

Impunity and the Safety of Journalists in the Gulf Cooperation Council (GCC) States

1. Methodology

The information contained in this report is the product of open-source research and primary documentation by Americans for Democracy & Human Rights in Bahrain (ADHRB).

2. Introduction and Background

Journalists in the Gulf face extreme risks. They are frequently targeted and harassed, and can even be subjected to violence for their work. Perpetrators of crimes against journalists are rarely held accountable, leading to a culture of impunity that governments in the Gulf endorse. Additionally, authorities throughout the region often arrest journalists, using broad anti-terror legislation to sentence them on free expression-related charges.

Overall, the GCC countries rank poorly in terms of press freedom and journalist safety. According to the Reporters Sans Frontières (RSF) [2019 World Press Freedom Index](#), the highest scoring Gulf country, Kuwait, ranked only 108 out of 180 countries, while Saudi Arabia ranked 172 out of 180. All of the GCC countries demonstrated at least a “problematic situation” for press freedom, though most were considered “very serious,” and they all dropped in their ranking from 2018. RSF also documents data on abuses against journalists and media outlets. The “[Abuses indicator](#)” for each country is calculated on the basis of the data about the intensity of abuses and violence against media actors during the period evaluated and the country is given a score between 0 and 100. Bahrain and Saudi Arabia were in the [bottom ten](#) for abuses, with scores of 65.62 and 65.53 respectively.

3. Bahrain

The Bahraini government continues to target, harass, torture, and imprison journalists with impunity. Reporters Sans Frontières (RSF) has [documented](#) at least 15 journalists and bloggers currently serving prison time in Bahrain for their reporting. Among them is photojournalist [Hasan Mohamed Qambar](#). Due to his reporting on the 2011 peaceful pro-democracy protests, Hasan was arrested. After his release, he continued reporting, despite consistent harassment and house raids from security forces. He was arrested for the second time on 12 June 2018 in relation to his photojournalism work. Also imprisoned are [Ahmed Humaidan](#), [Mahmood al-Jazeera](#), [Najah Ahmed Yousif](#), and [Sayed Ahmed al-Mousawi](#). Humaidan, a photojournalist, is serving a 10-year prison sentence for allegedly participating in an attack on a police station. Al-Jazeera reported on political detainees and Parliament for the independent newspaper *Al-Wasat* until it was shut down by officials and al-Jazeera was arrested. Al-Mousawi, an internationally acclaimed photographer who has won numerous awards, was arrested with his brother in February of 2014 and held for over nine months. They were brought to trial in December 2014 and al-Mousawi and his brother were charged as “terrorists” for documenting an anti-government protest and he received a 10-year prison sentence.

Bahrain has effectively criminalized free expression, using a series of overbroad [anti-terror laws](#) to arrest and detain individuals that are critical of the government. The language in these laws allows them to be applied in situations the government deems might “harm national unity.” Furthermore, the [2002 Press Law](#) targets free speech prohibit journalists from writing anything that may be taken as a “criticism of Islam, the king, or national emblems; inciting actions that undermine state security; and advocating for a change in government. Journalists may also be imprisoned for libel, slander, and divulging secrets.”

In addition to facing arbitrary arrest and detention, journalists in Bahrain face violence, sometimes fatal. Security forces shot and killed [Ahmed Ismail Hassan](#) in 2012 while he was attending a protest against the Formula One Grand Prix in Bahrain. Witnesses at the protest claim that he was targeted because he was a journalist. The UN [called](#) for an investigation of Hassan’s death, but according to a 2016 UN Educational, Scientific and Cultural Organization report, the case is [unresolved](#) and the perpetrators remain at large. In 2011, Bahrain’s National Security Agency (NSA) detained Karim Fakhrawi, cofounder of the independent newspaper *Al-Wasat*, which was forced to close in 2017, and allegedly tortured him to [death](#). Though the government investigated the case following public [pressure](#), the responsible officials were not charged with torture leading to death, which can result in up to life in prison. Instead, the two officials were ultimately sentenced to only three years in prison on [appeal](#), further contributing to the culture of impunity in Bahrain.

