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Key Developments: June 2014 – May 2015

- News emerged in April 2015 of plans to create a Bahraini national search engine that would allow authorities to easily filter unwanted search results without the need to secure cooperation from U.S.-based companies. The project is reportedly being done in collaboration with Russian experts behind that country’s “Sputnik” search engine (see Blocking and Filtering).

- At least three popular Twitter users were pressured into deleting their tweets or closing their accounts for posts that were critical of government policy. Around 97,000 tweets were erased from the satirical account @Takrooz after he was arrested, leaving only one tweet in place stating, “They tortured me in prison” (see Content Removal).

- The Ministry of Interior warned users against making any statements that were critical of Bahrain’s role in supporting the Saudi-led coalition that conducted airstrikes in Yemen (see Media, Diversity, and Content Manipulation).

- Several users, including a former member of parliament, were prosecuted for calling for a boycott or exposing unfair practices in the lead up to November 2014 parliamentary elections. At least 11 users were arrested for posts that were critical of King Abdullah of Saudi Arabia after his death in January, including two teenage girls. Four young men were each sentenced to three months in prison for “offending in public a foreign country or its president or representative” (see Prosecutions and Detentions for Online Activities).

- Well known human rights activist Nabeel Rajab, who has faced legal harassment for several years, was arrested twice over the coverage period for Twitter posts critical of the Bahraini security forces, the Saudi-led airstrikes in Yemen, and the alleged torture of detainees at Jaw prison (see Prosecutions and Detentions for Online Activities).

- A computer crimes law was passed in December 2014 that, among other things, criminalizes the encryption of data if done with “criminal intentions” (see Surveillance, Privacy, and Anonymity).
Introduction

The internet, currently the last remaining ground for free expression seekers in Bahrain, continued to fall victim to tight surveillance and restrictions on speech in 2014-2015. Whether tweeting under nicknames or real names, users faced arrest, prosecution, and often mistreatment at the hands of security forces for everything from serious government criticism to satirical jokes about the late Saudi king. At least 27 users were arrested, detained, or prosecuted over the coverage period. While the majority of users are still on trial, 11 Bahraini users were collectively sentenced to 29 months of prison, while 12 continue to languish in prison as a result of harsh sentences passed in previous years. 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 the foreign politicians. A computer crimes law passed in December 2014 contains several standard punishments for illegal wiretapping communications or hacking computer systems, but also criminalizes the access or possession of online electronic pornography as well as the use of encryption for “criminal purposes.” The broad wording of the latter provision has worried activists who depend on encryption tools to document human rights abuses and to speak freely about political affairs, activities that are routinely considered criminal acts in the country.

In an alarming development, several Twitter users were coerced into deleting thousands of tweets or closing their accounts altogether. In June 2014, around 97,000 tweets were apparently erased from the well-known account of the satirical Twitter user “@Takrooz” after he was arrested. Only one tweet remained on the account, stating, “They tortured me in prison.” In September 2014, government critic Ghada Jamsheer was forced to close her account after she was detained for several weeks. YouTube videos also faced censorship for containing content showing government officials in a negative light. In July 2014, a YouTube video in which an exiled activist accused the Bahraini chief of public security and an Interior Ministry spokesperson of human rights abuses while speaking with them in Geneva was taken down on alleged copyright grounds after gaining 83,000 views. It was later reinstated within a few days after the matter was resolved with Google, YouTube’s parent company.

In the absence of a representative government, many Bahrainis continue to look to the internet as an outlet for expressing political, economic, and social frustrations in the country. Crackdowns on Bahraini internet users escalated in 2011, following widespread protests against the ruling family of King Hamad bin Isa al-Khalifa. The authorities engaged in mass arrests, military trials, torture, and widespread intimidation tactics in an attempt to silence popular demands for greater political rights and democratic freedoms, including a new constitution and an elected government. One online activist died from torture while in police custody in April 2011, and the court failed to hold anyone accountable for it, amid a culture of impunity. Unfortunately, as the importance of online tools has grown, so too has the desire of the Bahraini authorities to extend censorship and government repression practices from the real world into the online domain.

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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. However, the market for service providers is not free, with all providers de facto controlled by a government agency able to order restrictions on access and certain content at will.

