Bahrain

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* 0=most free, 100=least free

Population: 1.38 million

- Internet Penetration 2015 (ITU): 93 percent
- Social Media/ICT Apps Blocked: Yes
- Political/Social Content Blocked: Yes
- Bloggers/ICT Users Arrested: Yes
- Press Freedom 2016 Status: Not Free

Key Developments: June 2015 – May 2016

- Messaging app Telegram was blocked for several days in February in an effort to contain protests marking the fifth anniversary of Bahrain’s “Day of Rage” (see Restrictions on Connectivity).

- 2Connect, a small mobile and internet service provider, had its licensed revoked by the regulator for failing to provide security agencies with a tool to access users’ data (see Regulatory Bodies).

- Canadian company Netsweeper won a Bahraini government tender to implement a nationwide filtering system in a move that will boost the sophistication of internet censorship (see Blocking and Filtering).

- Five users were sentenced one to five years in prison for tweets that were critical of Saudi Arabia, including outrage over the Saudi-led airstrike campaign in Yemen, the death of hundreds of pilgrims at the 2015 hajj, and the execution of prominent Shiite cleric Nimr al-Nimr. Numerous others were prosecuted for insulting Bahraini public officials (see Prosecutions and Detentions for Online Activities).
Introduction

Bahraini internet freedom improved slightly in 2015-16 due to greater internet access, although the country remains “Not Free” amid tight censorship and a plethora of prosecutions for criticizing parliamentarians.

Internet access rapidly expanded in Bahrain, currently one of the most connected countries in the world. This year was marked by a number of significant decisions by the Telecommunications Regulatory Authority (TRA). The TRA bent to popular pressure and ordered mobile providers to reverse restrictions on Voice-over-IP (VoIP) in October 2015. However, providers seem likely to alter their service agreements in the future, making customers pay a surcharge for VoIP calls in a bid to increase revenue. Although the major internet service providers (ISPs) tend to comply with requests from security agencies, the TRA revoked a license from a small ISP for failing to provide sufficient monitoring capabilities. The TRA also implemented greater restrictions on the purchase of SIM cards in the name of counterterrorism, limiting the ability of Bahrainis to use ICTs anonymously.

Meanwhile, the government moved forward with plans to implement a nationwide filtering solution. A tender was won by Netsweeper, the Canadian company was reportedly the only one to submit a bid. The move will likely boost the authorities’ ability to monitor and censor banned content, which includes controversial views on the monarchy, religion, and foreign affairs. Ironically, the government minister in charge of the Information Affairs Authority (IAA), which is responsible for monitoring online content, was dismissed from his post over a photo he shared on WhatsApp.

Tensions between the ruling Sunni monarchy and majority Shiite citizenry spill over into the online domain, particularly surrounding the regime’s close ties to Saudi Arabia. Three users were sentenced to five years in prison for the crime of spreading false news during wartime in tweets related to the Saudi-led bombing campaign in Yemen, to which Bahrain has contributed. Other users have been imprisoned for “insulting a brotherly nation” due to criticism of the Saudis’ poor crowd management at the 2015 hajj that led to the death of hundreds—some say thousands—of pilgrims, or outrage over the Saudis’ execution of prominent Shiite cleric Nimr al-Nimr. Nonetheless, many Bahrainis continue to look to the internet as an outlet for expressing political, economic, and social frustrations in the country. Amid widespread criticism of politicians, some parliamentarians have even threatened to stop working unless authorities take stricter action against public sector employees said to have insulted them or members of the Gulf Cooperation Council (GCC). ¹

Obstacles to Access

From a technological perspective, Bahrain is one of the most highly connected countries in the world. Competitive broadband prices have led to high levels of mobile internet penetration. Moreover, Bahrain’s telecommunications regulator pushed back against an attempt by mobile providers to restrict VoIP, although payment for the use of VoIP may still follow in the future. ²

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smaller ISPs, had its license revoked for failing to provide security agencies with a means of monitoring its network.

Availability and Ease of Access

In 2015, Bahrain ranked first in the Arab region in the International Telecommunication Union’s (ITU) Information and Communications Technology Development Index (IDI) and one of the ten countries that have seen the most dynamic improvements in IDI ranking over the past five years. Internet access is widely available in schools, universities, shopping malls, and coffee shops, where Bahrainis often gather for work and study. Language is not an issue, with adult literacy at nearly 95 percent. Bahrainis also possess a high level of English language proficiency, and many ICT applications are available in Arabic. The government provides free computer training programs, which have served 15,000 citizens as of November 2015. The number of internet users has risen rapidly, from a penetration rate of 55 percent in 2010 to 93 percent in 2015. Bahrain also has one of the highest mobile phone penetration rates in the region at 188 percent as of the first quarter of 2016, representing over 2.6 million subscribers.

As of the first quarter of 2016 there were approximately 2 million broadband subscriptions in the country, of which 89 percent were mobile broadband. Dial-up connections disappeared in 2010, and ADSL use has declined with the growth of mobile broadband. 4G LTE has been available since September 2013. Prices for mobile broadband are among the lowest in the region, where a subscription for 10GB of data on a 4G LTE network is available for USD 21 monthly. Bahrain’s fixed-broadband prices of 2 percent of average monthly income per capita are well below the international affordability target of 5 percent. Speeds have also increased, as the portion of subscribers with speeds of 10Mbit/s or above grew from 2013 to 2014, according to a 2016 report by Bahrain’s regulator.