Bahraini authorities have also [suspended](#) all independent news outlets, with Bahrain’s last independent newspaper, *Al-Wasat*, being indefinitely suspended in 2017. According to the RSF [2019 World Press Freedom index](#), Bahrain was ranked 167 out of 180 countries in the world, and was labelled black, meaning that press freedom there is in “very serious” jeopardy.

4. Kuwait

In 2017, Kuwait [sentenced](#) London-based journalist Abdullah al-Saleh *in absentia* to five years’ imprisonment with hard labor for “insulting allied countries,” including Bahrain, Saudi Arabia, and the UAE. Moreover, Kuwait has also been [tightening](#) its grip on cyberspace, and has arrested, charged, and prosecuted a number of online activists.

According to [Human Rights Watch](#), “Kuwaiti authorities have invoked several provisions in the constitution, penal code, Printing and Publication Law, Misuse of Telephone Communications and Bugging Devices Law, Public Gatherings Law, and National Unity Law to prosecute journalists, politicians and activists for criticizing the emir, the government, religion, and rulers of neighboring countries in blogs or on Twitter, Facebook, or other social media.”

In addition to targeting individual journalists, Kuwait has also target independent news agencies. In 2015, it [ordered](#) the closure of al-Watan TV, an independent news station. While government sources claimed that this was in response to financial losses at the station, others claim that it was a response to al-Watan [violating](#) a two-week media blackout [ordered](#) by prosecutors on a video featuring government officials allegedly plotting a coup.

Kuwait's use of overbroad legislation, its targeting of journalists, and the closure of independent media organizations all indicate that there is far more that could be done to safeguard journalistic freedom in the country.

5. Oman

Heavy censorship, both in print and online, is widespread in Oman. The country was ranked 132 out of 180 in RSF's 2019 report, and the government continues to [clamp down](#) on bloggers and journalists who seek to contravene state run media outlets. [RSF](#) reported that journalists are "often arrested and sometimes held incommunicado, given long jail sentences on charges of insulting the head of state or the country's culture and customs, or inciting illegal demonstrations and disruption of public order." Free expression is heavily constrained and even criminalized under the law – in 2018, Oman [updated](#) its Penal Code, ultimately further increasing restrictions and allowing for more severe punishments for criticizing the government. That same year, two individuals were detained in Oman under charges relating to free expression. Journalist Sultan Al-Maktoumi and activist Salem Al-Arimi were [arrested](#) without warrants – for Al-Maktoumi, it has previously been reported that he was targeted as a means to prevent him from posting criticism ahead of the Israeli Prime Minister's visit to Oman a few days later.

There has also been a major crackdown on independent news agencies in Oman. In [2016](#) alone, the government forced three separate independent newspapers to close after they raised concerns about corruption within Oman's judicial system. Omani authorities also [arrested](#) three journalists involved in publishing an article critical of the country's judiciary. Such a deliberate suppression of dissent illustrates that journalists within Oman are heavily censored, and placed at risk if they attempt to publish information the government deems critical.

As a result of government persecution and censorship, free speech in Oman has largely been curbed. The lack of space provided for independent media, along with punishments for independent journalists and online writers, creates a system that is hostile for journalists to work in.

6. Qatar

The Qatari government has worked to prevent press from covering the struggles faced by migrants currently living and working in Qatar. In May of 2016, for example, Qatar [detained](#) three journalists from the Danish Broadcasting Corporation and confiscated their footage, preventing them from finishing filming a migrant workers' soccer tournament. These journalists were not the first foreign journalists to be detained. In May of 2015, a BBC correspondent and his crew were [arrested](#) and held for two days while reporting on migrant worker conditions. A few months earlier, a news crew working for German public broadcasters was arrested and held for 14 hours while filming a documentary on corruption and the World Cup.