Availability and Ease of Access

In 2014, Bahrain ranked first in the Arab region in the International Telecommunication Union’s (ITU) Information and Communications Technology Development Index. Internet access is widely available at 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 13,300 citizens as of August 2014. The number of internet users has risen rapidly, from a penetration rate of 33 percent in 2007 to 91 percent in 2014. Bahrain also has one of the highest mobile phone penetration rates in the region at 173 percent as of the end of 2014, representing over 2.3 million subscribers.

As of the third quarter of 2014, there were approximately 1.8 million broadband subscriptions in the country, of which 91 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 and are among the lowest in the region, where a subscription for 5GB of data on a 4G LTE network is available for USD 16 monthly. However, prices are still high for residential high speed broadband in comparison to countries in the Organization for Economic Cooperation and Development (OECD). Average peak connection speeds have declined over the third quarter of 2014 to 22.7 Mbps.

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 enforce strict limits on online content. For example, the authorities have occasionally throttled internet speeds around certain events, such as the anniversary of the February 14 protests, in previous years.

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9 TRA, Telecommunications Market Indicators in the Kingdom of Bahrain, slide 39.
11 TRA, Telecommunications Market Indicators in the Kingdom of Bahrain, slide 40.
12 Akamai, State of the Internet Report, Q3, Volume 8 number 3, September 2014 http://akamai.me/1Bfgac3.
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In June 2013, the Minister of State for Communications announced that Bahrain would introduce new regulations for Voice over Internet Protocol (VoIP) applications, such as Skype, WhatsApp, Viber and Tango, currently popular in Bahrain. Authorities stated the move was made for “security considerations” and to preserve moral values. As of mid-2015, no action had yet been taken on the issue.

ICT Market

Batelco, Zain, and VIVA are the three mobile phone operators in the country, and also serve as its main internet services providers (ISPs). The government has a controlling stake in Batelco, the largest of the three, 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 telecommunication providers and for developing “a competition led market for the provision of innovative communications services, available to all.” 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). 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 14 providers currently in business. However, in early 2015 the TRA revoked the licenses of 14 small ICT companies, including some that voluntarily requested the cancellation. According to observers, the majority of these companies were offering international calling services that were adversely impacted by the growing use of Voice over IP (VoIP) applications, leading many to bankruptcy. 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, 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. The head of TRA said that the number of small companies in the telecommunication market would be reduced by 50 percent.

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15 In June 2013, Mohamed al-Rumaihi was named President of the IAA, replacing Fawaz al-Khalifa who remained Minister of State for Telecom.
16 TRA, Telecommunications Market Indicators in the Kingdom of Bahrain, slide 7.
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Limits on Content

The level and sophistication of censorship remained stable over the past year, with the government continuing 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.” Thus, any site that criticizes the government, the ruling family, or the country’s status quo is subject to blocking by the IAA. In a new development, 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 filter unwanted search results without the need to secure cooperation from U.S. based search engine companies, such as Google.

According to some estimates, 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 in early 2015 that 39 percent of blocked sites were related to politics, while 23 percent were related to the use of various internet tools, such as anonymizers and web proxies. Many of the websites were targeted for blocking after the 2011 protests, which were called for and heavily covered by online channels, resulting in a significant rise of blocking and filtering measures by the Bahraini authorities. Meanwhile, 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 violations, an alternative link to the center’s website was blocked.

Although there are a number of news websites providing a plurality of viewpoints that are distinct from the Bahraini state media narrative, most of these are blocked by the government and require circumvention tools to access. Bahrain Online, a prominent online forum, has been blocked since its...
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launch in 1998. The Arabic web portal and blog-hosting service Al-Bawaba has also been blocked since 2006. 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. 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 supposedly “affiliated with internationally recognized organizations that fund and promote terrorism.” The minister also ordered telecom companies to take measures against text messages sent from abroad that promote violence. While some sites affiliated with Hezbollah, al-Qaeda, and other groups were blocked, others remained accessible, giving a sense that the fight against terrorism is being used as an excuse to censor online content from dissidents.

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. For example, since the 2011 protests, most live-broadcasting websites that were popular among protesters have been blocked. PalTalk, a chatting service that was used to conduct political seminars for wide online audiences, has been blocked since June 2011. In November 2013, Matam.tv, a website that broadcasts live religious events and sermons from Shi’a religious centers across Bahrain, was reported blocked prior to religious commemorations surrounding the predominantly Shi’a anniversary of Ashura.

Websites are 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.” Through IAA notification, the TRA can revoke the license of any operator that does not cooperate with IAA blocking orders. Batelco, Bahrain’s main ISP, filters the web using McAfee SmartFilter software and Blue Coat technology.

