



BAHRAIN

	2012	2013
INTERNET FREEDOM STATUS	NOT FREE	NOT FREE
Obstacles to Access (0-25)	12	11
Limits on Content (0-35)	25	26
Violations of User Rights (0-40)	34	35
Total (0-100)	71	72

POPULATION: 1.3 million
INTERNET PENETRATION 2012: 88 percent
SOCIAL MEDIA/ICT APPS BLOCKED: Yes
POLITICAL/SOCIAL CONTENT BLOCKED: Yes
BLOGGERS/ICT USERS ARRESTED: Yes
PRESS FREEDOM 2013 STATUS: Not Free

* 0=most free, 100=least free

KEY DEVELOPMENTS: MAY 2012 – APRIL 2013

- After an intense government crackdown, more users have begun to exercise a degree of self-censorship when speaking about sensitive issues owing to fears of government reprisals (see **LIMITS ON CONTENT**).
- Eight online users were given prison sentences during the coverage period, with numerous others arrested or intimidated for Twitter posts amid authorities’ increased intolerance towards government criticism on social media (see **VIOLATIONS OF USER RIGHTS**).
- Cyberattacks and government surveillance were increasingly employed to disrupt or monitor online activities of prominent dissidents (see **VIOLATIONS OF USER RIGHTS**).

INTRODUCTION

In the absence of a representative government, many Bahrainis look to the internet as an outlet for expressing political, economic, and social frustrations in the country. 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. In 1997, only two years after the internet was introduced in the country, a Bahraini internet user was arrested for the first time after sending information to a political opposition group outside of the country.¹ The Ministry of Information made its first official attempt to block websites containing content critical of the government in 2002, and today over 1,000 websites are blocked, including individual pages on certain social-networking sites.²

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.³ One online activist died from torture while in police custody in April 2011.⁴

Over the past year, a combined total of over 47 months of prison sentences have been passed down on eight Bahraini citizens as a result of their online activities, while many other cases are pending trial. The continued crackdown and oppressive online environment is pushing more users toward self-censorship. Surveillance of online activity and phone calls is widely practiced, and officers at security checkpoints actively search mobile phones for suspicious content.⁵ Numerous users have reportedly been subject to physical or psychological torture while held by authorities, often for Twitter posts. Finally, online activists are subject to consistent cyberattacks as overzealous security forces aim to collect personal information for use during interrogations.

OBSTACLES TO ACCESS

From a technological perspective, Bahrain is one of the most highly connected countries in the world. In 2012, Bahrain ranked among the top five countries in the Western Asia region on the

¹ Initiative For an Open Arab Internet, "Bahrain," *Implacable Adversaries: Arab Governments and the Internet*, December 2006, <http://old.openarab.net/en/node/350>.

² "Bahrain: Government orders over 1,000 websites blocked," Index on Censorship, September 25, 2009, <http://www.indexoncensorship.org/2009/09/bahrain-government-orders-over-1000-websites-blocked/>.

³ "Document – Bahrain: Two die as protests are violently repressed: 'Ali 'Abdulhadi Mushaima', Fadhel 'Ali Matrook," Bahrain Center for Human Rights, February 15, 2011, <http://bahrainrights.org/en/node/3731>.

⁴ "Journalists Killed in Bahrain," Committee to Protect Journalists, April 9, 2011, <http://cpj.org/killed/2011/zakariya-rashid-hassan-al-ashiri.php>.

⁵ "Political media in Bahrain: From the murals and publications to the online forums" [in Arabic], Bahrain Mirror, January 7, 2012, <http://bhmirror.hopto.org/article.php?id=2712&cid=117>.

United Nations Telecommunications Infrastructure Index.⁶ Internet access is widely available at schools, universities, shopping malls, and coffee shops, where Bahrainis often gather for work and study.⁷ The number of internet users has risen rapidly, from a penetration rate of 28 percent in 2006 to 88 percent in 2012.⁸ There are approximately 413,000 internet subscriptions in the country, of which 60 percent were mobile broadband, 28 percent were fixed-wireless, and the remaining were ADSL.⁹ Dial-up connections have disappeared since 2010 and ADSL use has declined with the growth of mobile broadband. Approximately 78 percent of broadband subscribers in 2011 were on plans with speeds of at least 1Mbps, while 58 percent enjoyed speeds of 2Mbps or higher.¹⁰ Broadband prices fell by nearly 40 percent between 2010 and 2011, and are among the lowest in the region for mobile broadband. However, prices remain relatively high by international standards¹¹ and in comparison to countries in the Organization for Economic Cooperation and Development (OECD).¹²

Bahrain also has one of the highest mobile phone penetration rates in the region at 156 percent as of the end of 2012, representing over 2.1 million subscribers.¹³ However, in an effort to halt the rapid dissemination of information, authorities banned BlackBerry users from sending news bulletins through text messages in April 2010.¹⁴ BlackBerry phones are popular among young people and the business community and account for around 12.5 percent of mobile subscribers.¹⁵ Similarly, while Web 2.0 applications such as the video-sharing site YouTube, social-networking site Facebook, and the micro-blogging site Twitter are available, the government often blocks individual pages on each of those platforms if they violate the country's strict laws on political expression. (See "Limits on Content")

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 "promoting effective and fair competition among established

⁶ The index is a measure of the population's connectivity in fixed telephony, mobile, internet, online, personal computing and television. "E-Government Survey 2012," United Nations Department of Economic and Social Affairs, (New York: United Nations, 2012), http://www2.unpan.org/egovkb/global_reports/12report.htm.

⁷ Telecommunications Regulatory Authority (TRA), *Annual Report 2011*, (Manama: TRA), slide 38, <http://tra.org.bh/EN/pdf/TRAAnnualReport2011English.pdf>.

⁸ International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2006 & 2012, accessed June 24, 2013, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

⁹ Telecommunications Regulatory Authority (TRA), *Telecommunications Market Indicators in the Kingdom of Bahrain* (Manama: TRA, December 2012), slide 32, <http://tra.org.bh/EN/pdf/2012TelecommunicationsmarketsindicatorsvFforpublic.pdf>.

¹⁰ Telecommunications Regulatory Authority (TRA), *Telecommunications Market Indicators in the Kingdom of Bahrain* (Manama: TRA, December 2012), slide 34, <http://tra.org.bh/EN/pdf/2012TelecommunicationsmarketsindicatorsvFforpublic.pdf>.

¹¹ Telecommunications Regulatory Authority (TRA), *Annual Report 2011*, (Manama: TRA), slide 33, <http://tra.org.bh/EN/pdf/TRAAnnualReport2011English.pdf>.

¹² Telecommunications Regulatory Authority (TRA), "Broadband Prices fall by up to 40% while Mobile Prices fall by up to 25%," press release, September 14, 2011, http://www.tra.org.bh/en/pdf/2011PriceBenchmarkingPressRelease_en.pdf.

¹³ International Telecommunication Union (ITU), "Mobile-cellular subscriptions" 2012, accessed June 26, 2013, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

¹⁴ "Authorities Ban Blackberry Users from Sending News Bulletins," IFEX, April 15, 2010, http://ifex.org/bahrain/2010/04/15/blackberry_ban/.

¹⁵ TRA, *Telecommunications Market Indicators in the Kingdom of Bahrain*, December 2012, slide 19, <http://tra.org.bh/EN/pdf/2012TelecommunicationsmarketsindicatorsvFforpublic.pdf>.

and new licensed operators.”¹⁶ In this vein, the TRA fined the leading telecommunications company Batelco BHD 5 million (US\$13 million) in 2009 for monopolizing access to the country’s international data lines, ordering the company to share its facilities with MENA Telecom and other licensed operators. The TRA has also issued several regulations that have not been welcomed by consumers, including measures that violate individual privacy.¹⁷ (See “Violations of User Rights”)

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. Up until June 2013, this minister also occupied the post of President of the Information Affairs Authority (IAA).¹⁸ In turn, 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).