On 16 April 2019, the Qatari authorities arbitrarily [closed](#) the Doha Centre for Media Freedom (DC4MF), canceling employment contracts of journalists without prior notice. DC4MF had run several programs, including emergency assistance for journalists and a training program.

7. Saudi Arabia

Like in Bahrain and other countries in the region, journalists operating in Saudi Arabia may be targeted with arrests, threats, and even violence or death at the hands of authorities who are protected by impunity for these crimes. According to RSF, at least 37 journalists and bloggers are [imprisoned](#) in Saudi Arabia. In April 2019 seven journalists – Bader Al-Ibrahim, Abdallah Al Dahilan, Thumar Al-Marzouqi, Yazid Al Fayfi, Nayef Al-Hendas, Mohammed Al-Sadiq, and Fahad Al Fahad – were detained. Additionally, prominent blogger [Raif Badawi](#) has been imprisoned since 2012 and is serving a ten-year sentence on charges of “apostasy” for allegedly insulting Islam in his online publications. He was also sentenced to a thousand lashes and a fine of one million Saudi riyals. This Saudi government’s clampdown on these bloggers and journalists illustrates a much larger trend of the kingdom’s effort to silence dissent.

In 2018, Saudi journalist [Jamal Khashoggi](#), who had been openly critical of the Crown Prince Mohammed bin Salman (MbS), was murdered in the Saudi consulate in Istanbul, Turkey. In the aftermath of his death, Saudi Arabia arrested 21 individuals and charged 11. The kingdom is allegedly seeking the death penalty for five of the 11 for their direct involvement in ordering and executing his killing. Many in the international community believe that Saudi Arabia’s response is [not sufficient](#) and all those responsible have not been properly held accountable. Saudi Arabia has yet to take formal action against the two high-level officials, Ahmed al-Asiri and Saud al-Qahtani. Additionally, the involvement of officials with such deep ties to MbS raises questions of the Crown Prince’s responsibility in the killing of Jamal Khashoggi.

8. United Arab Emirates

The United Arab Emirates (UAE) was ranked 133 out of 180 countries in the 2019 [World Press Freedom Index](#), decreasing by five rankings from last year. Moreover, Freedom House recorded a score of [zero out of four](#) possible points for the UAE’s free and independent media ranking. The UAE’s tight regulation of media reportedly encourages [self-censorship](#) among journalists. Additionally, the government has specifically [threatened](#) journalists with fines of over \$100,000 and 15 years in prison should they be critical of certain policies.

There are currently two UAE citizen journalists imprisoned in the UAE. [Osama Al-Najjar](#) was sentenced to three years in prison in 2014 under the Cybercrime Law for posting tweets in defense of his father, Hossain Al-Najjar, who was sentenced in the [UAE 94](#) case. Osama remains [unlawfully detained](#) despite completing his sentence more than two years ago. Ahmed Mansoor was recently on a [hunger strike](#) in order to protest poor prison conditions and his unfair trial, both of which are not in accordance with international standards. On 29 May 2018, Mansoor, who used his social media to call for the release of fellow human rights defenders and address human rights violations in the UAE, was convicted of insulting “the status and prestige of the UAE and its symbols,” publishing “false information and rumors on social media,” and

promoting “sectarianism and hatred” under the UAE’s 2012 Cybercrime Law. The court handed down a ten-year prison sentence

9. Conclusion

Journalists in the GCC states are subjected to threats, arbitrary arrests, torture and abuse. Broad anti-terror and cybercrime laws are often used as means to criminalize free expression and detain journalists. Additionally, there are no mechanisms in the GCC countries to help protect journalists. Perpetrators who commit crimes against journalists benefit from impunity, instead of being held accountable for their actions. Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the UAE must take concrete measures to improve conditions surrounding the right to free expression and to protect the safety of journalists.