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32 The websites of Al-Qaeda and Al Nusrah Front remain accessible as of 10 Jan 2014, see, Bahrain Freedom Index (blog), http://bit.ly/1DhNJhf.
March 2011, plans were announced to switch to technology from Palo Alto Networks that can block certain elements and activities within websites, such as video or photo uploading, and make it more difficult for users to circumvent censorship. In August 2014, the company announced a partnership with the largest ISP in the country, Batelco, though it is unclear whether its blocking tools have been implemented.

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

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 sites following the 2011 crackdown. This resulted in the loss of a large amount of information on Bahrain’s history that had been documented by online users and in local forums and websites. 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 June 2014, around 97,000 tweets were apparently erased from the well-known account of the satirical Twitter user “@Takrooz” after he was arrested. The account was critical of both the government and the opposition, with over 17,000 followers. Only one tweet remains posted on the account, stating, “They tortured me in prison,” though the actual ownership of the account remains a mystery since the alleged account holder remains in prison and denies ownership. Responsibility for deleting the tweets was also unclear. In the same month, another famous Twitter account, “@mnarfezhum,” was forcefully suspended after reports that its operator, a member of the royal family, was under prosecution. With over 97,000 followers, @mnarfezhum mainly attacked and incited arrest and punishment against prodemocracy protesters, although the user later sent threats to the interior ministry for trying to hack the account (for more, see “Prosecutions and Detentions”). In September 2014, Ghada Jamsheer, an active Twitter user and government critic whose blog had been blocked for several years, was forced to close her account after repeated arrests and several weeks spend in detention.

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43 Snapshot of the account page before tweets were erased see, Bahrain Freedom Index http://bit.ly/1UeMgwp.
44 “Royal family member at court for tweeting,” Bahrain Freedom Index (blog), accessed July 31, 2015 http://bit.ly/1DgQgbJ.
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In July 2014, a YouTube video went viral in which an exiled Bahraini activist, Moosa Abdul-Ali, accused the Bahraini chief of public security and an Interior Ministry spokesperson of human rights abuses while speaking with them in Geneva. After gaining 83,000 views, the video was taken down by YouTube on copyrights grounds even though it did not apparently include any copyrighted materials. The video was reinstated within a few days after resolving the matter with Google, YouTube's parent company. Meanwhile, Twitter received no requests from Bahraini authorities to restrict content during the coverage period, according to the company's latest transparency report.

News outlets also faced pressure to remove content. In August 2014, al-Wasat newspaper removed an article from its website as a result of a defamation complaint filed by members of the “Baluch” family in Bahrain, which has old connections to the Baluchistan region of modern day Pakistan. The article was based on British documents from the 1920s that discussed the employment of foreign forces of Baluchistani origin—to which the family holds connections—in the Bahraini police force, calling those forces “mercenaries.”

Media, Diversity, and Content Manipulation

The authorities are known to manipulate online content in order to fabricate greater public support. According to the independent watchdog group, Bahrain Watch, the government has hired 18 public relations (PR) firms for promotional campaigns since February 2011, representing at least USD 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 journalists 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

58 J. David Goodman, “Twitter Trolls’ Haunt Discussions of Bahrain Online,” The Lede (blog), The New York Times, October 11,
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 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. 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.”

The state also issues official statements warning against the discussion of certain subjects. Most recently in March 2015, the Interior Ministry 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”).

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 is also 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 540,000 as of May 2014, representing a penetration rate of nearly 39 percent. The #bahrain hashtag
Bahrain remains one the most popular topics on Twitter across the Arab region, with around 710,000 tweets on the English hashtag and 1,000,000 tweets on the Arabic hashtag of Bahrain in March 2014 alone.  