Restrictions on Connectivity

Although there is no centralized internet backbone in Bahrain, all ISPs are indirectly controlled by the government through orders from the Telecommunications Regulation Authority (TRA). This tight control over the country’s ICT sector has allowed the Bahraini authorities to impose restrictions on connectivity. For example, in years past the authorities have occasionally throttled internet speeds around certain events, such as the anniversary of the February 14 protests. While no incidents were seen during the coverage period, there were indications the authorities imposed an internet curfew.

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6 Telecommunications Regulatory Authority (TRA), Telecommunications Market Indicators in the Kingdom of Bahrain (Manama: TRA, Q1 2016), slide 4 http://goo.gl/riX110.
7 TRA, Telecommunications Market Indicators in the Kingdom of Bahrain (Manama: TRA, Q1 2016), slide 6 http://goo.gl/riX110.
11 TRA, Telecommunications Market Indicators in the Kingdom of Bahrain, February 2016, slide 30 http://goo.gl/Xfzg9z.
in the town of Diraz by disabling mobile data services and disrupting fixed-line connections in a bid to disrupt protests over the summer of 2016.\(^{12}\)

Bahrain’s three mobile operators simultaneously blocked Voice-over-IP (VoIP) services in October 2015.\(^{13}\) The three operators moved to impose an additional US$13 subscriber charge for access to VoIP services offered by the likes of WhatsApp and Skype. After public uproar on social media, the TRA sent an emergency order noting the operators had failed to obtain the regulator’s prior approval for the change in terms of service.\(^{14}\) Providers complied within 48 hours and access to VoIP was restored. However, operators now publically promote VoIP as a free service with a note that it is subject to change at the operators’ discretion, meaning additional charges may be written into future contracts and agreements with customers.\(^{15}\)

### ICT Market

Batelco, Zain, and VIVA are the three mobile phone operators in the country, and also serve as its main fixed-line internet services providers (ISPs), along with Menatelecom, the fourth largest ISP. The government has a controlling stake in Batelco, the largest of these, while other ISPs are owned by investors from the private sector, including non-Bahraini investors.

### Regulatory Bodies

Mobile phone services and ISPs are regulated by the Telecommunications Regulation Authority (TRA) under the 2002 Telecommunications Law. The TRA is responsible for licensing telecommunications providers and for developing “a competition led market for the provision of innovative communications services, available to all.”\(^{16}\) Although the TRA is theoretically an independent organization, in practice its members are appointed by the government and its chairman reports to the Minister of State for Telecommunications. Until June 2013, this minister also occupied the post of President of the Information Affairs Authority (IAA).\(^{17}\) The IAA, which replaced the Ministry of Information in 2010, oversees both traditional and online media outlets in Bahrain and is responsible for decisions to block websites, which are then enforced by internet service providers (ISPs).

There have been no reported instances of ISPs being denied registration permits. Indeed, over 31 licenses have been granted since 2003, with 11 providers currently in business.\(^{18}\) However, in early 2015 the TRA revoked the licenses of 14 small ICT companies, including some that voluntarily requested their cancellation. According to observers, the majority of these companies were offering international calling services that were adversely impacted by the growing use of VoIP applications.

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\(^{13}\) Ahmed Ardah, accessed August 14, 2016 [https://twitter.com/ArdahAhmad/status/657176883558260736](https://twitter.com/ArdahAhmad/status/657176883558260736).


\(^{17}\) In June 2013, Mohamed al-Rumaihi was named President of the IAA, replacing Fawaz al-Khalifa who remained Minister of State for Telecom.

\(^{18}\) TRA, Telecommunications Market Indicators in the Kingdom of Bahrain, slide 6 [http://goo.gl/QUuiVz](http://goo.gl/QUuiVz).
leading many to bankruptcy.\textsuperscript{19} While the official reason for the license cancellations was not made public, TRA mentioned that the order was in accordance with Article 35 of the Telecommunications Law,\textsuperscript{20} which permits license revocation in cases of “material breach of any provision of this Law” or “serious indications or evidence that a Licensee is likely to commit such breach,” and if the licensee failed to comply with TRA’s directions.\textsuperscript{21} The head of TRA said that the number of small companies in the telecommunication market would be reduced by 50 percent.\textsuperscript{22}

In February 2016, the TRA issued a warning to the small mobile and fixed-line provider 2Connect for, among other things, “failing to provide a lawful access capability plan”\textsuperscript{23} which would allow security units to access users’ metadata sent over its network.\textsuperscript{24} 2Connect was given seven days to comply and ordered to pay a fine of over US$4.5 million. After it failed to comply, TRA revoked 2Connect’s license as of February 25, 2016,\textsuperscript{25} and instituted a grace period up until the end of June 2016 to move all of its clients to other providers.\textsuperscript{26}

Limits on Content

The level and sophistication of censorship remained stable over the past year, though the government plans to implement a national website filtering solution and a national search engine. Meanwhile, the government continued its efforts to silence online dissidents by forcing them to close their pages or remove content. Self-censorship is rife, particularly on issues related to the monarchy, religion, and relations with the neighboring countries of the Arabian Peninsula. Despite these limitations, many still turn to the internet to collect independent information and to call attention to gross human rights violations.