In a positive development, more ISPs have recently been introduced to the Bahraini market, improving Bahrainis’ access to the internet.¹⁹ Indeed, over 31 licenses have been granted since 2003, with 16 providers currently in business.²⁰ There have been no reported instances of ISPs being denied registration permits. The major providers are Batelco, Zain, MENA Telecom, and VIVA. The latter two are also licensed to provide the increasingly popular WiMAX technology for accessing wireless broadband from one’s computer through a USB device.

Batelco, Zain, and VIVA also serve as Bahrain’s three mobile phone operators. The government has a controlling stake in Bahrain’s largest telecommunications company, Batelco, while other ISPs are owned by investors from the private sector, including non-Bahraini investors. Although there is no centralized internet backbone in Bahrain, all ISPs are indirectly controlled by the government through orders from the TRA. This tight control over the country’s ICT sector has allowed the Bahraini authorities to enforce strict limits on online content.

LIMITS ON CONTENT

Over the past year, the overall scale and sophistication of censorship has remained stable, with many websites blocked since the February 14, 2011 protests. The popular uprising, which was called for and heavily covered by online channels, resulted in a significant rise of blocking and filtering measures by the Bahraini authorities. Throughout late 2012 and early 2013, prominent platforms for the live-streaming of events and chat applications used to conduct online seminars remained blocked as the government sought to hinder online mobilization through legal and

¹⁶ TRA Homepage, accessed March 19, 2013, <http://www.tra.org.bh/EN/Home.aspx>.

¹⁷ Geoffrey Bew, “‘Big Brother’ Move Rapped,” Gulf Daily News, March 25, 2009, <http://www.gulf-daily-news.com/Print.aspx?storyid=246587>.

¹⁸ In June 2013, Mohamed al-Rumaihi was named President of the IAA, replacing Fawaz al-Khalifa who remained Minister of State for Telecom.

¹⁹ TRA, *Telecommunications Market Indicators in the Kingdom of Bahrain*, December 2012, slide 10, <http://tra.org.bh/EN/pdf/2012TelecommunicationsmarketsindicatorsvFforpublic.pdf>.

²⁰ TRA, “Market Information: Number of Licenses Issued,” accessed February 1, 2012, <http://www.tra.org.bh/en/marketstatistics.asp>.

administrative means. The crackdown on online speech has also resulted in an increase in self-censorship among social network users.

The IAA officially blocks websites that violate Articles 19 and 20 of the country's Press Rules and Regulations. This includes 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."²¹ As such, any site that criticizes the government, the ruling family, and the country's status quo is targeted by the IAA and promptly blocked. According to statistics provided by an online community-based survey, 39 percent of all sites reportedly blocked in Bahrain are related to politics, while 24 percent are related to the use of various internet tools, such as anonymizers and web proxies.²² According to some estimates, the IAA has blocked or shut down more than 1,000 websites, including human rights websites, blogs, online forums, and individual pages from social media networks.²³ For example, the websites of the Arab Network for Human Rights Information (ANHRI) and the Bahrain Center for Human Rights (BCHR) have been blocked since 2006. The website of the opposition Bahrain Justice and Development Movement, which was established abroad, has been blocked since 2011.²⁴

Although there are a number of news websites providing a plurality of viewpoints distinct from the narrative of Bahraini state media, most of these are blocked by the government and require circumvention tools to access. The websites of international television channels that continue to report on the unrest in Bahrain, such as Al-Alam,²⁵ Press TV,²⁶ and Lualua TV, remain blocked.²⁷ The news site Bahrainmirror.com, which is published from abroad,²⁸ and the website of the London-based *Al-Qudus Al-Arabi* newspaper have been blocked since 2011 for publishing views that are critical to the Bahraini government.²⁹ Bahrainonline.org, the country's prominent online forum, has been blocked since its launch in 1998, though its moderators have continuously generated and distributed new links to bypass the block.³⁰ The Arabic web portal and blog-hosting

²¹ Please see "Decree-by-Law No. (47) for the year 2002 regarding organizing the press, printing and publishing," available at: <http://www.iaa.bh/policiesPressrules.aspx>.

²² "Herdict: At a Glance - Bahrain" Herdict, accessed on March 19, 2013, <http://www.herdict.org/explore/indepth?fc=BH>.

²³ "Countries Under Surveillance: Bahrain," 2011, Reporters Without Borders, accessed July 16, 2012, <http://en.rsf.org/surveillance-bahrain,39748.html>.

²⁴ "Violence, blocked websites and prosecutions – Anti-media offensive continues," Reporters Without Borders, August 20, 2011, <http://en.rsf.org/bahrain-violence-blocked-websites-and-20-08-2011,40811.html>.

²⁵ "Channel block site of the world in Bahrain" [in Arabic], Islam Times, March 8, 2011, <http://www.islamtimes.org/vdcfcmtd.w6dxciaikiw.html>.

²⁶ "Press TV's website blocked in Bahrain," PressTV, March 5, 2011, <http://www.presstv.ir/detail/168269.html>.

²⁷ LualuaTV also had its satellite broadcast jammed in Bahrain. Source: Simon Atkinson, "Bahrain TV station struggles as signal blocked," BBC News, November 14, 2011, <http://www.bbc.co.uk/news/business-15699332>.

²⁸ "Crackdown continues in Bahrain, Bloggers go on trial in Emirates," Reporters Without Borders, June 16, 2011, <http://en.rsf.org/bahrain-crackdown-continues-in-bahrain-16-06-2011,40467.html>.

²⁹ "Bahrain: 'Internet' the biggest victim of the war launched by the authorities on the general freedom ANHRI condemns blocking Al-Quds Al-Arabi newspaper website following its publishing of an editorial article criticizing the Saudi intervention in Bahrain," The Arab Network for Human Rights Information, May 24, 2011, <http://www.anhri.net/en/?p=2544>.

³⁰ Ben Birnbaum, "Bahrain continues crackdown on Shi'ite opposition," The Washington Times, September 14, 2010, <http://www.washingtontimes.com/news/2010/sep/14/bahrain-shiites-fear-arrests-detention-torture/?page=2> and "WebStatsDomian - Mail.bahrainonline.org," WebStatsDomain, accessed March 19, 2013, <http://www.webstatsdomain.com/domains/mail.bahrainonline.org/>.

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 publishes video reports taken from state television.³¹ 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.

YouTube, Facebook, Twitter, and international blog-hosting services are freely available. However, certain Web 2.0 tools are permanently blocked and specific content on social networks can be inaccessible. For example, since February 2011, most live-broadcasting websites³² that were popular among protesters have been blocked.³³ PalTalk, a chatting service that was used to conduct political seminars for wide online audiences, has been blocked since June 2011.³⁴ In September 2012, authorities briefly blocked the United Nations broadcast website in anticipation of the Bahrain Universal Periodic Review session.³⁵ It was unblocked shortly after, following a large online pressure campaign. A crowdsourcing application implemented by a Bahraini blogger used to track the locations of flash security checkpoints was blocked a few days after its launch in August 2012.³⁶ Furthermore, all websites displaying the “abusive video of Prophet Mohamed” were blocked after an order from the Ministry of Interior in September 2012.³⁷ Although the video was officially blocked, it remained accessible using certain mobile phone applications.