The government crackdown in March 2011 led many regular internet users to exercise a higher degree of self-censorship, particularly after investigations of users’ online activities were launched at work places and universities. 69 Twitter and online forum users, and even those who leave comments on online editions of newspapers, use pseudonyms due to fear of being targeted by the authorities. 70 Many have modified their privacy settings on social media or “protected” their Twitter pages. Some temporarily stopped tweeting after receiving threats to their personal safety. 71 As a result, the number of active Bahraini Twitter users has dropped in recent years, 72 from 72,468 reported in June 2012, 73 to 62,200 in March 2014. 74

Digital Activism

Given restrictions on press freedom, the lack of international media coverage, and the inability of many prominent journalists to enter the country, 75 activists rely on digital tools to bring attention to protests and human rights violations. 76 This past year saw the rise of a new trend of leaked photos and videos uploaded to the internet by prisoners exposing harsh conditions. In February 2015, a video was uploaded on YouTube with the testimony of Abbas al-Sameea, 77 a prisoner who had received the death penalty in an unfair and politicized trial. That same month, a group of prisoners staged a protest and launched an online campaign on overcrowded conditions inside the central prison. 78 In March, authorities responded to the protests with mass punishment and attacked the prisoners with tear gas and shotguns in their closed cells. 79 The photos of the attack were posted directly to the internet by prisoners, catching the attention of local 80 and international human rights NGOs, 81 which have since issued several statements for the protection of prisoners’ rights. In response, the prison

68 “Citizen Engagement and Public Services in the Arab World: The Potential of Social Media,” in Arab Social Media Report, Figure 40.
72 As officially defined by Twitter, an “active user” is someone who logs in (but does not necessarily tweet) once a month.
74 “Citizen Engagement and Public Services in the Arab World: The Potential of Social Media,” in Arab Social Media Report, Figure 32.
75 “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/.
77 “Video of Abbas al-Samie’s message to the people on his imprisonment and death sentence,” [in Arabic], YouTube video, 8:55, posted by BahrainAlyoum, February 26, 2015, https://www.youtube.com/watch?v=HWpSnIk3368.
authority cut off all authorized prisoners’ communications with the outside world to minimize leakage of information of the attack’s aftermath, though tweets on injuries and prison conditions continue to emerge.\(^{82}\) In June, the Office of the UN High Commissioner for Human Rights (OHCHR) issued a statement raising concerns on their conditions.\(^{83}\)

The resilient social protest movement titled the “Coalition of February 14 Youth” continues to use social networks,\(^ {84}\) both to organize protests and bring international mainstream media attention to local causes.\(^ {85}\) In December 2014, the BBC reported the mysterious disappearance of a Bahraini citizen at the hands of security forces after a related hashtag gained popularity on Twitter.\(^ {86}\) YouTube videos are also uploaded to document police attacks on civilians and torture testimonies,\(^ {87}\) though some are promptly blocked.\(^ {88}\) Relatives or friends of detainees regularly use Twitter to campaign for their release and provide updates about prison conditions.\(^ {89}\) Overall, by uploading videos and sharing images on social media, protesters have maintained the spotlight on their struggle.

### Violations of User Rights

Violations of user rights in Bahrain were rampant, with at least 27 users arrested, detained, or prosecuted over the coverage period. Collectively, 27 months of prison sentences were passed down to 11 users, while others remain on trial or in arbitrarily detention. 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 the foreign politicians. A computer crimes law passed in December 2014 criminalizes the access or possession of online electronic pornography as well as the use of encryption for “criminal purposes.” The broad wording of the latter provision has worried activists who depend on encryption tools to document human rights abuses and speak freely on political matters, activities that are routinely considered criminal acts in the country.

### 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.”\(^ {90}\) 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


\(^{84}\) Coalition 14 Feb, Twitter Account, [https://twitter.com/COALITION14](https://twitter.com/COALITION14).


\(^{89}\) BahrainDetainees, Twitter Account, [https://twitter.com/FreedomPrayers/lists/bahraindetainees](https://twitter.com/FreedomPrayers/lists/bahraindetainees).

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law." 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 and, in practice, the negation of the many rights they seek to uphold.2 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.2

Numerous regulations related to the internet proposed since 2011 signal a negative trend in the country’s legal environment. Official announcements in 2012 indicated preparations to introduce tough new laws to combat the “misuse” of social media,3 after information spread online about the identities of security officers involved in human rights violations.4 In September 2013, the cabinet green-lighted 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.5 The law has not been passed as of mid-2015.6 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.7 This was followed by similar directives from the Bahraini king to fight the “wrongful use” of social media by legal means.8

Online censorship and criminal penalties for online speech are currently enforced under the 2002 Press and Publications Law,10 which does not specifically mention online activities but was extended to mobile telephones in 2010.11 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.12 In addition, the 2002 Telecommunications Law contains penalties for several online activities, such as the transmission of messages that are offensive to public policy or morals.13 However, sentences can be longer if users are tried under the penal code or terrorism laws.14


91 Constitution of the Kingdom of Bahrain, art. 26.
103 The Telecommunications Law Of The Kingdom Of Bahrain, Legislative Decree 48.
order can be imprisoned for up to two years. The government has used these vague clauses to question and prosecute several bloggers and online commentators.

