grant access to the security institutions to this data. Since 2010, evidence of the Bahraini government's use of surveillance technology to spy on activists' phone and Internet communications continues to emerge, including the use of Nokia Siemens Network's technology for voice and data recording.<sup>57</sup> In 2012 several Bahraini activists were among hacking targets<sup>58</sup> using the Gamma's software "FinFisher," for remotely and secretly taking control of a computer, taking screen shots, intercepting Voice-over-Internet-Protocol (VoIP) calls, and transmitting a record of every keystroke.<sup>59</sup> Data leakage in 2015 revealed that the government of Bahrain obtained Hacking Team's Remote Control System (RCS) in 2014, a system which would allow it to monitor the communications of Internet users, decipher their encrypted files and emails, record Skype and other VoIP communications, and remotely activate microphones and cameras on targeted computers.<sup>60</sup>

The government has been actively targeting online anonymous activists using malicious spy links which tracked the user's IP address when clicked. This has led to the arrest of many of those users (Refer to the section below on Attacks on Internet users). In many cases, the spy links were sent from accounts that impersonated well-known opposition figures or friendly individuals over Twitter and Facebook.<sup>61</sup>

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54 Marc Owen Jones, *The Automation of Sectarianism: Are Twitter Bots Spreading Sectarianism in the Gulf?*, 21 June 2016 <https://marcowenjones.wordpress.com/2016/06/21/the-automation-of-sectarianism/>

55 *Ibid.*

56 Marc Owen Jones, *Around 51% of Tweets on #Bahrain Hashtag Created by Automated Sectarian Bots*, 22 June 2016 <https://marcowenjones.wordpress.com/2016/06/22/around-51-of-tweets-on-bahrain-hashtag-by-automated-sectarian-bots/>

57 Wired, *Nokia-Siemens Spy Tools Aid Police Torture in Bahrain*, 23 August 2011 <https://www.wired.com/2011/08/nokia-siemens-spy-systems/>

58 Bahrain Watch, *Bahrain Government Hacked Lawyers and Activists with UK Spyware*, 7 August 2014 <https://bahrainwatch.org/blog/2014/08/07/uk-spyware-used-to-hack-bahrain-lawyers-activists/>

59 The Citizen Lab, *You Only Click Twice: FinFisher's Global Proliferation*, 13 March 2013 <https://citizenlab.org/2013/03/you-only-click-twice-finfishers-global-proliferation-2/>

60 *The Enemies of Internet - Hacking Team* <https://surveillance.rsf.org/en/hacking-team/>

61 Bahrain Watch, *The IP SPY Files: How Bahrain Government Silences Anonymous Online Dissent*, 2013 <https://bahrainwatch.org/ipspy/ip-spy-files.pdf>

## Attacks on Internet Users

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The authorities have routinely used such legislation to prosecute and incarcerate peaceful critics of the government. Since 2012, Bahrain's courts have collectively sentenced at least 40 Internet users to more than 842 months in prison for exercising their right to free expression on the Internet and independent social media. As of August 2016, at least 17 Internet users remain in prison, some of them serving prison sentences of up to ten years.

BCHR's President **Nabeel Rajab** was arrested in the early hours of the morning of 13 June 2016. Bahraini forces raided Rajab's home without informing him or his family of the reason for his arrest. The public prosecution charged Rajab with "spreading false news and rumors about the internal situation in a bid to discredit Bahrain." This charge was in relation to statements which Rajab gave during past television interviews in early 2015 and 2016.

On 26 June 2016, the authorities transferred Rajab to the criminal court and set 12 July 2016 as his first court hearing, over two charges both in relation to tweets and retweets posted in 2015 about the war in Yemen, as well as credible allegations of torture in Jau prison following a prison riot in March 2015. The charges include allegedly "posting information that could incite others and disrupt civil peace," and "illegally defaming a statutory body." Rajab may face imprisonment of up to 15 years if convicted. His trial commenced on 12 July 2016 and was postponed.

The authorities repeatedly targeted Rajab for his online activism. In January 2015, the court sentenced him to six months in prison for a tweet in which he described Bahrain's military institutions as "incubators" of extremist ideologies. His sentence was later upheld in May 2015 and he served over four months of it before being released on health grounds.