Following the March 2011 crackdown on protestors, authorities also used extralegal measures to forcibly remove online content. Through the use of arrests,³⁸ detentions, and torture,³⁹ security forces coerced many online forum moderators into permanently shutting down their sites.⁴⁰ This resulted in the loss of a large amount of information on Bahrain’s history that had been documented by online users and made available only through local forums and websites.

³¹ “Ban on audio programs on daily newspaper Al-Wasat’s website,” Bahrain Center for Human Rights, September 9, 2010, <http://www.bahrainrights.org/en/node/3327>.

³² These sites include bambuser.com, ustream.tv, justin.tv, and other websites that stream directly to Twitter like twitcasting.tv and twitcam.livestream.com. See, “Attacks on media continue across Middle East,” Committee to Protect Journalists, February 16, 2011, <http://cpj.org/2011/02/attacks-on-media-continue-across-middle-east.php>.

³³ “Despotic regimes continue to obstruct coverage of revolutions,” Reporters Without Borders, September 1, 2011, http://en.rsf.org/bahrain-despotic-regimes-continue-to-01-09-2011_40886.html.

³⁴ “Crackdown continues in Bahrain, Bloggers go on trial in Emirates,” Reporters Without Borders, June 16, 2011, http://en.rsf.org/bahrain-crackdown-continues-in-bahrain-16-06-2011_40467.html.

³⁵ “Bahrain: blocked UN website after Oral Intervention given by Prominent Human Rights Activist at the Human Rights Council,” Bahrain Youth Society for Human Rights, September 14, 2012, <http://byshr.org/?p=1170>.

³⁶ “#Bahrain’s blocks the police checkpoints map two days after launch,” Bahrain Freedom Index, accessed March 19, 2013, <http://bahrainindex.tumblr.com/post/30577509879/bahrain-blocks-the-police-checkpoints-map-two-days>.

³⁷ “Interior Minister directs to speed work on blocking,” [in Arabic], September 14, 2012, Al Wasat, <http://www.alwasatnews.com/3660/news/read/701627/1.html>.

³⁸ Non exhaustive list of forum moderators who were subject to arrest found at: <https://spreadsheets.google.com/pub?hl=en&hl=en&key=0ApabTTYHrcWDdEk0Q0pWYnISa3JmbS1RbThtUkZrNkE&output=html>; accessed via: “Bahrain: After destruction of the actual protesting site at “the Pearl,” the government shifts to eliminate virtual protests,” Bahrain Center for Human Rights, May 17, 2011, <http://bahrainrights.hopto.org/en/node/4101>.

³⁹ <http://globalvoicesonline.org/2011/12/05/bahrain-twitter-user-jailed-for-66-days-for-tweeting/>

⁴⁰ Moderator of the AlDair Forum talks about his detention, saying he was forced to show the interrogation officer how to close the website: “Ahmed al-Dairi Moderator of AlDair Forums in the first episode of his testimony: thus eased voice of Zakaria AlAsheeri forever” [in Arabic], Bahrain Mirror, January 4, 2012, <http://bhmirror.no-ip.org/article.php?id=2678&cid=117>.

In Bahrain, 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.”⁴¹ Through notification to the TRA, the IAA can revoke the license of any operator that does not cooperate with its blocking orders.⁴² Batelco, Bahrain’s main ISP, filters the web using McAfee SmartFilter software and Blue Coat technology.⁴³ In 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.

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 and the IAA can order the blocking of a website without referring the case to a court. 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.

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.⁴⁴ Today, the majority of users on Twitter and online forums, and even those who leave comments on online editions of newspapers, still use pseudonyms over fears of being targeted by the authorities.⁴⁵ Many have modified their privacy settings on social media or ‘protected’ their Twitter pages. There has been a drop in the level of tweets related to the #Bahrain hashtag since November 2012, following the prosecution of four internet users.⁴⁶ Some Twitter users have even announced that they have been temporarily forced to stop tweeting after receiving threats to their personal safety.⁴⁷

While websites that express criticism of the government are blocked, authorities also manipulate the online content that is accessible in order to fabricate greater public support. Hoax journalists⁴⁸ linked to public relations (PR) agencies have been employed by the government to spread

⁴¹ Reporters Without Borders, “Authorities Step Up Offensive Against Journalists and Websites,” news release, May 14, 2009, http://en.rsf.org/spip.php?page=article&id_article=33042.

⁴² Reporters Without Borders, “Authorities Step Up Offensive Against Journalists and Websites,” news release, May 14, 2009, http://en.rsf.org/spip.php?page=article&id_article=33042. A copy of the law can be seen on [Arabic] <http://www.legalaffairs.gov.bh/viewpdf.aspx?ID=RCLIF0109>

⁴³ Paul Sonne and Steve Stecklow, “U.S. Products Help Block Mideast Web,” Wall Street Journal, March 27, 2011, <http://online.wsj.com/article/SB10001424052748704438104576219190417124226.html>.

⁴⁴ Simeon Kerr, “Manama fights back in cyberspace,” Financial Times, May 23, 2011, <http://www.ft.com/intl/cms/s/0/7bce94b8-8560-11e0-ae32-00144feabdc0.html#axzz1lLZwkuOF>.

⁴⁵ Nancy Messieh, “Online anonymity: A gateway to freedom or abuse?” The Next Web, August 14, 2011, <http://thenextweb.com/me/2011/08/14/online-anonymity-a-gateway-to-freedom-or-abuse/>.

⁴⁶ See <http://bahrainindex.tumblr.com/post/41025930298/a-drop-in-level-of-tweets-on-bahrain-hashtag>

⁴⁷ See <http://bahrainindex.tumblr.com/post/35897159633/bahraini-doctor-bahraindoctor-threatened-with-arrest>

⁴⁸ Marc Owen Jones, “Hoax Journalist Liliane Khalil Returns, This Time as Habiba Dalal,” MarcOwenJones, (blog), January 29, 2012, <http://marcownjones.wordpress.com/2012/01/29/the-return-of-liliane-khalil/>.

propaganda on Twitter and progovernment blogs such as [BahrainViews](#) and Bahrain Independent.⁴⁹ At least one agency was contracted to provide “web optimization and blogging” services to the Bahraini government,⁵⁰ while other PR agencies are known to have been contracted for online reputation management through the creation of fake blogs and websites.⁵¹ Multiple Wikipedia entries linked to Bahrain were also changed in favor of the government.⁵² In general, the independent group Bahrain Watch lists 18 PR firms known to have been hired by the Bahraini government for various promotional campaigns since February 2011, representing at least \$32 million in contracts.⁵³

Similarly, an “army of trolls” has been active on Twitter⁵⁴ since February 2011, when hundreds of accounts suddenly emerged to collectively harass and intimidate online activists,⁵⁵ commentators, and journalists who voiced support for protests and human rights.⁵⁶ International figures and organizations are also targeted, including Marietje Schaake, a Member of the European Parliament from the Netherlands.⁵⁷ The government trolls have been moderately effective in silencing or reducing the activity of opposition voices inside Bahrain⁵⁸ and abroad.⁵⁹ The trolls have also played a vital role in spreading information that is controversial, offensive, or false,⁶⁰ in order to distort the image of protesters, spread hate and conflict, or discredit information posted on social networks.⁶¹ These troll accounts usually have few followers (or sometimes none at all) and tend to appear and disappear in coordination with one another.

⁴⁹ Marc Owen Jones, “Busted! Journalist Liliane Khalil Exposed,” MarcOwenJones, (blog), August 2, 2011

<http://www.marcowenjones.hostbyet2.com/?p=364> and Media Jihad: If Ya Can't Beat 'Em, Sue 'Em! <http://bahrainipolitics.blogspot.com/2011/06/media-jihad-if-you-cant-beat-em-sue-em.html#> Dr Majeed AL Alawi, Twitter post, January 2, 2012, 2:51am, <https://twitter.com/#!/DrMajeedAlalawi/status/153790396231716865>.

