

# Bahrain

## Introduction

The Broadcast media in Bahrain is state owned and controlled. Satellite dishes are available widely. The print media enjoys independence “in principle”, with editors and journalists practicing what is known as self- censorship based on the directives of the law. The editors-in-chief, who have to qualify as per the requirements specified in the law<sup>1</sup>, carry the responsibility to ensure that. The new media is carefully monitored. Websites officially blocked are those with pornographic material. Unofficially, some sites that are seen to affect national security or the harmony of the coexistence of the diverse sectors of the population, or those inciting hatred or violence are blocked. Most sites are free for access and Bahrain has an advanced telecommunication system overseen by the Ministry of Transportation.

With the constitutional changes instigated by the new King of Bahrain over 2000-2002, Bahrain is in a transition phase. Many changes have occurred over the last two years in a move towards democratising the country. A number of laws have been altered or are in the process of modification. It can be argued that as far as freedom of speech is

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<sup>1</sup> The law referred to in the Articles of the Constitution and text above is the Law by Decree No 47 organising the press, publications and print sectors. It was decreed by the King and published in the Official Gazette No. 2554 on Wednesday the 30<sup>th</sup> of October 2002. It will be referred to therein as the law).

Although this is the law in practice at the moment, as it replaces the old law issued in 1979, it is under the process of being modified. There has been discontent among journalists, specifically as related to imprisonment as a penalty and the fact that the independent courts and not the government should be the side to decide on the penalty. Those aspects and a number of other points have been taken up to the Prime Minister after the law was issued in October 2002. A Committee has been formed to look into the amendments requested. The proposed amendments have to go through the appropriate channels: the Elected Chamber of Deputies, the appointed Shura Council, then the Government before it is ratified by the King. So it will take some time. As it is not translated yet, a hard copy in Arabic has been sent by post.

A description of some of the important points related to it, drawn up by the English daily paper, The Bahrain Tribune, has been copied and is presented at the end of this report for reference.

concerned there is an attempt towards liberalisation. However, both the government and those concerned are in new territory and are undergoing a stage of “give and take”. There has been a relaxation of some freedoms that will be discussed within the context of this report.

## **Constitution**

The Constitution of the Kingdom of Bahrain was issued at Al-Rifa’ on February 14, 2002. In the Constitution, three articles specifically relate to media and freedom of speech. The official published translation is as follows:

### Article 23

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

### Article 24

With due regard for the provisions of the preceding Article, the freedom of the press, printing and publishing is guaranteed under the rules and conditions laid down by law.

### Article 26

The freedom of postal, telegraphic, telephonic and electronic communications is safeguarded and its confidentiality is guaranteed. Communications shall not be censored or their confidentiality breached except in exigencies specified by law and in accordance with procedures and under guarantees prescribed by law.

While the law refers to the press, print, publications and distribution of print material as well as audiovisual recorded materials like films for movies, videotapes and music, it does not apply to the complexities of the broadcast media which is still funded by the Government and is under the state control. The journalists in this sector are civil servants. The new media fall under the same laws that govern the press, publication and distribution of material. There are a couple of non-governmental associations and societies dealing with the electronic media and the Internet issues. However, further information can be found at [batelco@btc.com.bh](mailto:batelco@btc.com.bh) or Batelco internet homepage <http://www.batelco.com.bh>.

## **Media Status**

### **Broadcast Media**

#### **Television**

The Ministry of Information runs two terrestrial television stations, one broadcasting in Arabic and the other in English. Although a corporation was created for Radio and Television in 1993, the first of its kind in the Gulf then, the only freedoms exercised are those related to keeping advertising revenue, sponsorship of programmes and marketing of production. Flexibility of grades and salaries of creative staff versus the regulations set for Civil Servants has also been granted.

Bahrain Radio and Television Corporation (BRTC), also runs a 24 hour television satellite service, which mostly involves what is broadcast on the main television channels. The service can be picked up on KU band on Arabsat and Nilesat.

BRTC has an agreement with BBC World (international satellite news service) allowing it to use one of its UHF TV terrestrial channels. This agreement was signed after the Gulf War in 1992. The broadcast is around the clock.

BRTC also has an agreement with the Egyptian Satellite Channel (ESC) to use its VHF TV terrestrial channel around the clock.

The UHF terrestrial Channel 46 transmits the Middle East Broadcasting Centre (MBC)'s programmes terrestrially from Bahrain.