Prior to his arrest on 13 June 2016, the SurgiCare clinic in Bahrain had recommended that he have surgery for an ulcer following treatment to clear a related infection with antibiotics. This ulcer has now worsened to the level of bleeding due to the poor conditions in detention. Rajab has requested his wife to provide bandages for the bleeding. In addition, the Bahraini authorities have also postponed a further consultation with a blood disease specialist, who is supposed to treat Rajab's immunity problems which are caused by a low white blood cell count, a condition that Rajab had not experienced prior to his detention.

Rajab is being held at West Riffa police station in solitary confinement and under extremely poor conditions. The living conditions in his cell are highly unsanitary, as the toilet and shower are filthy and unhygienic. There is either no or very little water in the bathroom. The effect of these poor conditions is clearly resulting in his deteriorating health as he has requested painkillers to treat severe headaches and lower back pain, which have been provided by his family.

The arrest and detention of Nabeel Rajab has been widely criticized and condemned by international human rights bodies and governments including France and Germany. In addition, international bodies like the UN and EU have raised concern over the fact that this case like many other unlawful crackdowns on the opposition could worsen the human rights situation in Bahrain.

On 15 August 2016, **Ghada Jamsheer**, writer, blogger and women's rights activist, was arrested upon arrival from London and taken to prison.<sup>62</sup> Her arrest has been attributed to remarks she

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62 Gulf Center For Human Rights, Bahrain: Ghada Jamsheer arrested, and "illegal gathering" charges made against Maytham Al-Salman and Dr. Taha Al-Derazi, who remains in detention <http://www.gc4hr.org/news/view/1345>

posted on Twitter about the corruption that was allegedly occurring at King Hamad Hospital. After a complaint filed by Salman Attiyat Allah Al-Khalifa, a member of the Bahraini ruling family and head of the hospital, she was charged with defaming official employees on her Twitter account. Jamsheer is believed to be held at Isa Town Detention Center for women.

Former Member of Parliament **Khalid Abdulaai** was sentenced by the First Lower Criminal Court to one year in prison on charges of “insulting the Ministry of interior” for a tweet he posted while still an MP at the time. In his tweet, he condemned the use of torture to extract confessions.<sup>63</sup> He stated that the tweets were not designed to insult the government, but were simply a criticism for improving the situation. On 8 June 2016, he was sentenced to an additional year in prison, for another tweet. Abdulaai is currently out of prison having paid a BD1,000 bail. Abdulaai faces additional similar charges related to remarks he made on Twitter.

In June 2014, Bahraini authorities arrested **Hussain Mahdi** upon his arrival to Bahrain International airport from Thailand and accused him of operating the satirical Twitter account “@Takrooz” known for its harsh criticism of both the opposition and government. Before the arrest, @Takrooz a target of Bahrain’s Cyber Crime Unit with malicious links sent in a bid to identify the user’s IP address. The public prosecution charged him with “inciting hatred against the regime” and “using expressions that incite sectarianism.” He reported being subjected to torture during interrogation. Mahdi was released after 11 months in detention and he left Bahrain.<sup>64</sup> In March 2016, the third lower criminal court sentenced Mahdi to five years in prison and a USD\$26,523 fine over charges of “insulting the King.”

On 10 April 2016, **Habib Jaafar Ahmed**, a 45-year-old social media user presented himself at the Criminal Investigation Directorate (CID) after he was summoned by the Bahraini authorities. The authorities charged him with allegedly using Twitter and Facebook to incite hatred against the regime and security forces.<sup>65</sup> After Ahmed was informed about the charges against him, he was transferred from the CID to the preventive security body of the Ministry of interior. During interrogation, security forces allegedly threatened to arrest his parents and brothers if he refused to confess to the charges against him. Subsequently, Ahmed was forced to confess to being the owner of the Twitter account (Habib Abu Mohammed), but refused being the owner of the Facebook page (Resistant Bahrain). However, he stated that 60 days before his arrest, he had submitted a complaint to the police station regarding his missing phone, and that the tweets were posted when his phone was missing. Ahmed was sentenced to three months in prison.

**Jaleela Al-Sayed Ameen** was arrested on 10 February 2015, when security forces raided her home at 5:50 A.M. and confiscated some electronic devices like cell phones and computers. Al-Sayed was taken to the CID for questioning and later imprisoned after she was charged with allegedly misusing her Twitter account called “Resistance Media” as a platform to incite hatred and insult the king. Al-Sayed was not given the opportunity to contact her family or lawyer during her initial arrest. After a year in prison, a Bahraini court decided to release Al-Sayed. Her trial is ongoing.