⁵⁰ “Trippi & Associates Manipulate Internet Content on Behalf of Bahrain Government,” Bahrain Freedom Index (blog), July 20, 2011, <http://bahrainindex.tumblr.com/post/15188201300/trippi-associates-manipulate-internet-content-on>.

⁵¹ Marcus Baram, “Lobbyists Jump Ship in Wake of Mideast Unrest,” Huffington Post, March 25, 2011, http://www.huffingtonpost.com/2011/03/24/lobbyist-mideast-unrest-departures_n_840231.html;

⁵² Marc Owen Jones, “Truth Massages & the Intelligence Unknown,” MarcOwenJones, (blog), December 7, 2011 <http://www.marcowenjones.hostbyet2.com/?p=401>.

⁵³ “PR Watch – keeping an eye on the Kingdom’s PR,” Bahrain Watch, <http://bahrainwatch.org/pr/>.

⁵⁴ “Bahrain’s Troll Army,” Web 3.0 Lab (blog), February 17, 2011, <http://web3lab.blogspot.com/2011/02/bahraains-troll-army.html>.

⁵⁵ Brian Dooley, “‘Troll’ Attacks on #Bahrain Tweets Show Depth of Government Attempts to Silence Dissent,” Huffington Post (blog), November 17, 2011, http://www.huffingtonpost.com/brian-dooley/troll-attacks-on-bahrain_b_1099642.html.

⁵⁶ J. David Goodman, “‘Twitter Trolls’ Haunt Discussions of Bahrain Online,” The Lede (blog), *New York Times*, October 11, 2011, <http://thelede.blogs.nytimes.com/2011/10/11/twitter-trolls-haunt-discussions-of-bahrain-online/>.

⁵⁷ See <https://twitter.com/MarietjeD66/status/292223867274022913>

⁵⁸ iManamaa, Twitter post, May 13, 2011, 7:39am, <http://twitter.com/imanamaa/status/69049206215684097>; Sultan Al-Qassem, “Pioneer Bloggers in the Gulf Arab States,” Jadaliyya, December 20, 2011,

<http://www.jadaliyya.com/pages/index/3643/pioneer-bloggers-in-the-gulf-arab-states>; “Disturbing Drop in Tweeting in Bahrain,” Web 3.0 Lab (blog), March 22, 2011, <http://web3lab.blogspot.com/2011/03/disturbing-drop-in-tweeting-in-bahrain.html>.

⁵⁹ Jillian York, “Twitter Trolling as Propaganda Tactic: Bahrain and Syria,” JillianCYork.com (blog), December 10, 2011, <http://jilliancyork.com/2011/10/12/twitter-trolling-as-propaganda-tactic-bahrain-and-syria/>.

⁶⁰ Marc Owen Jones, “So Many Trolls but so Few Leaders: The Information War in Bahrain,” MarcOwenJones (blog), March 14, 2011 <http://www.marcowenjones.hostbyet2.com/?p=176>.

⁶¹ David Wheeler, “In the Arab Spring’s Wake, Twitter Trolls and Facebook Spies,” *The Chronicle of Higher Education*, November 29, 2011, <http://chronicle.com/blogs/planet/2011/11/29/in-the-arab-springs-wake-twitter-trolls-and-facebook-spies/>.

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 government-blocked websites to secure advertising, popular sites such as bahrainonline.org 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.

Bahrain's online community has grown rapidly in recent years, especially in social media. The number of Bahraini users on Facebook reached 377,620 as of March 2013, representing a penetration rate of 51.2 percent,⁶² and there are more than 3,500 local entities (both government and civil society) with a Facebook page.⁶³ Around 72,468 Bahraini users were active on Twitter as of June 2012.⁶⁴ Despite the recent drop in activity, the "#bahrain" hashtag consistently remains one of the most popular topics on Twitter across the Arab region.⁶⁵

Given restrictions on press freedom, the lack of international media coverage, and the inability of many prominent journalists to enter the country,⁶⁶ activists have turned to the internet to continue to bring attention to ongoing protests and human rights violations in Bahrain.⁶⁷ Indeed, the internet is also the main source of information and news for many Bahrainis, particularly those active on Twitter. The resilient social protest movement titled the "Coalition of February 14 Youth" continues to use social networks such as Facebook and Twitter⁶⁸ to organize different forms of protests.⁶⁹ YouTube videos are uploaded to document police attacks on civilians and torture testimonies,⁷⁰ though many are promptly blocked.⁷¹ Overall, by uploading videos and sharing

⁶² "Bahrain Facebook Statistics," Socialbakers, accessed March 6, 2013, <http://www.socialbakers.com/facebook-statistics/bahrain>.

⁶³ "To prevent its use in the buildup to the issues related to public affairs, Bahrain is considering the legalization of the use of Facebook similar to Arab countries" [in Arabic], Alwasat News, February 4, 2011, <http://www.alwasatnews.com/3073/news/read/525216/1.html>.

⁶⁴ Dubai School of Government, "Mapping Twitter: Twitter Users," Arab Social Media Report, Issue 4, July 2012, http://www.dsg.ae/en/Publication/Pdf_En/826201211212209347849.pdf

⁶⁵ Dubai School of Government, "Twitter in the Arab Region," Arab Social Media Report, accessed September 4, 2013, <http://www.arabsocialmediareport.com/Twitter/LineChart.aspx?&PriMenuID=18&CatID=25&mnu=Cat>.

⁶⁶ "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. Available at: <http://bahrainwatch.org/access/>.

⁶⁷ Amira al Hussaini, "Bahrain: Tweeting Appalling Conditions at Jaw Prison," Global Voices, July 19, 2013, <http://globalvoicesonline.org/2012/07/19/bahrain-tweeting-appalling-conditions-at-jaw-prison/>.

⁶⁸ See <https://twitter.com/COALITION14>

⁶⁹ Toby C. Jones and Ala'a Shehabi, "Bahrain's revolutionaries," Foreign Policy, January 2, 2012, http://mideast.foreignpolicy.com/posts/2012/01/02/bahrain_revolutionaries and "Demonstration Notice 3 – January 17, 2013," U.S. Embassy Bahrain, January 17, 2013, <http://photos.state.gov/libraries/adana/5/2013PDFfiles/CONS-DemonstrationNotice3-13.pdf>.

⁷⁰ "Blocking the Documentary 'Systematic Torture in Bahrain' on YouTube," Bahrain Center for Human Rights, February 8, 2011, <http://bahrainrights.hopto.org/en/node/3710>.

⁷¹ Jillian York, "Bahrain Blocks YouTube Pages and More," Global Voices, February 14, 2011, <http://advocacy.globalvoicesonline.org/2011/02/14/bahrain-blocks-youtube-pages-and-more/>.

images on social media, protesters have maintained the spotlight on their struggle and in some cases succeeded in placing pressure on the government.⁷²

For example, in December 2012, a video of a police officer slapping a man in the course of an identity check went viral with over 200,000 views within 24 hours, receiving international attention and mainstream media coverage. Acting upon international pressure, Bahraini authorities announced that the policeman was arrested. Nonetheless, many observers were skeptical about the sincerity of the government's intentions and whether any disciplinary action would be taken against the officer.⁷³ In the end, he was handed a two-month sentence in June 2013.⁷⁴ The victim in the video also revealed that he was questioned by police authorities about the identity of the cameraman who took the video.⁷⁵

VIOLATIONS OF USER RIGHTS

While censorship has remained somewhat stable since the post-uprising crackdown in 2011, the past year has witnessed an increase in violations of user rights. In particular, authorities have stepped up arrests of Twitter users for expressing criticism of the government. Also increasing is the practice of targeting activists with surveillance malware in order to monitor their online activities and collect personal information. The legal environment remains an impediment to freedom online, although authorities also make use of extralegal measures such as arbitrary detention and torture to intimidate and prosecute users. Bahraini authorities have continuously called for more restrictions on internet freedom in recent years.