Blocking and Filtering

The Bahraini government engages in extensive blocking of online content. Multiple state organizations, including the IAA, the Ministry of Interior, and the Ministry of State for Telecommunication, can order the blocking of a website without a court order. The IAA blocks websites that violate Articles 19 and 20 of the country’s Press Rules and Regulations, which include material judged as “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.”\textsuperscript{27} Thus, any site that criticizes the government, the ruling family,
or the country’s status quo is subject to blocking by the IAA. Authorities ramped up censorship after the 2011 protests, in which online media played a decisive role.

YouTube, Facebook, Twitter, and international blog-hosting services are freely available. However, other applications are permanently blocked, and specific content on social networks can be inaccessible. The messaging service Telegram was blocked for several days around the fifth anniversary of the February 14, 2011 popular protests. Further restrictions on the service were noted after the coverage period. Several livestreaming services are blocked, such as PalTalk and Matam.tv, respectively used by Bahrainis to conduct political seminars or broadcast Shiite religious ceremonies. However, the livestreaming service Periscope is available.

According to estimates from several years ago, the IAA has blocked or shut down at least 1,000 websites, including human rights websites, blogs, online forums, and individual pages from social media networks. A crowdsourced list of 367 blocked websites reported as of February 2016 that 39 percent of blocked sites were related to politics, while 23 percent related to the use of various internet tools, such as anonymizers and web proxies.

A report from November 2015 indicated that more than 85 percent of Bahraini websites are hosted outside of the country, despite its excellent telecom infrastructure. Websites hosted overseas are less liable to being removed by local hosting providers in compliance of government orders. While they may still be blocked, these websites are accessible to Bahraini users via circumvention tools. Bahrain Online, a prominent online forum, has been blocked since its launch in 1998. The Arabic web portal and blog-hosting service Al-Bawaba has also been blocked since 2006. The websites of the Arab Network for Human Rights Information (ANHRI) and the Bahrain Center for Human Rights (BCHR) have been blocked since 2006. In November 2013, following a campaign by the BCHR to expose officials and royal family members involved in human rights violations, an alternative link to the center’s website was blocked as well. The popular Bahraini online news website Bahrain Mirror has been blocked since its launch in 2011. According to the website’s administration, the government has blocked more than six alternate addresses since then.

In August 2013, the communications minister ordered ISPs to block 70 websites that were suppos-
edly “affiliated with internationally recognized organizations that fund and promote terrorism.”38 The minister also ordered telecom companies to take measures against text messages sent from abroad that promote violence.39 While some sites affiliated with Hezbollah, al-Qaeda, and other groups were blocked, others remained accessible as of June 2016, giving a sense that the fight against terrorism is being used as an excuse to censor online content from dissidents.40

In a new development in January 2016, the TRA awarded a US$1.2 million tender for a “national website filtering solution” to Netsweeper, a Canadian company.41 Netsweeper products can analyze traffic and block access to websites against customized filters.42 The system had yet to be implemented by the end of this report’s coverage period. Websites are currently filtered based on keyword density, the manual entry of URLs, and certain website categories. An updated list of blocked websites is regularly sent to ISPs, which are instructed to “prohibit any means that allow access to sites blocked by the ministry.”43 Through IAA notification, the TRA can revoke the license of any operator that does not cooperate with IAA blocking orders.44

The decision-making process and government policies behind the blocking of websites are not transparent. The list of all blocked websites is not available to the public. In addition, webmasters do not receive notifications or explanations when their websites are banned. When trying to access a blocked site, users are presented with the message, “This web site has been blocked for violating regulations and laws of Kingdom of Bahrain,” with no particular laws specified. Although the law does technically allow affected individuals to appeal a block within 15 days, no such case has yet been adjudicated.

Content Removal

News outlets continue to face pressure to remove content. In August 2015, al-Watan newspaper removed an article from its website in which the writer accused the Kuwaiti government of failing to stand by the Gulf Cooperation Council against what she termed the “Iranian lobby,” sparking outcry from the Kuwaiti press. It is believed that the removal of the article from the pro-government newspaper was based on a government order.45

Online newspapers have been banned from using audio and video reports on their websites since 2010, apart from the state-owned Bna.bh, which broadcasts video from state television.46 In further development, The IAA warned al-Wasat newspaper in January 7, 2016 to immediately stop upload-
ing videos to YouTube and embedding third-party YouTube videos on its website. The IAA claimed al-Wasat’s license does not include the ability to publish videos, while some noted the press law 47/2002 does include “video and audio products” as part of the definition of publications. By the end of the coverage period, the newspaper had removed the video section from its website and appealed the IAA’s decision.

Website administrators face the same libel laws that apply to print journalists and are held jointly responsible for all content posted on their sites or chat rooms. In February 2016, the interior ministry stated that WhatsApp group administrators are also liable for the spread of false news in their groups, if they fail to report the incidents. News emerged in April 2015 of plans to create a Bahraini national search engine with the help of Russian technology experts, based on Russia’s “Sputnik” search engine. This could enable the Bahraini authorities to easily remove unwanted search results without the need to secure cooperation from U.S.-based search engine companies, such as Google. Authorities also use extralegal measures to forcibly remove online content. Through the use of arrests, detentions, and torture, security forces coerced many online forum moderators into permanently shutting down their websites. “Bawabat al-Bahrain” (Bahrain Gateway), an online discussion forum site that was supporting progovernment views, was closed by its owner in July 2015 after he was put on trial for a Twitter post (See Prosecutions and Arrests for Online Activities).