*Why are all those organisations interested in Bahrain's terrestrial channels?*

Weather-wise, the Gulf area has what is known as a “ducting phenomenon”, whereby these terrestrial channels, as well as all those around the area, can be seen in all the surrounding gulf countries on ordinary television antennas. Specifically, this covers the Eastern Province of Saudi Arabia, Kuwait and Qatar. In summer the signal travels further around the Gulf and can also be seen from the east coast of Iran and down south in the UAE and Oman.

BRTC also leased some of the broadcast hours on the channel that runs the English programmes to a private production company that broadcasts all sorts of entertainment programmes.

Most recently, in mid-January 2003, Bahrain signed an agreement with MBC to broadcast and uplink its new channel “Two” from Bahrain. This channel mostly carries “Western” entertainment programmes and news in English, broadcast from Dubai at the moment. In doing so, Bahrain is trying to compete with Dubai, Jordan and Egypt who all were trying to create a Media Free Zone for pan-Arab and international media organisations. It is argued by the producers of this channel that they established an interest for such programmes and that this channel will fill a void for the youth in the region.

It is interesting to note that the opposition for this channel came from the Friday sermon in one of the mosques in Bahrain. The Sheikh argued for the need to invest more in local programmes that deal with culture and religion instead of wasting money on redistributing western films with all the alien values that they propagate.

It is also important to note that while Ministers of Information boast about how far is the reach of their country’s satellite channels, the biggest problem being faced is that of copyrights. Acquired films, programmes, even news clips and news features, which are not local production, have copyrights for broadcast within a certain territory or satellite beam area. Anything outside that costs more. Movie channels are expensive and it will be interesting to see how channel “Two” will cover its costs if it stays free- to- air.

While Bahrain has no private non-governmental television stations yet, there is a plan in the making to start the operation of a privately funded television channel, possibly with a focus on business, from a complex residential and tourist new development called Aldhuraa.

### Satellite Television

BRTC runs a “subscription service” whereby it provides a large number of news and entertainment channels, Arab and international, to subscribers via a microwave delivery system (MMDS). This was started in 1993 and it now provides 27 channels. This includes Arabic, English, French and Indian news, music and entertainment channels downlinked from different satellites. This is a paid service and there are financial agreements with the commercial organisations within this service.

It was announced by the Minister of Information recently, that a new digital satellite facility that will be available soon, would boost the number of channels being

provided on this service (A list of the channels on this service includes CNN, NBC, Fox Sports, ZTV and many others.).

### Satellite Dishes and Free-to-Air services

Satellite dishes are widely available in the market and relatively inexpensive. Viewers can see hundreds of channels from around the world. Some dishes can even downlink over 300 channels from all around the world. Most channels are free-to-air services down-linked from different satellites like Arabsat, Asiasat, Nilesat and Hotbird.

While the state-run television stations are monitored, there is no control over the multitude of channels that can be received via dishes in peoples' homes. While there was an old directive banning dishes, it has not really been implemented.

The majority of homes in Bahrain have some sort of dish and have access to a large number of television services from around the world. While there is no accurate statistic as to the availability of dishes in homes, it can be safely said that it covers the majority of homes who "want to have" a dish, as cost is not an issue. However, some religious groups choose not to have satellite dishes out of religious principles.

### Radio

BRTC runs three local channels in Arabic and two in English. They all carry local programmes, news and music from all over the world. This covers both AM and FM frequencies.

Bahrain has agreements with a number of international organisations that are re-broadcasting their programmes on FM frequencies that belong to Bahrain. At the moment, these services consist of BBC World Arabic Service, Radio Monte Carlo, Radio Sawa and Abu-Dhabi FM. A number of other FM stations can be heard from neighbouring Gulf States who have similar agreements.

There is no limit to what can be heard on radio in Bahrain from all over the world. Jamming was not found effective due to the multitude of frequencies available in the region. While the state-run radio stations are controlled, there is no control on the multitude of radio channels that can be heard on FM or short wave whether broadcast from Bahrain or from the surrounding region or the world.

*So, what kind of control does the government practice?*

The government uses radio and television to propagate its own news, programmes and directives like all state owned broadcast stations in the world. The censorship of programmes is mainly related to what is considered acceptable to the culture and society.

Non-governmental bodies and organisations have access to the stations to put their views within specific open debate programmes. News of their activities is covered in local news programmes designed for this purpose. Live call-in programmes are popular.

With the latest democratic changes, more people are allowed access to the television and radio debate programmes to put forward their views. The Elected House of Chambers and the appointed Shuraa Council can get their debates on key issues broadcasted as requested.