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."⁷⁶ 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."⁷⁷ Similarly, 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

⁷² Marc Owen Jones, "Viral Justice: The MOI's Continued Failure to Hold Police Accountable Despite Evidence," Blog by Marc Owen Jones, December 11, 2012, <http://marcowsenjones.wordpress.com/2012/12/11/social-media-viral-justice-the-mois-continued-failure-to-hold-police-accountable-despite-evidence/>

⁷³ "Bahrain: police 'slap' video goes viral," France24, January 3, 2013, <http://www.france24.com/en/20121227-2012-12-27-2049-wb-en-webnews?page=11>.

⁷⁴ "Officer is sent to prison for slapping man," Gulf Daily News, June 20, 2013, <http://www.gulf-daily-news.com/NewsDetails.aspx?storyid=355704>.

⁷⁵ Malik Abdullah, "Almcefuha Haider Rasool," [in Arabic] Al Wasat, January 5, 2013, <http://www.alwasatnews.com/3773/news/read/728036/1.html>.

⁷⁶ Constitution of the Kingdom of Bahrain, available at <http://www.shura.bh/en/InformationCenter/Pages/Documents.aspx>.

⁷⁷ Constitution of the Kingdom of Bahrain, available at <http://www.shura.bh/en/InformationCenter/Pages/Documents.aspx>.

rights they seek to uphold.⁷⁸ In addition, there is no law that defines clear penalties for violating the privacy of internet users, a concern shared by many bloggers who believe the absence of a law allows for greater abuse.⁷⁹

The numerous proposals that are currently under review signal a negative trend in the country's legal environment. In September 2011, the Chief of Public Security issued a statement declaring that "the mere fact of posting instigative calls is a penal crime punishable by the law," even if those calls are made through social networks and internet websites.⁸⁰ Bahrain's Minister of State for Information Affairs announced in June 2012 that the government is preparing to introduce tough new laws to combat the "misuse" of social media.⁸¹ The Interior Ministry also stated that it would crack down on offences and smear campaigns targeting national and public figures on social media networks.⁸² These were followed by an October 2012 announcement that the Ministry of Justice will seek to enact further legislation to restrict the use of social networks, the internet, and mobile technologies.⁸³ These calls were linked to the spread of information online about the identities of security officers involved in human rights violations.⁸⁴ As of April 2013, no law had been officially proposed or issued. A proposed cybercrimes law that criminalizes unauthorized access to computer systems has been under review since 2005 and is scheduled to be discussed by the Council of Representatives during the current term of the lower house of parliament. The bill was approved by the Shura Council, or upper house, in June 2012.⁸⁵

Censorship of online media is currently implemented under the 2002 Press and Publications Law⁸⁶ and was extended to mobile telephones in 2010.⁸⁷ The law allows for prison sentences of at least six months (and up 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

⁷⁸ "Bahrain," in *Media Sustainability Index 2008* (Washington, DC: IREX, 2009), http://irex.org/programs/MSI_MENA/2008/MSIMENA_bahrain.asp.

⁷⁹ "Ali al-Moussawi, "On the occasion of the World Day to combat electronic surveillance," [in Arabic], Al Wasat, March 12, 2012, <http://www.alwasatnews.com/3474/news/read/642338/1.html>.

⁸⁰ "Public Security/Statement," Bahrain News Agency, September 21, 2011, <http://www.bna.bh/portal/en/news/473522>.

⁸¹ Matt J. Duffy, "Bahrain shouldn't pass new laws to regulate social media," Gulf News, June 26, 2012, <http://gulfnews.com/opinions/editorials/bahrain-shouldn-t-pass-new-laws-to-regulate-social-media-1.1040382>.

⁸² Habib Toumi, "Ministry pledges cyber defamation crackdown," Gulf News, September 10, 2012, <http://gulfnews.com/news/gulf/bahrain/ministry-pledges-cyber-defamation-crackdown-1.1072373>.

⁸³ Mariam Ahmed, "Justice Minister declares: a new law to address the misuse of networking," [translated] Akhbar al-Khaleej, October 10, 2012, <http://www.akhbar-alkhaleej.com/12619/article/54540.html>.

⁸⁴ "Minister of Justice Uses Coercive Force against Preachers and Looms Further Procedures that Affect Freedom of Expression," Bahrain Center for Human Rights, October 17, 2012, <http://www.bahrainrights.org/en/node/5476>.

⁸⁵ "«Cyber crimes» and «money laundering» at the committee table" Alwatan News [in Arabic], October 14, 2012, <http://alwatannews.net/NewsViewer.aspx?ID=mzi733337WsnRK6ipKD7V9T833338SEg933339933333>

⁸⁶ For cases where the authorities have used the 2002 press law to censor online websites, see "Website accused of violating press code, BCHR concerned that move is aimed at silencing critical voices," Bahrain Center for Human Rights, October 1, 2008, <http://www.bahrainrights.org/en/node/2446> and "Closing a blow to freedom of opinion and expression," [Arabic] Al Wasat, April 25, 2010, <http://www.alwasatnews.com/2920/news/read/472942/1.html> and "Blocking users 'Twitter' caused by a violation of the Copyright Act," [Arabic] Al Wasat, January 3, 2010, <http://www.alwasatnews.com/2676/news/read/358169/1.html>.

⁸⁷ Habib Toumi, "Bahrain imposes blackout on BlackBerry news sharing," *habibtoumi.com* (blog), April 8, 2010, <http://www.habibtoumi.com/2010/04/08/bahrain-imposes-blackout-on-blackberry-news-sharing/>.

government.⁸⁸ In addition, the 2002 Telecommunications Law contains penalties for several online practices such as the transmission of messages that are offensive to public policy or morals.⁸⁹ However, sentences can be longer if more severe penalties are called for by the penal code or terrorism laws. For instance, under the penal code, any user who “deliberately disseminates a false statement” that may be damaging to national security or public order can be imprisoned for up to two years.⁹⁰ The government has used these vague clauses to question and prosecute several bloggers and online commentators.

After the March 2011 crackdown on street protesters, the government conducted a mass arrest campaign of online activists and bloggers. More than 20 online activists were arrested and held for periods ranging from a few days to several months.⁹¹ Arrests and prosecutions continued throughout 2012 and early 2013. Collectively, more than 47 months of prison sentences were passed on to eight Bahraini users in cases directly related to online posts between May 2012 and April 2013. As photos and videos of police brutality continue to emerge online, more measures are being taken against citizens who are seen holding cameras (including smart phones) in areas of protest. In November 2012, a Saudi blogger said she was told on two separate occasions to delete photos of protests and anti-government graffiti she had taken with her smartphone.⁹² Bloggers, moderators, and online activists are systematically detained and prosecuted by authorities for expressing views the government regards as controversial.

One of Bahrain’s most prominent human rights defenders, Nabeel Rajab, has been subject to repeated arrests and interrogations for publicly criticizing government figures. Rajab is the president of the Bahrain Center for Human Rights, a non-governmental organization that remains active despite a 2004 government order to close it.⁹³ He 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.⁹⁴ 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.⁹⁵ 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

⁸⁸ Press and Publications Law of 2002 of the Kingdom of Bahrain (No.47 of 2002). A copy can be found at:

<http://www.legalaffairs.gov.bh/viewhtm.aspx?ID=L4702> or <http://www.iaa.bh/policiesPressrules.aspx>.