Media, Diversity, and Content Manipulation

The authorities are known to manipulate online content in order to fabricate greater public support for government policies. According to the watchdog group, Bahrain Watch, the government has hired 18 public relations (PR) firms for promotional campaigns since February 2011, representing at least US$32 million in contracts. At least one PR agency was contracted to provide “web optimization and blogging” services, while others were hired for online reputation management. In October 2014, one of these PR companies tried to force The Huffington Post not to write on the United Kingdom’s investigation of torture allegations against the Bahraini king’s son. Meanwhile, hoax

journals spread propaganda on Twitter and progovernment blogs such as Bahrain Views and Bahrain Independent.

Similarly, an “army of trolls” has been active on Twitter since February 2011, when hundreds of accounts suddenly emerged to collectively harass and intimidate online activists, commentators, and journalists who voiced support for protests and human rights. The government trolls have been moderately effective in silencing or reducing the activity of opposition voices both inside Bahrain and abroad. The trolls have also played a vital role in spreading information that is controversial, offensive, or false, in order to distort the image of protesters, spread hate and conflict, or discredit information posted on social networks. These troll accounts usually have few followers (or sometimes none at all) and tend to appear and disappear in coordination with one another. In September 2015, trolls hijacked a hashtag dedicated to a launch event of a book on the Bahraini uprising.

In August 2013, Bahrain Watch revealed evidence of connections between the Bahraini government and “extremist” accounts on Twitter and Facebook that advocated violence against both the government and protesters. It was also revealed that the government impersonates opposition figures on social media in order to send malicious links, such as IP trackers, to anonymous government critics that can be used to identify and prosecute them.

The state also issues official statements warning against the discussion of certain subjects. On January 3, 2016 the interior ministry threatened to take actions against any insult or “negative discussion” of the Saudi executions of Sheikh Nimr al-Nimr and 42 other men. On March 26, 2015, the interior ministry also issued a statement warning it would take steps against anyone expressing opinions “against the approach that Bahrain has taken” in supporting and joining the Saudi-led coalition conducting airstrikes in Yemen (see Prosecutions and Detentions for Online Activities). This is on top

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of regular warnings disseminated in the press, on television, and on the radio that there will be legal action taken against those who “misuse social media.”

Similarly, authorities have urged progovernment users to post about certain topics, sometimes with unintended consequences. In July 2015, Bahrain’s interior minister started a media campaign against Iranian interference in Bahraini affairs, which has turned into a hate speech hashtag against Shiite citizens. In January 2014, the prime minister and the minister of telecommunications held several public meetings with progovernment users to encourage them to “defend Bahrain’s ruling system.”

Despite these numerous attempts to manipulate the online information landscape, government restrictions on online advertising have not forced the closure of any opposition websites. While it is difficult for blocked websites to secure advertising, popular sites such as Bahrain Mirror (390,000 views monthly) have not faced significant financial pressures. This is due to the fact that most Bahraini opposition websites are run with limited and sometimes personal resources. Furthermore, the websites continue to receive large amounts of traffic from users within Bahrain through the use of proxy services, dynamic IP addresses, and virtual private network (VPN) applications. However, the government does regularly block access to circumvention tools, including techniques such as using Google Page Translate, Google cached pages, and online mobile emulators. Adaptive and internet savvy Bahrainis tend to find ways around these restrictions.

The internet remains the main source of information and news for many Bahrainis, particularly those active on Twitter and Facebook. The number of Bahraini users on Facebook increased to around 700,000 as of December 2015, according to a local source. However, internet users exercise a higher degree of self-censorship, particularly as investigations of users’ online activities have been launched at workplaces and universities. On Twitter, online forums, and comment sections, most use pseudonyms due to fear of being targeted by the authorities. Many have modified their privacy settings on social media or “protected” their Twitter pages from public viewing. Some temporarily stopped tweeting after receiving threats to their personal safety.

Digital Activism

Given restrictions on press freedom, the lack of international media coverage, and the inability of many prominent journalists to enter the country, activists rely on digital tools to bring attention to protests and human rights violations. In July 2015, the BBC reported that 21,000 tweets were post-

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79  “Access Denied,” a project of the independent research and advocacy organization Bahrain Watch, chronicles the many journalists, researchers, academics, and NGO workers that were expelled from or denied access to Bahrain from the 2011 uprising until now. See, http://bahrainwatch.org/access/.
ed using the Arabic hashtag #Scholarships_Massacre to express anger about the unfair distribution of scholarships and discrimination against Shiite students.¹⁻¹ The Arabic hashtag #MassRallies14August trended for several days in August 2015, as users called for antigovernment protesters on the anniversary of the country’s independence.⁻² That same month, after the minister of interior denied that Shiite Bahrainis are subject to discrimination, Shiite users posted their views under the Arabic hashtag #I_feel_like_a_2nd_class_citizen.³⁻¹

In addition, the “Coalition of February 14 Youth” protest movement continues to use social networks⁴⁻¹ to organize protests and bring international attention to local causes.⁵ YouTube videos are uploaded to document police attacks on civilians and torture testimonies,⁶ though some are promptly blocked.⁷ Relatives or friends of detainees regularly use Twitter to campaign for their release and to provide updates about prison conditions.⁸⁻¹

Violations of User Rights

Violations of user rights in Bahrain were rampant, with at least 32 users arrested, detained, or prosecuted over the coverage period. Collectively, 447 months of prison sentences were passed down to 10 users, while others remain on trial or in arbitrarily detention. The top reasons for user prosecution during coverage period was criticizing actions taken by Saudi Arabia, criticizing Bahraini members of parliament, and “insulting the king and instigating hatred of the regime.” Bahraini law does not contain adequate protections for free speech, given provisions that ban criticism of the royal family, the spreading of false news during war, or insulting foreign nations.