The law is clear as to what does and what does not constitute acceptable coverage. This is highlighted in the section below.

### **Print Media**

Bahrain now has three local daily newspapers in Arabic and two in English. Until last year Bahrain had only two local Arabic dailies. One would find a large number of local commercial magazines, but few are of a socio-political nature. A number of other publications cover aspects related to the society, culture, educational issues as well as celebrity and entertainment news and information.

With the liberalization process it has become possible to apply for new licences. The third daily Arabic paper, which is called Alwasat, was recently granted a licence. Its editor-in chief is Shiite and the Board is composed of Sunni and Shiite businessmen. Another licence has also been granted recently.

Bahrain's newspaper and magazine stands host a multitude of pan-Arab and international papers and magazines. The Ministry of Information monitors in principle, but does not censor any of the material in those publications. Only rarely does it ban a specific issue and only if the publication contains material believed to be incompatible with religious beliefs, or is considered misinformation about the government or the state.

## **Licensing Body, Laws and Legislation**

The Ministry of Information handles all licensing. However, newspapers have to obtain a clearance from the Minister of Information and approval from the Cabinet. Up to this date, licenses are given to newspapers, magazines, printers, publishers, distributors, bookshops, production companies, advertising agencies, companies measuring public opinion, translation companies, news bureaus or news agencies, but not to private broadcast organisations. Those organisations need to draw up specific agreements with the Ministry of Information.

Regulation regarding licensing is specified in the Press, Print and Publications Law No. 47 of 2002. The law is very specific and covers all aspects required. The law sets a BHD 1 million (USD 2.65 million) paid-up capital to issue a daily newspaper, BHD 250, 000 (USD 662,000) for non-dailies. Specialised newspapers must have capital of no less than BHD 50, 000 (USD 132,000).

In order to obtain a licence, the company has to be owned by Bahraini nationals – not less than five shareholders - and governed by the law of establishing commercial companies. The steps involved in doing this is specified in Article 46 of the law.

A committee, formed by the Directorate of Publications and Press at the Ministry of Information, is responsible for monitoring and checking all films and audiovisual material before distribution and transmission. The committee is also responsible for identifying aspects that need to be censored which are not in line with acceptable religious and cultural values. For local or external publications, the Minister of Information has the right to decide to stop distribution if the law is broken.

There are various penalties for not getting the appropriate licenses or breaking the law in relation to publications and distribution. These penalties range from a warning to a fine, from suspension to imprisonment of those involved. The Minister of Information and the Higher Civil Court, as stipulated by the law, can initiate these penalties. If one wishes to challenge the Minister's decision, one can always do so by taking the matter to the court within 15 days of the decision. However, as far as newspapers are concerned, only the judiciary is allowed to delay, suspend or withdraw their licence according to the new law. The following excerpt from the Bahrain Tribune on November 4<sup>th</sup>, 2002 best describes the punitive aspect of the law.

“Newspapers may face legal action if they publish articles insulting or criticising the official religion of the kingdom and its sanctities, criticising or offending the King for a Government action, inciting to commit felonies, arson, crimes against the security of the state, or inciting to change the regime of the state.

Fines are to be imposed on newspapers if they publish articles calling for the resentment of a sect, the disturbance of public security, the creation of discord between and among sects, propagation of immoral behaviour, attacking peoples, dignity or private lives, the non-compliance with laws and regulations and promoting a matter legally considered a felony.

The law also stipulates that action will be taken against newspapers that attack the king or the president of an Arab of Islamic state or any other state with which Bahrain has diplomatic relations. Denigration of a legislative council, a court or and organisational institution is also banned. The new law bans the publication of false information or forged documents to hurt others, of any secret defence communication that is either withheld by the Government or detrimental to the public interests.

Reports that promote prostitution or propagate public indecency, adversely affect the value of the national currency, or confuse people about the economic situation of the country is also banned.”

The whole of section seven in the law, Articles 76 to 89 covers penalties with regard to criminal acts of the press. Breaking the law in such matters are taken up by the judiciary, civil courts or criminal courts depending on the felony. As previously explained, there is disagreement regarding these penalties which are under discussion for possible modification.

It must be pointed out; however, that Bahrain’s constitution boasts an independent judiciary body as pointed out in the article shown below:

Article 104 (b): No authority shall prevail over the judgement of a judge, and under no circumstances may the course of justice be interfered with. The law guarantees the independence of the judiciary, and the law shall lay down the guarantees of judges and the provisions pertaining to them.