**Prosecutions and Detentions for Online Activities**

Between June 2014 and May 2015, at least 27 online users were arrested, detained or prosecuted for their ICT activities. While the majority of users are still on trial as of mid-2015, 29 months of prison sentences were collectively passed down on 11 Bahraini users in cases directly related to online posts between June 2014 and May 2015; meanwhile, 12 users remain in jail. As photos and videos of police brutality emerged online, more measures were taken against citizens who were targeted for holding cameras, including smartphones, in protest areas. Meanwhile, bloggers, moderators, and online activists were systematically detained and prosecuted by the authorities for expressing views the government regards as controversial. Most prosecutions during the coverage period involved Twitter and the charge of “insulting the king,” which carries criminal penalties that, in February 2014, were increased to a maximum of seven years imprisonment.

Nabeel Rajab, one of Bahrain’s most prominent human rights defenders and most followed Bahraini Twitter user (@NabeelRajab), has been in-and-out of prison since 2012 on various cases linked to his tweets. 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. Nearly four months after completing a two-year prison sentence for “calling for illegal gatherings over social networks,” Rajab was arrested on October 1, 2014 and charged with insulting public institutions under article 216 of the penal code for a tweet in which he questioned whether Bahraini security institutions are “ideological incubators” for the terrorist group the Islamic State in Iraq and Syria (ISIS). He was released on November 2, 2014 under a travel ban and later handed a suspended six month prison sentence upon payment of a BHD 200 (USD 533) fine on January 20, 2015.

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107 Rajab was ranked the “most connected” Twitter user in Bahrain according to a survey, with over 260,000 followers as of May 2015. See: Wamda, [How the Middle East Tweets: Bahrain’s Most Connected Report](http://bit.ly/1Jf8vdo).
108 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.”
114 NabeelRajab, Instagram post, August 2015, [https://instagram.com/p/SaXYtGyGET/](https://instagram.com/p/SaXYtGyGET/).

Numerous other individuals were arrested and/or prosecuted for criticizing the authorities online during the coverage period:

- On May 27, 2014, the public prosecutor announced an investigation into two individuals suspected of involvement with the Twitter account @mnarfezhom, a known progovernment account with 97,000 followers, on charges of “instigating hatred against the regime, threatening public peace and security, insulting state institutions, disseminating confidential security reports, and defamation of several persons.” Owned by a member of the royal family, Mohamed Salman Saqer Al-Khalifa,\footnote{116}{“Mohammed AlKhalifa, from an army officer to an arms dealer and eventually insulter of chaste women,” [in Arabic] Alfateh News, October 26, 2012 http://bit.ly/11aUXfA.} the account began by reporting on protestors and defaming opposition figures, but eventually evolved, attacking other progovernment groups with differing opinions. It consistently published important news before any official source.\footnote{117}{“Twitter user of the ruling family in front of the judiciary in Bahrain” [in Arabic] Raseef22, June 13, 2014 http://bit.ly/1IaUBvL.} Although many have lodged complaints with the public prosecution against the account, no action had been taking during the past three years. Things appeared to have changed when @mnarfezhom posted that the Interior Ministry had tried to hack the account, and threatened to publish a list of Twitter accounts operated by the ministry and the national security apparatus, as well as the names of ministry staff who participated in the 2011 online campaign against the protests.\footnote{118}{“The release of the owner of “mnarfezhom” account Mohammed bin Saqer Al Khalifa with travel ban” [in Arabic] Al Wasat, May 27, 2014 http://bahrainmirror.com/news/16249.html.} The tweets led the prosecutor to crackdown on the account, arresting two individuals from an office where they were allegedly preparing videos to post online. The users were later released the same day\footnote{119}{“«Prosecutor»: Accusation against « mnarfezhom » publish topics incite regime and threaten security,” [in Arabic] Al Wasat, May 28, 2014 http://www.alwasatnews.com/4281/news/read/889613/1.html.} but were rearrested on June 5, 2014.\footnote{120}{Prosecution: Imprisonment of the owner of “mnarfezhom” account in preparation for transmission to the criminal court,” [in Arabic] Al Wasat, June 5, 2014, http://www.alwasatnews.com/4334/news/read/9025565/1.html.} On June 11, AlAyam newspaper published an apology from the supposed owner of the @mnarfezhom Twitter account, which was directed to a victim of one of his defamatory tweets.\footnote{121}{“@Mnarfezhom posts an apology while in prison,” Bahrain Freedom Index (blog), accessed July 31, 2015, http://bit.ly/1LXw6Xh.} One week later, the two detained users were released on bail of BHD 200 (USD 533) and issued a travel ban. As of mid-2015, two defamation cases are pending against them in court.\footnote{122}{“Release of «Mnarfezhom» and another person on 200 dinars bail,” [in Arabic] Al Wasat, June 18, 2014, http://bit.ly/1EDCq83.}