Legal Environment

Bahrain’s legal environment presents many obstacles to internet freedom in its current form. According to Article 23 of the Bahraini constitution, freedom of expression is guaranteed, “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.”⁹⁻¹ Article 26 states that all written, telephonic, and electronic communications “shall not be censored or their confidentiality be breached except in exigencies specified by law and in accordance with procedures and under guarantees prescribed by the law.”¹⁰ The Press and Publications Law of 2002 promises free access to information “without prejudice to the requirements of national security and defending the homeland.” Bahraini journalists have argued that these qualifying statements and loosely-worded clauses allow for arbitrary interpretation

90. Constitution of the Kingdom of Bahrain, art. 26.
and, in practice, the negation of the many rights they seek to uphold. In addition, there is no law that defines clear penalties for violating the privacy of internet users, a concern for many bloggers who believe this allows for abuse.

There were no new laws passed over the coverage period, although there were discussions over new media regulations. In August 2015, the minister of information affairs indicated that a new Press and Publications Law might regulate social media publishing. One month later, the cabinet approved a proposal for new regulations on all outlets providing audio, video, written and electronic news content. Among other restrictions, the new proposal states all outlets must respect the sovereignty of the kingdom of Bahrain, as well as its regime, figures, and institutions. It also bans broadcasting any information that would lead to disturbing the kingdom's relations with other countries. This regulation complements the existing publications law until a new one is approved.

In September 2013, the cabinet greenlighted new legislation that would criminalize anyone who establishes a website, publishes information online, or uses any information technology tool to assist or aid communications with terror cells or to promote the disruption of public order or morale. As of May 2016, the law had not yet been passed. In August 2014, the prime minister renewed calls to take immediate measures to control the usage of social media and to hold the “abusers” of these networks accountable. This was followed by similar directives from the king to fight the “wrongful use” of social media by legal means. During the past year, similar official statements were made.

Online censorship and criminal penalties for online speech are currently enforced under the 2002 Press and Publications Law, which does not specifically mention online activities but was extended to mobile phones in 2010. The law allows for prison sentences from six months to five years for repeat offenders, for publishing material that criticizes Islam, its followers, or the king, as well as content that instigates violent crimes or the overthrow of the government. In addition, the 2002 Telecommunications Law contains penalties for several online activities, such as the transmission of

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99 For cases where the authorities have used the 2002 press law to censor online websites, see BCHR, "Website accused of violating press code, BCHR concerned that move is aimed at silencing critical voices," October 1, 2008, http://bahrainrights.org/en/node/2446.
messages that are offensive to public policy or morals. However, sentences can be longer if users are tried under the penal code or terrorism laws, especially when it comes to social media cases, where the current press and publication law is not used. For instance, under the penal code, any user who “deliberately disseminates a false statement” that may be damaging to national security or public order may be imprisoned for up to two years. The government has used these vague clauses to interrogate and prosecute several bloggers and online commentators.

Prosecutions and Detentions for Online Activities

Between June 2015 and May 2016, at least 32 online users were arrested, detained or prosecuted for their ICT activities. While many users are still on trial as of May 2016, 447 months of prison sentences were collectively passed down on 10 Bahraini users in cases directly related to online posts during the coverage period. Ten users remained in jail as of the end of May 2016, including three users who were serving sentences from previous years.

Authorities targeted criticism of the Saudi-led coalition’s military intervention in Yemen.

- On March 26, 2015, Fadhel Abbas, General Secretary of the Democratic Unity Gathering Society, was arrested shortly after the society released a statement on Twitter condemning the war against Yemen. He was sentenced to five years in prison in June 2015 for “spreading false information that could harm the military operations of Bahrain and its allies” in Yemen based on Article 133 of the Bahrain penal code.

- On September 7, 2015, prominent Twitter users Yousif al-Amm (@14kilogramme) and Hussain Khamis (@BuKhamis) were arrested and had their devices confiscated for “insulting Bahraini soldiers participating in the Saudi Arabia-led Arab Coalition” through their tweets. Both were sentenced to five years in prison on February 18, 2016 under Article 133 of the penal code.

Criticism of Saudi Arabia was a frequent motive for arrest in Bahrain.

- Ebrahim Karimi, a Bahraini citizen who was stripped of his nationality in 2012, was sentenced to two years in prison for tweets criticizing Saudi Arabia’s management of the Hajj.