⁸⁹ Telecommunications Law of the Kingdom of Bahrain, http://www.tra.org.bh/en/pdf/Telecom_Law_final.pdf.

⁹⁰ Bahrain Penal code, 1976, article 168, <http://bahrainrights.hopto.org/BCHR/wp-content/uploads/2010/12/Bahrain-Penal-Code.doc>.

⁹¹ List of arrested Bahraini journalists:

<https://docs.google.com/spreadsheet/ccc?key=0AapbTTYHrcWDdFZocWpBRlp6ell6RkNWeGh5YXAtUFE#gid=0>, accessed via bahrainrights.org.

⁹² Rana Jarbou, “A thousand weapons,” Rana Jarbou, November 15, 2012, <http://ranajarbou.blogspot.com/2012/11/a-thousand-weapons.html>.

⁹³ “About BCHR,” Bahrain Center for Human Rights, <http://www.bahrainrights.org/en/about>.

⁹⁴ “Nabeel Rajab granted bail but not released,” Bahrain Center for Human Rights, May 19, 2012, <http://www.bahrainrights.org/en/node/5256>.

⁹⁵ Addressing the Prime Minister, Rajab tweeted: “Khalifa: Leave the al-Muharraq alley ways, their sheikhs and their elderly, everyone knows that you have no popularity there; and if it was not for their need for money they would not have come out to welcome you - when will you bow out?” “Bahrain: Call for ‘immediate release’ of activist Nabeel Rajab, jailed for tweet,” Amnesty International, July 11, 2012, https://www.amnesty.org.uk/news_details.asp?NewsID=20223 and

charges related to his first arrest and ordered to pay a fine of 300 Bahraini dinars (\$800).⁹⁶ 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.⁹⁷ However, he is currently serving a two-year sentence for “calling for illegal gatherings over social networks.”⁹⁸ Rajab, who tweets under the name ‘@NabeelRajab,’ was ranked the “most connected” Twitter user in Bahrain according to a survey, with over 150,000 followers at the time of his arrest in May 2012.⁹⁹ He continues to issue calls to protest over Twitter, even from prison.¹⁰⁰ By May 2013, Rajab’s followers had reached 206,075 and the tweet that led to his arrest had been retweeted at least 2,000 times.¹⁰¹

In another case, a 19-year-old blogger was sentenced to two years imprisonment for reportedly posting abusive comments about the Prophet Mohamed’s wife Aisha on a Bahraini online forum in June 2012.¹⁰² That month another blogger, Mohamed Hasan, was interrogated by police authorities for “writing for websites and newspapers without a license, protesting, and tweeting,”¹⁰³ although there is no law in Bahrain that requires a license for blogging. A few days earlier, one of his tweets had appeared on the Al-Jazeera television show ‘The Stream.’¹⁰⁴ No further legal action has yet been taken against Hasan.

In August 2012, the 21-year-old blogger Shaheen Al-Junaid was summoned by police authorities for tweeting about an attack by members of the royal family on a Bahraini citizen who worked for their cousin. The employee was beaten after he refused the royal family members entry onto their cousin’s premises, which his employer had instructed him to do following a dispute between the family members.¹⁰⁵ The summons was later cancelled.¹⁰⁶

Four Twitter users were arrested and had their electronic devices confiscated after their houses were raided on the night of October 16, 2012. Abdullah Alhashemi, Salman Darwish, Ali

⁹⁶ “BAHRAIN: Arrest of Mr. Nabeel Rajab,” fidh, July 22, 2012, <http://www.fidh.org/BAHRAIN-Arrest-of-Mr-Nabeel-Rajab>.

⁹⁷ Sara Yasin, “Bahrain activist acquitted of Twitter charges but remains in prison,” Index on Censorship, <http://www.indexoncensorship.org/2012/08/bahraini-activist-acquitted-of-twitter-charges-but-remains-in-prison/>

⁹⁸ “Updates: Bahrain, emboldened by international silence, sentences Nabeel Rajab to 3 years imprisonment,” Bahrain Center for Human Rights, August 20, 2012, <http://www.bahrainrights.org/en/node/5387>.

⁹⁹ “How the Middle East Tweets: Bahrain’s Most Connected,” Wamda, December 3, 2012, <http://www.wamda.com/2012/12/how-the-middle-east-tweets-bahrain-s-most-connected-report>.

¹⁰⁰ “Bitter protests in Bahrain,” Movements.org, January 28, 2013, <http://www.movements.org/blog/entry/bitter-protests-in-bahrain/>.

¹⁰¹ “Khalifa: Leave the al-Muharraq alley ways, their shaiyks and their elderly, everyone knows that you have no popularity there; and if it was not for their need for money they would not have come out to welcome you - When will you bow out?” <https://twitter.com/nabeelrajab/status/208853736494350336>.

¹⁰² “Bahrain blogger charged with blaspheming Islam,” Bahrain Freedom Index, 2012, accessed September 4, 2013, <http://bahrainindex.tumblr.com/post/25638178036/bahrain-blogger-charged-with-blaspheming-islam>.

¹⁰³ See <https://twitter.com/safybh/status/210005542406598657> (@safybh)

¹⁰⁴ “Bahrain blogger @safybh interrogated about his ‘goodnight tweets’,” Bahrain Freedom Index, 2012, accessed September 4, 2013, <http://bahrainindex.tumblr.com/post/25638691193/bahraini-blogger-safybh-interrogated-about-his>.

¹⁰⁵ “Investigation with Shaheen Junaid for ‘victory’ marginal offended by members of the ruling family,” Manama Voice, August 11, 2012, http://manamavoice.com/news-news_read-10274-0.html.

¹⁰⁶ “Cancel call to expose the assault on a citizen by the King’s cousins,” [in Arabic] Bahrain Mirror, December 8, 2012, <http://www.bahrainmirror.com/article.php?id=5434&cid=73>.

Mohamed Watheqi, and Ali Alhayki, who are not known public figures, were charged with “insulting the king of Bahrain over Twitter.” In November 2012, they received sentences ranging from one to six months.¹⁰⁷ At least one of the men has revealed that he was coerced into making a forced confession.¹⁰⁸

On December 11, 2012, a fifth Twitter user received a four-month sentence for the same charge.¹⁰⁹ According to activists, the identities of these anonymous users were discovered using a technique known as “spear phishing,” in which surveillance software was secretly embedded in seemingly innocent private messages to the users, enabling the hackers to remotely access the victims’ computers.¹¹⁰ One of those arrested was a progovernment Twitter user who had criticized the king for not being harsh enough in punishing protestors.¹¹¹

Another wave of arrests took place on March 11 and 12, 2013, when six users, including one lawyer and one minor, were detained over charges of defaming the king over social media.¹¹² None of the users had a large base of followers; instead, it seemed that the authorities selected them in order to instill fear locally without provoking criticism from the international community.

After months of living in hiding, award-winning photographer Ahmed Humaidan was arrested by 15 undercover policemen on December 29, 2012. Humaidan was accused of participating in an attack on a police station in the district of Sitra,¹¹³ though it is believed that his arrest is in fact due to him photographing protests.¹¹⁴ Following his arrest, Humaidan was interrogated, blindfolded for two days, and placed in solitary confinement for a week¹¹⁵ at the General Directorate of Criminal Investigation while being denied access to a lawyer.¹¹⁶ He was subject to psychological torture and made to believe that a bomb had been placed in his hand that would imminently detonate if he did not produce a confession.¹¹⁷ Humaidan has been one of many photographers documenting the

¹⁰⁷ “Bahrain: Twitter users sentenced to prison as authorities seek to extend their crack-down on social media websites,” Bahrain Center for Human Rights, November 8, 2012, <http://www.bahrainrights.org/en/node/5507>.