- On August 31, 2014, progovernment activist Yacoub al-Slaie was briefly detained over a tweet in which he mentioned that votes by military personnel in the upcoming parliamentary elections are likely to be controlled by the state. He was charged with “defaming the army”\footnote{123}{BCHR, “Bahrain After Directives From The King And The Prime Minister: The Campaign On Social Media Activists Escalates.”} and released the next day.\footnote{124}{“Release of Yacoub Sulais and the continuation of his trial on charges of insulting the army,” [in Arabic] Al Wasat, September 2, 2014, http://www.alwasatnews.com/4378/news/read/916939/1.html.} On February 10, 2015 a court ordered him to pay a fine of BHD 200 (USD 533).\footnote{125}{Yacoub Sulais fined 200 dinars on charges of insulting the army,” [in Arabic] Al Wasat, February 11, 2015, http://bit.ly/1LXw6Xh.}
• On December 25, 2014, former MP Khalid Alaal was summoned for interrogation over tweets critical of the interior ministry that he posted while he was still an active MP in April 2014. He was charged with “insulting the Ministry of Interior” and, on May 26, 2015, sentenced to one year in prison. However, as of mid-2015, he had not been imprisoned.

• In the early hours of February 10, 2015, the authorities raided the home of social media activist Jaleela al-Sayed Ameen, confiscated her electronic devices, and detained her on charges of misusing social media, inciting hatred against the regime, and insulting the king. She 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. As of mid-2015, she remained in detention while her trial was ongoing.

• 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.

In the period leading up to the November 2014 parliamentary elections, several users were arrested for their criticism of the elections, including a former member of parliament (MP):

• On November 15, 2014 Mukhtar al-Saffar was arrested after a YouTube video of him calling for a boycott of the elections and harshly criticizing participants went viral. He was released on bail of BHD 50 (USD 134) on November 27, 2014, and his trial was ongoing as of mid-2015.

• Well-known satirical actor, Mansoor Senqaimah, was referred to the public prosecution in November 2014 and interrogated for defamation over a YouTube video in which he criticized a former MP.

• On October 9, 2014, former opposition MP Sayed Jameel Kadhem was interrogated over a tweet in which he mentioned that up to BHD 100,000 of “political money” was paid to people affiliated with the opposition to run for seats in the widely boycotted November 2014 parliamentary elections. On January 13, 2015, a court sentenced him to six months in prison and a fine of BHD 500 (USD 1,326) on charges of “disturbing elections” and he was...

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134 Sayed Jameel Kadhem, Twitter post, October 8, 2014, 8:51 PM, https://twitter.com/5/kadhem/status/520058983369809920
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arrested the next day. A court of appeal upheld the sentence against him on February 15, 2015.

Users were further targeted for satirical content. On June 15, 2014, Bahrain arrested Hussain Mahdi upon arrival to Bahrain airport from Thailand and accused him of operating the satirical Twitter account “@Takrooz” known for its harsh criticism of both the opposition and government. Charged with “inciting hatred against the regime” and “using expressions that incite sectarianism,” Mahdi has been in detention and awaiting trial since his June 2014 arrest. He has denied connections to the account, which had all 97,000 of its tweets erased following Mahdi’s arrest, with the exception of one that was posted after his arrest, stating: “They tortured me in prison.” Before the arrest, @Takrooz was constantly targeted by the Bahrain Cyber Crime Unit with malicious links sent in a bid to identify the user’s IP address.

Social media users were also heavily targeted for alleged blasphemy. Online hate speech against religious figures dignified by Shia Muslims often takes place with impunity, while posts seen to insult the sensitivities of the country’s minority Sunni population, which includes that of the royal family, are heavily censored.