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102 The Telecommunications Law Of The Kingdom Of Bahrain, Legislative Decree 48.
107 Article 113 of the penal code prescribes a prison term of up to ten years to anyone who “deliberately announces in wartime false or malicious news, statements or rumors or mounts adverse publicity campaigns, so as to cause damage to military preparations for defending the State of Bahrain or military operations of the Armed Forces, to cause people to panic or to weaken the nation’s perseverance.” BCHR, “BCHR Condemns 5-Year Prison Sentence Against Political Leader Fadhel Abbas,” July 3, 2015, http://bahrainrights.org/en/node/7560.
108 Yousif al-Amm (@14kilogramme), also known as “Haji Ahmed,” has 24,000 followers. His Twitter page, bit.ly/2bF4qJ5, also states “Haji Ahmed” has 24,000 followers.
Season in 2015, specifically blaming the authorities for the deaths of hundreds of pilgrims.\(^\text{110}\) The tweets were published by the anonymous account “Fareej Karimi,”\(^\text{111}\) with which Karimi denied any connection. He had been arrested in September 2015 and charged with misusing telecommunication devices, and “insulting a brotherly country and inciting hatred against the regime” under articles 290, 165 and 215.\(^\text{112}\)

- In April 2016, Dr. Saeed al-Samaheeji, who tweets under his real name, was sentenced to one year in prison for “misusing electronic networks to insult a sister nation and inciting unpermitted demonstrations which had led to demonstrations accompanied by violent acts” under article 168 and 215 of the penal code.\(^\text{113}\) He had been arrested during a house raid at dawn after criticizing Saudi Arabia for executing Sheikh Nimr al-Nimr and dozens of others in January 2016. Al-Samaheeji’s tweets coincided with public protests against the executions, although any link was tenuous.

In July 2015, at least four social media users were arrested for “insulting” or “defaming” Bahraini members of parliament (MPs) after the approval of the state budget for 2015 and 2016, which contained a yearly deficit of around US$4 billion, as well as cuts to some subsidies.\(^\text{114}\) Several new complaints were filed with the public prosecutor in January 2016 after the parliament approved increases to fuel prices.\(^\text{115}\) Eight users were identified and charged by the Electronic Crimes General Directorate,\(^\text{116}\) resulting so far in one three-month sentence, a fine of US$1,300, and a fine of US$530, the latter for an Instagram post.\(^\text{117}\) All are charged under article 216 of the penal code, which specifies that “a person shall be liable for imprisonment or payment of a fine if he offends, by any method of expression, the National Assembly or other constitutional institutions (..)” as well as articles 364, 365, and 366 which proscribe prison sentences of up to two years for defaming a public employee. Finally, the owner of the website “Bawabat al-Bahrain” [Bahrain Gateway] was fined US$265 in November 2015\(^\text{118}\) for allegedly defaming a candidate to parliament in a tweet one year earlier.\(^\text{119}\) He also shut down his website and social media accounts (See Content Removal).

At least seven users were arrested or sentenced for “instigating hatred of the regime,” “insulting the king,” or both during the coverage period.

- Jalila al-Sayed Amin and Ali al-Maqabi, respectively detained since January and February


\(^{111}\) Fareej Karimi is the unofficial popular name of a neighborhood in Muharraq, Bahrain, inhabited by members of Karimi family.


2015, were released in January 2016 but remain on trial for “insulting the king and inciting violence” on Twitter.¹²⁰

- Similarly, 18-year old university student Saeed Al-Singace remained on trial for “inciting hatred of the regime through his phone.”¹²¹ He was arrested during a 3am house raid in June 2015, during which authorities confiscated his electronic devices, and held him until that November.

- On 10 March 2016, Hussain Mahdi, the owner of the satirical Twitter account “@Takrooz,” was sentenced in absentia to five years imprisonment and a fine of US$26,525 for “insulting the king.”¹²² He is the first to receive such a harsh sentence since the modification of Article 214 of the penal code in February 2014.¹²³ He was detained for 11 months from June 2014 to April 2015, during which he was reportedly tortured; he left the country in mid-2015.¹²⁴

  Given the popularity over his account which had over 97,000 followers, the harsh sentence was perceived to be a warning message to the rest of Bahrain’s online community.

- On 10 April 2016, Habib Jaafar Ahmed, a 45-year-old military officer, was arrested and charged by the military prosecution with inciting hatred against the regime and security forces via Twitter and Facebook.¹²⁵ He was still on trial as of May 2016.

Prisoners have even been interrogated for tweets emanating from accounts holding their name. In January 2016, Shaikh Ali Salman, leader of the largest political group in Bahrain, who is already imprisoned, was brought from detention to be questioned by the public prosecutor about tweets on “democracy” and “reform” posted by his account @AlwefaGS on Martin Luther King Day. The public prosecutor said the account “incites hatred against the regime, promotes disobedience of the law and calls for holding unauthorized protests.” No official charges were pressed, although an investigation into the account operator was ordered.¹²⁶ A few days later, the Twitter account of Salman’s wife was hacked (See Technical attacks).¹²⁷

The courts often proscribed more lenient sentences to offenders with links to the government. For instance, the owner of a largely progovernment Twitter account, @mnarfezhom, was put on trial on several defamation charges in 2015, resulting in only small fines as low as US$132¹²⁸ or suspended

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¹²³ Article 214 proscribes “a punishment of imprisonment for a period of no less than one year and no more than seven years and a fine of no less than BD1,000 and no more than BD 10,000 will be inflicted upon any person who offends in public the Monarch of the Kingdom of Bahrain, the flag or the national emblem.” BCHR, “Bahrain King: Up to 7 Years Imprisonment if You Insult Me!,” February 9, 2014, http://bahrainrights.org/en/node/6747
sentences of a few months.\(^{129}\) The owner of the account is believed to be Mohamed Salman Saquer al-Khalifa, a member of the royal family.\(^{130}\) The account, which no longer exists, once had some 100,000 followers and criticized certain government policies while maintaining a staunchly pro-government message.