¹⁰⁸ See <http://twitter.com/freedomprayers/status/261928988274991104>.

¹⁰⁹ “4 months in prison accused of insulting the king via Twitter” [in Arabic], Al Wasat, December 12, 2012, <http://www.alwasatnews.com/3749/news/read/722589/1.html>.

¹¹⁰ “Bahrain: How the identities of the tweeps were tracked,” Bahrain Freedom Index (Tumblr), accessed December 2012, <http://bahrainindex.tumblr.com/post/35839544837/bahrain-how-the-identities-of-the-tweeps-were-tracked>.

¹¹¹ See <https://twitter.com/freedomprayers/status/258927207286722560> and <https://twitter.com/jehadabdulla/status/257445077457190912>.

¹¹² The detainees include 17-year-old Ali Faisal Al-Shufa, 33-year-old Hassan Abdali Isa, 26-year-old Mohsen Abdali Isa, 36-year-old Ammar Makki Mohammed Al-Aali, 34-year-old Mahmood Abdul-Majeed Abdulla Al-Jamri, and 25-year-old Mahdi Ebrahim Al-Basri. See “Bahrain: The Authorities Celebrate the World Day against Cyber-censorship by Arresting 6 Twitter Users,” Bahrain Youth Society For Human Rights, March 12, 2013, <http://byshr.org/?p=1324>.

¹¹³ “Public Prosecution / Statement,” Bahrain News Agency, January 5, 2013, <http://www.bna.bh/portal/en/news/540555>.

¹¹⁴ “Bahrain arrests photographer who documented dissent,” Committee to Project Journalists, January 9, 2013, <http://www.cpj.org/2013/01/bahrain-arrest-photographer-who-documented-dissent.php>.

¹¹⁵ See <https://twitter.com/BHRS2001/status/287932501744304128>.

¹¹⁶ See <https://twitter.com/BHRS2001/status/287924826797125634>.

¹¹⁷ “Fake bomb in the hands of photographer Humaidan in order to extract confessions” [in Arabic], Bahrain Mirror, January 12, 2013, <http://www.bahrainmirror.com/article.php?id=7363&cid=73>.

protests through social media websites such as Flickr and Instagram.¹¹⁸ He was reportedly sentenced to three years in prison on June 18, 2013.¹¹⁹

The Bahraini authorities are remarkably responsive when enforcing the country's tight online restrictions. Human rights activist Said Yousif Al-Muhafdha (@SaidYousif) was arrested only 23 minutes after a photo of a protester's shotgun injury was posted on his Twitter account. The photo identified the injury as having taken place that same day in Manama, though in reality it was taken several days earlier.¹²⁰ Al-Muhafdha was indeed monitoring a protest in Manama prior to his arrest, tweeting media and information about attacks on the demonstrators by the police; however, he has denied publishing that particular picture. He was charged under Article 168 of the Penal Code with "willfully disseminating false news" that "resulted in protests and riots that disrupted security and order on the same day."¹²¹ He was detained for one month before being released on bail, pending a trial. On March 11, 2013 the court acquitted him of the charges, stating there was "no proof of [a] connection between the riots and the picture he had posted."¹²² However, the public prosecution has appealed against the acquittal and a second trial will start on July 1, 2013, in which Al-Muhafdha could face a prison sentence.¹²³

In January 2013, the higher court of cassation upheld a series of harsh sentences originally passed by a military court in June 2011, in which two bloggers were charged with possessing links to a terrorist organization aiming to overthrow the government.¹²⁴ They were also accused of disseminating false news and inciting protests against the government. The two users, Abduljalil al-Singace and Ali Abdulemam, had already been detained for six months between September 2010 and February 2011. According to their own court testimonies¹²⁵ and media interviews, both were also subject to torture while held.¹²⁶ Al-Singace, a prominent human rights defender, has been held in detention since March 17, 2011 and his blog has been blocked since February 2009.¹²⁷ He was sentenced to life imprisonment for "plotting to topple" the government in late 2011 and remains in prison.¹²⁸ He was not allowed to testify before the court until his appeal, when he revealed that he

¹¹⁸ See: <http://instagram.com/ahmedhumaidan/>, <http://www.flickr.com/photos/86494560@N05>, and <http://500px.com/AhmedHumaidan>.

¹¹⁹ See <https://twitter.com/FreedomPrayers/status/349607068916924416>.

¹²⁰ "Bahrain: Light speed investigation leads to arrest of a tweep 23 minutes after sending his criminal tweet!" Manama (Blogspot), December 22, 2012, <http://manamacoac.blogspot.com/2012/12/bahrain-light-speed-investigation-leads.html>.

¹²¹ "Bahrain: Charges Against Rights Defender Raise Concerns," Human Rights Watch, January 3, 2012, <http://www.hrw.org/news/2013/01/03/bahrain-charges-against-rights-defender-raise-concerns>.

¹²² "Activist cleared of Twitter post," Gulf Daily News, March 12, 2013, <http://www.gulf-daily-news.com/NewsDetails.aspx?storyid=349145>.

¹²³ "'Public Prosecution' appeals against the acquittal of AlMuhafdha in the 'false news broadcast' ", Alwasat news, April 13, 2013, <http://www.alwasatnews.com/3871/news/read/763690/1.html>

¹²⁴ "Detained blogger Abduljalil Al-Singace on hunger strike," Reporters Without Borders, September 6, 2011, <http://en.rsf.org/bahrain-one-blogger-sentenced-to-life-22-06-2011,40507.html>. ¹²⁵ "Terrorist network first hearing – Trial Testimonies – 28th October, 2010," Bahrain Center for Human Rights, October 29, 2010, <http://bahrainrights.hopto.org/en/node/3540>.

¹²⁵ "Terrorist network first hearing – Trial Testimonies – 28th October, 2010," Bahrain Center for Human Rights, October 29, 2010, <http://bahrainrights.hopto.org/en/node/3540>.

¹²⁶ Ali Abdulemam describes the way he was tortured (minute 09:37), "People & Power – Bahrain: Fighting for change," Al Jazeera English, March 9, 2011, <http://www.youtube.com/watch?v=IzdviK-Z5Do>.

¹²⁷ <http://www.bahrainrights.org/en/node/2752>. Alsingace's blog is <http://alsingace.katib.org>.

¹²⁸ "Bahrain upholds lengthy prison terms for journalists," Committee to Protect Journalists, September 28, 2011, <http://cpj.org/2011/09/bahrain-1.php>.

had been subject to torture.¹²⁹ Ali Abdulemam, the owner of Bahrain's most popular online forum, Bahrainonline.org, had been in hiding since March 17, 2011 during which time he was sentenced (in absentia) to 15 years of prison.¹³⁰ However, he suddenly re-emerged in May 2013, having escaped Bahrain to the United Kingdom through Saudi Arabia, Kuwait, and Iraq.¹³¹

Five policemen were put on trial for the death of the online journalist and moderator of the Al-Dair online forum, Zakaryia Al-Ashiri, who died from torture while in police custody on April 9, 2011.¹³² However, after a lengthy trial that lasted from January 2012 until March 2013, the court acquitted all of those accused, furthering the widely held belief that members of Bahrain's security apparatus enjoy impunity for crimes against protestors.¹³³

Students and employees have received disciplinary action for comments they have communicated via private text messages and social media. In May 2012, a student of the University of Bahrain was suspended for a semester after writing 'phrases that insult His Majesty the King' on her mobile phone and sending them to her colleagues. She was reported to the university management by one of the recipients of her message.¹³⁴

Given that users can be prosecuted for being identified with an offending post or text, many users are concerned about restrictions on using ICT tools anonymously. The TRA requires users to obtain licenses to use Wi-Fi and WiMAX connections,¹³⁵ and the government prohibits the sale or use of unregistered (anonymous) prepaid mobile phones. The country's 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.¹³⁶

Since March 2009, the TRA has mandated that all telecommunications companies must keep a record of customers' phone calls, e-mails, and website visits for up to three years. The companies are also obliged to provide the security services access to subscriber data upon request.¹³⁷ Since the application of "National Safety Status" (emergency law) in March 2011, citizens have been forced to

¹²⁹ The full testimony of Dr Abduljalil AlSingace before the higher court of appeal on 29 May 2012 (Arabic)

<http://bahrainrights.hopto.org/BCHR/wp-content/uploads/2012/06/AJ.docx>.