On August 27, 2014, activist Nader Abdulemam was arrested after three people accused him of “denigrating the prophet’s companion Khalid Bin al-Waleed” in a tweet he posted telling a historical story in which Khalid killed another companion and raped his wife. He was sentenced to six months in prison on October 22, 2014, which was later reduced to four months on January 15, 2015, when he was released for serving more time than his sentence. Repression against Nader continued when he received news on March 5, 2015 that he was dismissed from his job as a teacher at the ministry of education, where he had worked for the past 14 years. Authorities also arrested two Instagram users in September 2014 on charges of “denigrating the prophet’s companions.”

The death of King Abdullah of Saudi Arabia in January 2015 led to a wave of controversial social media posts in Bahrain, given the role of Saudi Arabia in sending troops to Bahrain to crack down

139 Bahrain Watch “Two years before airport arrest, @Takrooz was favorite target of #Bahrain Cyber Crime Unit,” June 19, 2014, http://bit.ly/1NIqeld.
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on peaceful protestors in February 2011. Eleven users, including two teenage girls, were arrested for critical posts about the late Saudi king. The girls were released after two days. Nine young men were referred to the court on charges of “misusing social media” based on article 215 of the penal code, which provides for “a jail term of up to two years or a fine of up to BD200” for “anyone who offends in public a foreign country or its president or representative.” In March, four of the nine were each sentenced to three months in prison, while one was acquitted; the remaining four were still on trial as of mid-2015. Additionally, the names and pictures of defendants were posted on the website of the interior ministry and on state media.

Several Bahraini photographers faced reprisals, often through trumped up charges, for documenting protests and posting their images online:

- 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, though it is believed he was targeted for photographing protests.

- Photographer Hussain Hubail, detained since July 31, 2013, was sentenced on April 28, 2014 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. His appeal was rejected on September 21, 2014.

- Photographer Ahmed Al-Fardan, who uses photo-sharing platforms like Instagram and Demotix, was arrested in the early hours of December 26, 2013 without a warrant and disappeared for over a week. He was subject to torture that resulted in two broken ribs, and interrogated without a lawyer present on charge of “intending to participate in illegal gatherings.” He was released on January 9, 2014 following pressure from international media watchdogs. However, on February 18, 2015, he was sentenced to three months in prison and a bail of BHD 100 Bahraini dinars to suspend the sentence during appeal.

In addition to individuals, civil society actors were subject to prosecution for their online posts. On February 16, 2015, the ministry of interior announced it is preparing to prosecute Alwefaq Islamic Society, the largest political group in Bahrain, over posts on its website and Twitter account for allegations of...
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Legedly inciting hatred against the regime and spreading of false information. The society actively posts information and photos of the ongoing human rights violations including arrests, torture, attacks on protests, and the excessive use of tear gas in residential areas. Meanwhile, the two harshest sentences ever passed on Bahraini internet users—life in prison and 15 years—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, 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, and his blog has been blocked since 2009. Abdulemam, the owner of Bahrain’s popular blocked online forum, Bahrain Online, received a 15-year sentence in absentia in 2013 and is currently a political refugee in the UK. He had previously spent two years in hiding in Bahrain. Both reported experiencing torture at the hands of the authorities.

Surveillance, Privacy, and Anonymity

A computer crimes law that had been under review since 2005 was finally approved by the House of Representatives and ratified by the government in December 2014. The new law (60/2014) criminalizes the illegal access of information systems, illegal eavesdropping over transmission, or 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.

In August 2014, a new report provided evidence that the Bahraini government obtained licenses of the malicious FinFisher spy software to spy on at least 30 computers simultaneously. The list of identified victims included the country’s most prominent lawyers, activists and politicians. Evidence has also been documented about the use of spy gear maintained by Nokia Siemens Networks and its divested unit Trovicor to monitor and record phone calls and text messages. Similarly, researchers discovered malicious software concealed in seemingly innocent emails sent to Bahraini activists in April and May 2012. The surveillance software, FinFisher, is developed by the Munich-based Gamma International and distributed by its U.K. affiliate, Gamma Group. One feature of the software, FinSpy, enables law enforcement to remotely take control of a computer to take screen shots, intercept VoIP.