Nabeel Rajab, one of Bahrain’s most prominent human rights defenders and most followed Bahraini Twitter user (@NabeelRajab),\(^{131}\) has been in and out of prison since 2012 for various cases linked to his tweets.\(^{132}\) He was imprisoned from April 2, 2015 to July 13, 2015 as part of a six-month sentence\(^{133}\) on charges of insulting public institutions under article 216 of the penal code\(^{134}\) for a tweet in which he questioned whether Bahraini security institutions are “ideological incubators” for the so-called “Islamic State” terrorist group.\(^{135}\) He was released that July for health reasons but placed on a travel ban.\(^{136}\) He still faces up to 10 years on charges of “spreading false news during a time of war” and “insulting a statutory body”\(^{137}\) for tweets dating from April 2015 about the Saudi-led coalition airstrikes in Yemen and the alleged torture of detainees at Jaw prison.\(^{138}\) Rajab is the president of the Bahrain Center for Human Rights, a nongovernmental organization that remains active despite a 2004 government order to close it.\(^{139}\)

In addition, the public prosecutor has begun to use a legal provision that calls for the prosecution of teenagers’ parents when their children are arrested for criminal activities, such as “misusing social media.”\(^{140}\)

Every year, a new name is added to a growing list of Bahraini photographers who faced reprisals, often using trumped up charges, for documenting protests and posting their images online:

- In 2013, award-winning photographer Ahmed Humaidan, who was arrested in 2012, was sentenced to 10 years in prison for allegedly participating in an attack on a police station in the district of Sitra,\(^{141}\) though it is believed he was targeted for photographing protests.\(^{142}\)

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\(^{131}\) Rajab was ranked the “most connected” Twitter user in Bahrain according to a survey, with over 260,000 followers as of May 2015. See: Warma, How the Middle East Tweets: Bahrain’s Most Connected Report December 3, 2012, http://bit.ly/1Jfi bdo.

\(^{132}\) Nabeel Rajab was first arrested on May 5, 2012 and held for over three weeks for “insulting a statutory body” in relation to a criticism directed at the Ministry of Interior over Twitter. On June 9, 2012, he was arrested again after tweeting about the unpopularity of the Prime Minister (also a member of the royal family) in the city of Al-Muharraq, following the sheikh’s visit there. A group of citizens from the city promptly sued Rajab for libel in a show of obedience to the royal family. On June 28, 2012, he was convicted of charges related to his first arrest and ordered to pay a fine of BHD 300 ($800). Shortly after he was released on bail, he was re-arrested on July 9, 2012 after a court sentenced him to three months imprisonment for the Al-Muharraq incident. The court of appeals later acquitted Rajab, although he had already served most of his sentence. He was kept in prison until May 2014 to serve two-year sentence for “calling for illegal gatherings over social networks.”


\(^{136}\) “Bahrain: Continuous travel ban of Mr. Nabeel Rajab, President of the Bahrain Centre for Human Rights (BCHR),” OMCT, December 21, 2015, http://bit.ly/1RbQ84G.

\(^{137}\) Nabeel.Rajab, Instagram post, August 2015, https://instagram.com/p/5aXYEGyGET/.


In 2014, photographer Hussain Hubail, detained since July 31, 2013, was sentenced to five years in prison on charges of “inciting hatred against the regime through social media, and calling for illegal protests” after a trial that lasted around five months.\textsuperscript{143}

In December 2015, award-winning photographer Sayed Ahmed al-Mousawi was sentenced to 10 years in prison and stripped of his nationality over “terrorism” charges that included “taking photos of protests and giving SIM cards to terrorists.”\textsuperscript{144} He was detained in February 2014 and reportedly subjected to beating, hanging, and electrocution to force his confessions.\textsuperscript{145}

And in February 2016, the court of appeal upheld three month sentences against photographer Ahmed Al-Fardan,\textsuperscript{146} who published his images on platforms like Instagram and Demotix. He was charged for “intending to participate in illegal gatherings.”\textsuperscript{147} His earlier arrest in December 2013 reportedly left him with two broken ribs as a result of torture.\textsuperscript{148}

Meanwhile, the two harshest sentences ever passed on Bahraini internet users remained in place against bloggers, Abduljalil al-Singace and Ali Abdulemam, who were separately charged with possessing links to a terrorist organization aiming to overthrow the government,\textsuperscript{149} disseminating false news, and inciting protests against the government. Al-Singace, a prominent human rights defender and blogger, has been serving a life sentence since March 2011,\textsuperscript{150} and his blog has been blocked since 2009.\textsuperscript{151} Abdulemam, the owner of Bahrain’s popular blocked online forum, Bahrain Online, received a 15-year sentence in absentia in 2011 and is currently a political refugee in the UK. He had previously spent two years in hiding in Bahrain.\textsuperscript{152} Both reported experiencing torture at the hands of the authorities.\textsuperscript{153}

### Surveillance, Privacy, and Anonymity

The government of Bahrain is known for active usage of spyware against dissidents. In November 2015, new evidence showed that Bahrain had used Remote Control System (RCS) from Italian cybersecurity firm Hacking Team during 2014. The spyware allows remote monitoring, including recording phone calls, logging keystrokes, taking screenshots, and activating cameras, among


\textsuperscript{150} Reporters Without Borders, “Detained blogger Abduljalil Al-Singace on hunger strike.”


other functions. Malicious links are often sent from Twitter and Facebook accounts impersonating well-known opposition figures, friends, or even accounts of arrested users. In October 2015, at least four cases were recorded in which opposition members received emails containing malicious spyware.