### **Prior Legislation**

The past law referred to is that of 1979. In an article published in the Alayam Arabic daily on November 6<sup>th</sup> 2002, the past editor-in-chief of the other local daily Arabic paper, *Akhbar Alkhaleej*, described how the past law did not protect the

journalist's rights while in the new law, the Association of Journalists handles such matters. Without naming the government, he referred to incidents related to suspending the paper, stopping a journalist from writing, or delaying the printing of the publication. He implied that as the new law involves the courts, such incidents should hopefully not occur. He argued that there were no freedoms without responsibilities and that the new law gave the journalist a wide space of freedoms. His view; however, is not shared by many journalists who have asked for more freedoms and have requested for those amendments.

### **Efforts at Reform**

Liberalisation, in principle can be felt across all media platforms. Recent examples include:

- Giving a licence to a third national paper called Alwasat .
- Journalists practice more freedom in discussing all sorts of critical issues in their print columns.
- Broadcast television and radio programmes have begun to host nationals with critical views of government programmes and policies. These critics also cover a diverse cross section of the population (all sects).

### **Indirect Influence**

Indirect societal influences can be seen in the way journalists cover issues. It has to be understood that Bahrain is a small country and social relationships are like those of a small community. There are accepted and unaccepted norms of behaviour which are intrinsic to the society and culture. To be part of this society and not an outcast, there is a preferred language of addressing others, especially elders or superiors. As such, criticism is usually presented in a subdued, muffled or indirect way especially of Ministers or high officials. It is understood, that retribution from those in power, can come in all sorts of indirect ways in a small community, even if protected by the law.

With the newly elected Chamber of Representatives, who have the right to question ministers etc. one has to wait to see whether this will change. However, the law does have strict rules and regulations as to what is acceptable. Not prying into peoples'

private lives is clearly stated in the law. As the journalist is also accountable, doing one's research thoroughly is advised, as misinformation can be costly.

As for how the government uses the media, it was explained earlier that the government uses radio and television to propagate its own news, programmes and directives like all state owned broadcast stations in the world. While the press is independent, it is expected that the press will carry certain types of news and points of view as well. The chiefs in charge of those organisations find it politically wise to do that otherwise they might find themselves out of the inner circle of information. While there are no official directives other than those in the law, certain unofficial requests, usually done by the Minister of Information are common practice.

### **Informal Media**

Relatively speaking, while Bahrain has never really been a closed up society regarding freedom of speech, the platforms that found the easiest outlet before democratisation were the mosques. With the liberalisation process, there are now more venues open as shown in the following articles of the constitution.

#### Article 27

The freedom to form associations and unions on national principles, for lawful objectives and by peaceful means is guaranteed under the rules and conditions laid down by law, provided that the fundamentals of the religion and public order are not infringed. No one can be forced to join any association or union to continue as a member.

#### Article 28

- a. Individuals are entitled to assemble privately without a need for permission or prior notice, and no member of the security forces may attend their private meetings.
- b. Public meetings, parades and assemblies are permitted under the rules and conditions laid down by the law, but the purposes and means of the meeting must be peaceful and must not be prejudicial to public decency.

#### Article 29

Any individual may address the public authorities in writing over his signature. Group approaches to the authorities may only be made by statutory bodies and corporate persons.

The Mosques are still the informal platforms mostly attended by ordinary people. As what is preached is in the name of God, and as corruption is openly derided, what is

said there carries credibility. (Note what has been said about MBC's Channel 2 as shown above).

Peaceful organised demonstrations are now common. Recently there was a three thousand strong demonstration against the war in Iraq (this is large for a small country like Bahrain). The demonstration was composed of groups and organisations that covered all sectors of society, both secular and religious.

The only pressure from international bodies in the past has been that of human rights organisations. With the National Action Charter and the King pardoning all political prisoners and opening up the doors for citizens living abroad to come back, the problems, in principle, with those organisations have been dealt with.

Foreign journalists can easily get visas to Bahrain and are assisted in their projects.

### **Final Comment**

- Technology has changed the way people use the media in Bahrain.
- Public opinion is no longer dependent on views propagated by the state. There are various actors that provide a platform more restricted to that propagated by the country state.
- It is difficult to put laws to cover what can be downlinked from the skies and technology has made access to such material within the means of almost everyone.
- In our part of the world, we have moved from short-wave radio propaganda to satellite television propaganda. That is why there is a scramble to the skies!
- It is also difficult to put laws to cover all that can be accessed on the web and electronic media.