**Taiba Ismaeel** is a 36-year-old social media user who was arrested by the Bahraini authorities for a post on Twitter. On 26 June 2016 at 3:00 A.M., security forces raided Ismaeel’s home without presenting any arrest or search warrant. After searching the home, they confiscated her phone.

63 Bahrain Center for Human Rights, Bahrain: Prison Awaits for Internet Criticism of Regime, Ministry or Even Your Elected MP, 19 July 2015 <http://bahrainrights.org/en/node/7577>

64 Bahrain Mirror, تكروز يكشف عن نفسه: أنا حالة.. لا أدع كلمة تختنق في فمي, <http://mirror.no-ip.org/news/30001.html>

65 Bahrain Center for Human Rights, More arrests and jail sentences in Bahrain over social media posts, 20 June 2016 <http://www.bahrainrights.org/en/node/7919>

On 27 June 2016, she was taken to the public prosecution where she was interrogated and later charged with allegedly “insulting the king” in remarks posted on Twitter using a pseudonym. She told her husband that she was subjected to psychological pressure during interrogation at the CID. She remains detained until her trial on 30 August 2016.

Bahraini artist **Khalil Al-Madhoon** was summoned for interrogation by the authorities on 27 June 2016. Subsequently, he was charged with allegedly “insulting the King” in relation to a comment he made on Instagram. On 27 June, he was remanded to seven days in detention. Al-Madhoon is also a former political detainee and a torture survivor.<sup>66</sup> In 2011, he was targeted for being the son of Al-Wefaq’s opposition figure living in exile. He was also a victim of discrimination, being the only male Arts graduate applying for a teaching job at the Ministry of Education for three years, and getting rejected every year.<sup>67</sup>

**Dr Saeed Al-Samaheji** was arrested in January 2016 through a house raid for criticizing the execution of Sheikh Nimr Al-Nimr and 40 other men in Saudi Arabia. He was charged with allegedly “misusing electronic networks to insult a brotherly nation and inciting unpermitted demonstrations which had led to demonstrations accompanied by violent acts.” In April 2016, a Bahraini court sentenced him to one year in prison over these charges.<sup>68</sup> He is currently serving his sentence in Jau prison. This is not the first time Al-Samaheji was detained and sentenced over charges related to misuse of social media.

In September 2015, security forces arrested the two social media activists **Hussain Khamis** and **Yousif Al-Amm** who were operating the “**BuKhamis**” and “**HajiAhmed**” Twitter handlers. The Ministry of Interior announced that it had arrested them because their posts on Twitter were deemed “insulting towards Bahraini soldiers participating in the Saudi Arabia-led Arab Coalition in Yemen.” The posts in question allegedly denounced and criticized Bahrain’s participation in the ongoing military operation in that country. They were charged under penal code Article 133 with “deliberately disseminating - during a time of war - false information and rumors and sensationalist propaganda that could jeopardize the military operations of the armed forces.” On 18 February 2016, a Bahraini criminal court sentenced each of them to five years in prison. They are currently detained in Jau Prison.

In October 2015, Bahraini authorities raided the house of **Ebrahim Karimi**, confiscated his electronic devices, and arrested him – all without ever presenting a warrant. The security forces took Karimi to the CID where he was allegedly subjected to ill-treatment including forced standing for prolonged hours and sleep deprivation. He says he was also threatened to harm his family if he did not confess. During his interrogation, the authorities questioned Karimi about posts on the Twitter account “FreejKarimi”, and prevented him from contacting his lawyer. The public prosecution later charged Karimi with inciting hatred against the regime, insulting the king, and misusing social media, among other related offenses. On 1 April 2016, he was sentenced to two years’ imprisonment and to pay a fine of USD\$5,304 for these charges.<sup>69</sup> Additionally, in 2012, the government of Bahrain revoked Karimi’s citizenship through an administrative decision. The court ordered his deportation, a decision which was upheld by the court of appeal.