Given that the authorities have been quick to identify social media users who operate under a pseudonym, many users are concerned about restrictions on the ability to use ICTs anonymously. The TRA requires users to provide identification when using Wi-Fi and WiMax connections, and the government prohibits the sale or use of unregistered prepaid mobile phones. Further restrictions on the sale of SIM cards were introduced in December 2015. The TRA issued a regulation that limits individuals from purchasing no more than 10 pre-paid SIM cards from a single service provider. The individuals must be present in person when registering the SIM cards and providers must re-check the identity of all subscribers on annual basis. Fingerprints will be used for subscriber identification. Additionally, SIM cards will only be available for sale directly from service providers. The move may have a connection to recent prosecutions of individuals accused using SIM cards in bomb attacks.

Since March 2009, the TRA has mandated that all telecommunications companies keep a record of customers' phone calls, emails, and website visits for up to three years. The companies are also obliged to provide the security services with access to subscriber data upon request. Following implementation of the National Safety Status emergency law in March 2011, security personnel began searching mobile phones at checkpoints, behavior that was documented on YouTube.

Cybercafes are also subject to increasing surveillance. Oversight of their operations is coordinated by a commission consisting of members from four ministries, who work to ensure strict compliance with rules that prohibit access for minors and require that all computer terminals are fully visible to observers. In May 2014, the government announced that it is considering new restrictions on cybercafes, including the enforcement of surveillance cameras as well as storage of user’s personal identification and activity.

A Cyber Safety Directorate at the Ministry of State for Telecommunications Affairs was launched in

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November 2013 to monitor websites and social media networks, ostensibly 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.” The IAA had earlier created a unit to monitor social media and foreign news websites to “respond to false information that some channels broadcast” in 2011, when it was run by the telecommunications ministry. Ironically, the head of the IAA, Isa Al-Hammadi, was dismissed from all of his positions by royal decree in March 2016 because of a photo he shared over a WhatsApp group and then circulated widely on social media. The photo showed a rude finger gesture with a background text of “Go Sports,” mocking a sports event sponsored by the king’s son Nasser bin Hamad.

A computer crimes law was approved by the House of Representatives and ratified by the government in December 2014. The law (60/2014) criminalizes the illegal access of information systems, illegal eavesdropping over transmission, and the access and possession of pornographic electronic materials. It also criminalizes the encryption of data with criminal intentions at a time when freedom of expression is often considered a criminal act in Bahrain.

**Intimidation and Violence**

Typically, arrests of Bahraini users involve extralegal methods of intimidation, such as physical violence and torture. Jaleela al-Sayed Ameen, who was arrested and put on trial for inciting hatred against the regime and insulting the king, was reportedly subjected to ill-treatment while held at the criminal investigation department and was later taken to the prison hospital. She was denied contact with her family or lawyer for several days after her arrest and denied visits from her family until the beginning of March 2015.

The government has also used extralegal methods to punish users for their online posts. On January 31, 2015 the ministry of interior revoked the citizenship of renowned blogger Ali Abdulemam, as well as Ali al-Dairi, the founder of the popular news site Bahrain Mirror. Both are currently living abroad and continuing their digital activism for democracy in exile. In February 2016, Abdulkhaleq Abdulla (@Abdulkhaleq_UAE), a UAE citizen and a professor of political science was denied entry at Bahrain airport, and was told he is “Persona non grata” because of a rare tweet in which he indirectly criticized the revoking of citizenship to hundreds of Bahraini citizens.

174 Abdulkhaleq Abdulla, Twitter Post, February 18, 2016, 10:37 AM, [https://twitter.com/Abdulkhaleq_UAE/status/70038653755981825].
175 Freedom Prayers, Twitter Post, February 19, 2016, 12:34 AM [https://twitter.com/FreedomPrayers/status/700599256370670592].
Technical Attacks

Cyberattacks against opposition and progovernment pages, as well as other websites, are common in Bahrain. Accounts operated by the opposition are frequently subjected to mass reporting campaigns to have them closed by Twitter. In June 2015, Bahraini Human Rights Watch Society, a government-owned nongovernment organization working to promote a positive image of the government, stated that its website and Twitter account were hacked a few days before its participation in the 29th session of the United Nations Human Rights Council (HRC) in Geneva. In August 2015, the Twitter account of the February 14 Coalition was temporarily hacked. In December 2015, a report mentioned that there are around 2,000 to 3,000 electronic threats per month on Bahraini firms. Further, there was an average of 120 weekly cyberattacks on e-government systems in Bahrain, mainly emanating from Iran.

176 Bahrain Detainees, Twitter post, May 12, 2015, 8:23 AM, A tweet mentioning one opposition accounts that has been suspended due to reports, accessed July 31, 2015 http://twitter.com/BH14Detainees/status/598146464934547456
178 Manama Press, Twitter Post, August 14, 2015, 6:38 AM https://twitter.com/ManamaPress/status/632184478325084160