¹³¹ Peter Beaumont, "Bahrain Online founder Ali Abdulemam breaks silence after escape to UK," The Guardian, May 10, 2013,

<http://www.guardian.co.uk/world/2013/may/10/bahrain-online-ali-abdulemam-escape>.

¹³¹ Peter Beaumont, "Bahrain Online founder Ali Abdulemam breaks silence after escape to UK," The Guardian, May 10, 2013,

<http://www.guardian.co.uk/world/2013/may/10/bahrain-online-ali-abdulemam-escape>.

¹³² "Zakariya Rashid Hassan al-Ashiri," Committee to Protect Journalists, April 9, 2011, <http://cpi.org/killed/2011/zakariya-rashid-hassan-al-ashiri.php>.

¹³³ "After a year-long show trial: no one is found guilty for killing blogger under torture in police custody," Bahrain Center for Human Rights, March 13, 2013, <http://www.bahrainrights.org/en/node/5673>.

¹³⁴ Brian Dooley, "Bahrain Student Suspended for Phone Message," Human Rights First, June 4, 2012,

<http://www.humanrightsfirst.org/2012/06/04/bahrain-student-suspended-for-phone-message/>.

¹³⁵ Geoffrey Bew, "Technology Bill Rapped," Gulf Daily News, July 20, 2006, <http://www.gulf-daily-news.com/NewsDetails.aspx?storyid=149891>.

¹³⁶ Reporters Without Borders, "Countries Under Surveillance: Bahrain."

¹³⁷ "Big Brother' Move Rapped," Geoffrey Bew, *Gulf Daily News*, March 25, 2009, <http://www.gulf-daily-news.com/NewsDetails.aspx?storyid=246587>.

allow security personnel to search their mobile phones at checkpoints. Recent instances of this behaviour continue to be documented on YouTube.¹³⁸

In May 2011, new units were created within the IAA to monitor social media and foreign news websites. According to the IAA's director of publishing, the initiative aims to "further help project the kingdom's achievements and respond to false information that some channels broadcast."¹³⁹ Although Bahraini cyberspace is highly monitored, no actions have been taken against the dozens of progovernment users who continue to spread online threats against activists.¹⁴⁰ Some of these users have publically defamed citizens by using social media to identify the faces of protestors and circulate lists of "traitors."¹⁴¹ It is common for users tied to the opposition movement to receive these types of extralegal attacks in a bid to disrupt their activities.

In July 2012, researchers discovered malicious software concealed in seemingly innocent emails sent to Bahraini activists in April and May 2012. The surveillance software, named "FinFisher," is developed by the Munich-based Gamma International GmbH and distributed by its U.K. affiliate, Gamma Group. One aspect of the software, "FinSpy," can remotely and secretly take control of a computer, taking screen shots, intercepting Voice-over-Internet-Protocol (VoIP) calls, and transmitting a record of every keystroke.¹⁴² The company has denied that it has sold its products to the Bahraini government, claiming that the version of FinSpy deployed on activists was "old" and for demonstration purposes only. However, evidence compiled by internet watch groups 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.¹⁴³ Since 2010, evidence has also emerged surrounding the use of spy gear maintained by Nokia Siemens Networks (NSN) and its divested unit, Trovicor GmbH, to monitor and record phone calls and text messages.¹⁴⁴

Cyberattacks against both opposition and progovernment pages, as well as other websites, are common in Bahrain. For example, in June 2012 a Facebook news page that belongs to opposition

¹³⁸ See video: <http://bahrainindex.tumblr.com/post/39738010314/policeman-checking-the-private-mobile-content-of-a>.

¹³⁹ Andy Sambridge, "Bahrain sets up new units to monitor media output," *Arabian Business*, May 18, 2011, <http://www.arabianbusiness.com/bahrain-sets-up-new-units-monitor-media-output-400867.html?parentID=401071>.

¹⁴⁰ "Bahrain: Death threats against Messrs. Mohammed Al-Maskati, Nabeel Rajab and Yousef Al-Mahafdhah," World Organization Against Torture, December 7, 2011, <http://www.omct.org/human-rights-defenders/urgent-interventions/bahrain/2011/12/d21549/>.

¹⁴¹ See https://twitter.com/Jalad_Almajoos/status/292638655217020929. For a well-documented account of the defamation of opposition activists, please refer to Mahmoud Cherif Bassiouni et al., "Report of the Bahrain Independent Commission of Inquiry," Bahrain Independent Commission of Inquiry (BICI), November 23, 2011, paragraph 1597, <http://files.bici.org.bh/BICIreportEN.pdf>.

¹⁴² Vernon Silver, "Cyber Attacks on Activists Traced to FinFisher Spyware of Gamma," *Bloomberg*, July 25, 2012, <http://www.bloomberg.com/news/2012-07-25/cyber-attacks-on-activists-traced-to-finfisher-spyware-of-gamma.html> and "From Bahrain With Love: FinFisher's Spy Kit Exposed," *CitizenLab*, July 25, 2012, <http://citizenlab.org/2012/07/from-bahrain-with-love-finfishers-spy-kit-exposed/>.

¹⁴³ "You Only Click Twice: FinFisher's Global Proliferation," *CitizenLab*, May 13, 2013, <https://citizenlab.org/2013/03/you-only-click-twice-finfishers-global-proliferation-2/>.

¹⁴⁴ Vernon Silver and Ben Elgin, "Torture in Bahrain Becomes Routine With Help From Nokia Siemens," *Bloomberg*, August 22, 2011, <http://www.bloomberg.com/news/2011-08-22/torture-in-bahrain-becomes-routine-with-help-from-nokia-siemens-networking.html>.

activists was taken over by a progovernment group.¹⁴⁵ Similarly, a progovernment website, b4bh.com, was hacked in August 2012 for the second time by opposition activists.¹⁴⁶ Government-associated websites are frequently targeted with distributed denial of service (DDoS) attacks, with the most recent instance occurring on May 17, 2012 following the arrest of activist Nabeel Rajab. The main perpetrator of such attacks has been the group “Anonymous,” which launched “Operation Bahrain” through a press release published on February 17, 2011.¹⁴⁷

¹⁴⁵ See Bahrainforums.com, June 8, 2012, <https://bahrainforums.com/vb/%E5%E4%C7-%C7%E1%C8%CD%D1%ED%E4/978431.htm>.

¹⁴⁶ “Opponenets of Bahrain infiltrate locations belonging to the government,” [in Arabic], Jurnaljazira.com, August 11, 2012, <http://www.jurnaljazira.com/news.php?action=view&id=4834>.

¹⁴⁷ “Anonymous hits Bahrain after arrest of human rights activist Nabeel Rajab,” Examiner, May 5, 2012, <http://www.examiner.com/article/anonymous-hits-bahrain-after-arrest-of-human-rights-activist-nabeel-rajab>.