66 Bahrain Center for Human Rights, Khalil Al Madhoon: A Tortured Artist in the Prisons of the Capital of Culture 2012 – Bahrain, 29 November 2011 <http://bahrainrights.org/en/node/4866>

67 AlWasat Newspaper, «التربية الفنية» والوزارة ترفض توظيفي، <http://www.alwasatnews.com/news/1090087.html>

68 AlWasat Newspaper, الحيس سنة للطبيب السماهيجي لإهانتته دولة شقيقة وتحريضه على البحرين، <http://www.alwasatnews.com/news/1099895.html>

69 Bahrain Center for Human Rights, More prison sentences and interrogations for free expression “crimes” in Bahrain such as “insulting the king,” 7 April 2016 <http://www.bahrainrights.org/en/node/7780>

In June 2016, bloggers **Ahmed Marzoq** and **Ali Al-Henni** were arrested and detained by the Bahraini authorities over a video they published while in Dubai, the United Arab Emirates. In the video that circulated on social media, the two men recorded themselves pointing at a Shia mosque and some Shia social centers while making some comments that were deemed to be sectarian jokes. Because of the sectarian tension in the region, the UAE did not tolerate the comments made as a mere joke, but perceived it as a threat to Sunni people in the UAE.<sup>70</sup> On 4 June 2016, the two men were arrested and detained for seven days upon arrival at the Bahrain customs at the Bahrain - Saudi Causeway. They were transferred to the UAE where they are due to face trial.

On 9 June 2016, football player **Mohammed Al-Alawiyat** was arrested at his workplace by Bahraini security authorities. He was charged with allegedly insulting the King via Twitter and was interrogated for two days at the CID, known for forcing confessions through the alleged use of torture. He remains in detention awaiting his trial.

**Jassim Mohamed Al-Noaimi** was arrested on 31 July 2013 during a house raid. He was sentenced on 28 April 2014 to five years' imprisonment on charges of "inciting hatred against the regime through social media, and calling for illegal protests" after a trial that lasted around five months. He has reported being mistreated and tortured to force his confessions.<sup>71</sup> During one of his hearings, Al-Noaimi told the court that he had not been in the country at the time the alleged tweets had been posted, and that he had actually sold the computer from which these posts were made. He remains in prison.<sup>72</sup>

**Abdali Khair** is still in prison since his arrest on 25 July 2013 serving a ten-year imprisonment sentence under the terrorism law for forwarding a message on Whatsapp that contained a statement from the opposition youth movement, the February 14th Coalition. On 29 September 2013, he was put on trial along with a group of 50 people and sentenced on charges related to his involvement in the Coalition, including terrorism, without having been interrogated or even notified of the charges.<sup>73</sup>

The harshest sentence ever passed on a Bahraini Internet user - life in prison - was handed down to prominent academic, human rights defender and vocal blogger **Dr. Abduljalil al-Singace**. Police arrested Dr. Al-Singace for his participation in the pro-democracy movement in 2011. The accusations brought against him, of destabilizing the government, are based on his blogging activity denouncing the state of civil liberties and the government's discrimination against the Shia population in Bahrain. During his initial detention, security officials subjected Dr. Al-Singace to physical and psychological torture, including forced standing, verbal and sexual assault, beatings, and prolonged solitary confinement. Moreover, his wheelchair and crutches were taken from him. In June 2011, he was tried by a military court and sentenced to life in prison for allegedly plotting to overthrow the government. Despite the existence of his testimony, in 2012, a civilian appeals court refused to investigate Dr. Al-Singace's credible allegations of abuse and upheld the military court's decision. Prison authorities have always denied Dr. Al-Singace specialist medical treatment. On 21 March 2015, he began a hunger strike – lasting 313 days - aiming to draw attention to poor prison conditions in Jau prison. He remains a prisoner of conscience in the infamous Jau prison.

70 Bahrain Center for Human Rights, More arrests and jail sentences in Bahrain over social media posts, 20 June 2016 <http://bahrainrights.org/en/node/7919>

71 Bahrain Center for Human Rights, Bahrain: Judiciary Issues Harsh Sentences in Various Cases Neglecting Claims of Torture and Ill-Treatment, 12 May 2014 <http://www.bahrainrights.org/en/node/6863>

72 Bahrain Center for Human Rights, Violence Against Journalists in Bahrain, 2 November 2015 <http://www.bahrainrights.org/en/node/7645>

73 Bahrain Center for Human Rights, Bahrain Court Sentences 50 Defendants, Including Human Rights Defenders, Under Terrorism Law, and Reduces Sentence For Two Police Officers Convicted of Torturing Detainee to Death, 29 September 2013 <http://bahrainrights.org/en/node/6418>

Bloggers and online social media activists have always been targeted by the authorities with threats, citizenship revocation, and violations against their right to privacy.