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158 Alwefaq Society, Twitter Account, https://twitter.com/ALWEFAQ.
160 Reporters Without Borders, “Detained blogger Abduljalil Al-Singace on hunger strike.”
calls, and transmit a record of every keystroke.\textsuperscript{167} The company denied selling to the Bahraini government, saying that the version of FinSpy deployed on activists was “old” and for demonstration purposes only. However, research published in 2013 shows that a newer version of the FinSpy software is also in use in Bahrain, suggesting the government is receiving paid updates from the company.\textsuperscript{168}

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 ICT tools anonymously. The TRA requires users to obtain licenses to use Wi-Fi and WiMax connections, and the government prohibits the sale or use of unregistered prepaid mobile phones.\textsuperscript{169} 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.\textsuperscript{170} 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.\textsuperscript{171}

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.\textsuperscript{172} 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.\textsuperscript{173} According to Twitter’s Transparency Report, the Bahraini government requested data about one user account in the first six months of 2014, but no data was produced.\textsuperscript{174} Similarly, the Facebook’s Transparency Report shows that the Bahraini government requested data about one user account in the first six months of 2014, but no data was produced.\textsuperscript{175}

A new Cyber Safety Directorate at the Ministry of State for Telecommunications Affairs was launched in 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.”\textsuperscript{176} 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.\textsuperscript{177}

Although most online users use nicknames, authorities use malicious spy links to identify users.


\textsuperscript{170} Reporters Without Borders, “Countries Under Surveillance: Bahrain.”


\textsuperscript{173} “لا تدخلوا في هذا الطريق” [Policeman checking the private mobile content of a woman driving past a checkpoint in area of Nuwaidrat] YouTube video, 1:05, posted by Nuwaidrat Feb, January 2, 2013, \url{https://youtu.be/9an_lK57QTU}.


\textsuperscript{176} “Shaikh Fawaz praises Cyber Safety Directorate”, \textit{Bahrain News Agency}; November 18, 2013 \url{http://www.bna.bh/portal/en/news/588716}.

\textsuperscript{177} Andy Sambridge, “Bahrain sets up new units to monitor media output,” \textit{Arabian Business}, May 18, 2011, \url{http://bit.ly/1JmHkgP}.
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through their IP address. Links are often sent from Twitter and Facebook accounts impersonating well-known opposition figures, friends, or even accounts of arrested users. In addition, police often entrap users using fake names. On September 3, 2014, 15 users of the Zello Walkie Talkie mobile app were arrested after the police infiltrated three Zello groups and posted an invitation to a fake meeting where they were detained.

Intimidation and Violence

Typically, arrests of Bahraini users involve extralegal methods of intimidation, such as physical violence and torture. Lawyer Mohamed al-Tajer said that Hussain Mahdi, who was arrested for operating the Twitter account (@Takrooz) was beaten, tortured, and threatened with sexual assault and electricity shocks to force his confessions.

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.

Since 2011, numerous students and employees have received disciplinary action for comments they have communicated via private text messages and social media. On September 8, 2014, the ministry of education suspended an employee from work and cut her salary for 10 days over a WhatsApp message that allegedly “insulted the state leadership figures.” In October 2014, the ministry of education interrogated its own security guards over political text messages shared over mobile phone chatting apps. The guards were shown snapshots of their chat conversations as evidence and were asked to delete the “illegal” political chat groups from their phones, while the group admins were forced to stand under the sun for several days. Some were moved to other work sites that are far from their residence as a punishment. Also, in September 2014, an employee of the ministry of culture was interrogated over an Instagram photo of her standing next to renowned human rights defender Nabeel Rajab.

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179 Bahrain Watch, Twitter Post, March 13, 2015, 12:28 PM, [https://twitter.com/BHWatch/status/576464787422339072](https://twitter.com/BHWatch/status/576464787422339072).
184 Case 8 is the latest incident in April 2013 see, Bahrain Watch, “The IP Spy Files: How Bahrain’s Government Silences Anonymous Online Dissent” May 15, 2013, [https://bahrainwatch.org/ipspy/viewreport.php#case8](https://bahrainwatch.org/ipspy/viewreport.php#case8).
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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.188

According to official statistics, there were 1,115 cyberattacks during first quarter of 2014 on government websites in attempt to take over the sites or manipulate content.189 Additionally, at least 40 sources of malicious emails were identified inside Bahrain by MacAfee.190 Government-associated websites are frequently targeted with distributed denial of service (DDoS) attacks.

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188 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 https://twitter.com/BH14Detainees/status/598146464934547456.