For example, **Ali Abdulemam**, a Bahraini blogger who is the founder of a pro-democracy news website and forum (Bahrain Online), and a prominent human rights defender, was accused by the authorities of plotting to overthrow the regime. The military court sentenced Abdulemam to 15 years in prison *in absentia*. He was in the UK at the time where he was granted asylum in 2013. On 31 January 2015, Bahrain's Ministry of Interior revoked Abdulemam's citizenship through an administrative decree. Abdulemam had previously been arrested for "spreading false information" connected to his blogging activities. In his testimony, he stated that he was "subjected to torture, beatings, insults and verbal abuse."<sup>74</sup>

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74 Bahrain Center for Human Rights, *FrontLine Open Letter to Secretary of State Clinton demands freedom for Ali Abdulemam and 10 other human rights defenders*, 3 December 2010 <http://www.bahrainrights.org/en/node/3636>



## Conclusion

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Over the past several years, Bahrain has intensified its crackdown on digital freedom of expression. The numbers of individuals arrested over charges related to free expression on the Internet and social media websites have significantly increased. The government of Bahrain has worked to legalize the criminalization of digital freedom of expression by introducing new laws and amending the existing laws. These laws fail to comply with international legal standards, as they are vague and lack precision, allowing liberal application in prosecuting the government's critics and activists.

Furthermore, the newly established regulatory bodies have given the authorities additional powers to control freedoms over the internet. Through these bodies and the regulations it has imposed, the government has tightened the control and surveillance on the Internet – gaining easier access to Internet users thus having the ability for quick arrest and prosecution.

Bahrain's regulations and consequent actions are in direct violation of Article 19 of the International Covenant on Civil and Political Rights, which guarantees the right to freedom of expression over any platform. It states that "every individual has the right to freedom of expression. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of the frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice."<sup>75</sup> The Universal Declaration of Human Rights also emphasizes this guaranteed right stating that: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."<sup>76</sup>

On 1 July 2016, the UN Human Rights Council passed a new resolution for the protection of freedoms on the Internet, in which it "affirms that the same rights that people have offline must also be protected online, in particular freedom of expression," and "condemns unequivocally all human rights violations and abuses, such as torture, extrajudicial killings, enforced disappearances and arbitrary detention, expulsion, intimidation and harassment, as well as gender based violence, committed against persons for exercising their human rights and fundamental freedoms on the Internet, and calls on all States to ensure accountability in this regard." Moreover, it "condemns unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law and calls on all States to refrain from and cease such measures."<sup>77</sup>

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75 UN International Covenant on Civil and Political Rights <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

76 UN Universal Declaration on Human Rights <http://www.un.org/en/universal-declaration-human-rights/>

77 Un Human Rights Council Resolution on Digital Rights, A/HRC/32/L20, 1 July 2016 [http://thehill.com/sites/default/files/a\\_hrc\\_32\\_l20\\_english-or-30-june.pdf](http://thehill.com/sites/default/files/a_hrc_32_l20_english-or-30-june.pdf)

## Recommendations

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In light of the above findings, we make the following recommendations to the government of Bahrain:

- Immediately and unconditionally release all persons imprisoned for peacefully exercising their right to freedom of speech and expression online;
- Abide by international obligations upholding the right to digital freedom of expression, without any restrictions or arbitrary legal procedures;
- End retaliation against activists and social media users who peacefully exercise their right to freedom of expression;
- Cease restrictions on digital freedom and provide a space for people to practice their rights to freedom of expression and opinion;
- Withdraw all actions that would restrict freedom of opinion and expression online;
- Repeal laws, eliminating censorship, and stop surveillance of the Internet that infringes upon the internationally protected right of free expression;
- Stop censorship and remove the ban on all public forums and cultural, social, human rights, political and religious websites; and
- Cancel all measures that would restrict freedom of opinion and expression, or prevent the transmission of information.

In addition, we make the following recommendations to the international community, including the United Nations, European Union, Canada, the United Kingdom, and the United States:

- Urge the government of Bahrain to free all those jailed in violation of their right to freedom of expression;
- Monitor Bahrain's compliance with international human rights convention;
- Support resolutions at the UN and the EU to protect human rights defenders and digital rights activists in Bahrain, and the right to freedom of expression;
- Apply measures to prevent technology from being supplied to states that do not comply with international human rights norms and practices; and
- Raise the issue of human rights violations including those related to freedom of expression and digital rights with the government of Bahrain during all trade and diplomatic meetings.





[bahrainrights.org](http://bahrainrights.org)