



The safety of journalists and the issue of impunity in Bahrain and Saudi Arabia

1. Bahrain

Women journalists are increasingly coming under attack in Bahrain, due to the monarchy's suppression of free expression and the media since the Arab Spring protests in 2011. Bahraini authorities have harassed, arrested, detained, and tortured prominent women journalists. Not only do women journalists work in an uncertain political climate, they also must contend with societal and employment discrimination based on restrictive gender stereotypes.

A. Rights Violations

Restrictions on free expression and press

The Government of Bahrain maintains tight restrictions on the press and on Bahrainis' ability to exercise their right to free expression. Although the constitution guarantees freedom of expression and freedom of the press, the government uses the 2002 Press Law¹ and a 2006 Anti-Terror Law² to restrict the rights of journalists and media.³ The majority of press outlets are loyal to the government.⁴ Within the past year, the Government of Bahrain has increasingly targeted members of the media.⁵ Authorities harassed, intimidated, arbitrarily detained, tortured, and banned journalists from travel. On 16 January 2017, the government partially suspended Bahrain's only independent newspaper *Al-Wasat*.⁶ As of 25 January 2017, at least seven journalists are imprisoned in Bahrain and Reporters without Borders has ranked Bahrain 162nd out of 180 countries on its press freedom index.⁷

Gender Discrimination

While practicing journalism in Bahrain under the current climate of repression is dangerous, women journalists' experiences are exacerbated by the existing inequalities and discrimination they face under Bahraini law and broader societal restrictions. Bahrain ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁸ in 2002 though with several reservations⁹ and Americans for Democracy & Human Rights in Bahrain (ADHRB) has found that the government has failed to implement the recommendations from its Second Cycle Universal Periodic Review (UPR) regarding

¹ See http://www.bahrainjournalists.org/References_and_documents/Law for full 2002 Press Law in English.

² See <http://www.bahrainrights.org/en/node/3449> for statements about the Bahrain Law on Counterterrorism.

³ "Freedom of the Press 2016: Bahrain," Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/2016/bahrain>

⁴ "Dispatch: Bahrain Newspapers Sign Restrictive 'Charter of Press Ethics'," Americans for Democracy & Human Rights in Bahrain, 8 January 2016, <http://www.adhrb.org/2016/01/8343/>

⁵ "Bahrain's Recent Attacks on Press Freedom," ADHRB, 12 January 2017, <http://www.adhrb.org/2017/01/bahrains-recent-attacks-press-freedom/>

⁶ "Bahrain Partially Suspends Alwasat, Only Independent Newspaper," ADHRB, 17 January 2017, <http://www.adhrb.org/2017/01/bahrain-partially-suspends-alwasat-independent-newspaper/>

⁷ "Bahrain," Reporters Without Borders, 2016, <https://rsf.org/en/bahrain>

⁸ "Convention on the Elimination of All Forms of Discrimination against Women," United Nations Human Rights Office of the High Commissioner, 18 December 1979, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

⁹ "Declarations, Reservations, and Objections to CEDAW," UN Women, 2009, <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>

women's rights.¹⁰ Likewise, the World Economic Forum ranked Bahrain 131 out of 144 countries in its 2016 Global Gender Gap Report.¹¹ Bahraini women journalists must contend with their government failing to counteract widespread oppression in their country.

Bahraini law prohibits gender-based discrimination in employment.¹² Despite this, employers often ask job applicants particular gender-based questions regarding their marital status, number of children, religion, political, and family background. The requirement that married Sunni women have consent from their husbands in order to work illustrates gender-based employment differences. Due to these barriers, although women make up the majority of higher education students, their labor force participation remains at 41%, compared to men's 87%.¹³

Women journalists routinely face gender-based discrimination and harassment. Women journalists often receive anonymous threats, even blackmailing, over email and social media. They also receive negative comments online for reporting on religious, political, or other controversial subjects. According to confidential sources,¹⁴ one woman journalist said that people continuously try to find ways to damage her reputation and undermine her work, going so far as an anonymous individual putting photos of her online in supposedly "revealing" clothing. Male journalists do not face this type of sexual harassment. One source said that women journalists try to avoid publicly complaining about harassment and violations in order to keep a low profile.

Women journalists must work in dangerous environments in the field where they face threats because of their gender. Although there are no laws prohibiting women from being in public places, in practice, their movements, even for daily activities, are often controlled by the male head of their household.¹⁵ This societal conservatism further disadvantages women journalists who work in public spaces as compared to their male peers. For example, according to confidential sources, when covering demonstrations, not only can women journalists be in danger of physical assault from police targeting protesters, but they can also receive verbal threats from demonstrators for not wearing hijab. Another woman journalist said that police and protesters have sometimes asked women journalists to leave an area of unrest, as they do not want women to be hurt if violence breaks out.

Nazeeha Saeed's case is particularly representative of what female journalists experience working in Bahrain. Nazeeha Saeed is a prominent journalist who has worked as a foreign correspondent for French media outlets for over 12 years. Following the 2011 Arab Spring, authorities detained and tortured her, and many other journalists, for covering security forces' violent suppression of peaceful protesters.¹⁶ Although she filed a formal complaint with the Special Investigations Unit,¹⁷ the unit cited insufficient evidence and refused to investigate.¹⁸ In June 2016, she discovered that authorities had implemented a travel ban against her. A month later, the Information Affairs Authority (IAA) accused her of illegal

¹⁰ "Bahrain's Third Cycle UPR: A Record of Repression," ADHRB, Bahrain Institute for Rights & Democracy (BIRD), & Bahrain Center for Human Rights (BCHR), January 2017

¹¹ "Global Gender Gap Report 2016: Bahrain," World Economic Forum, 2016, <http://reports.weforum.org/global-gender-gap-report-2016/economies/#economy=BHR>

¹² "Bahrain," Social Institutions & Gender Index, 2014, <http://www.genderindex.org/country/bahrain>

¹³ "Global Gender Gap Report 2016: Bahrain," World Economic Forum

¹⁴ ADHRB & BIRD interviewed women journalists in January and February 2017

¹⁵ "Bahrain," Social Institutions & Gender Index

¹⁶ "Bahrain's Recent Attacks on Press Freedom," ADHRB

¹⁷ See http://www.adhrb.org/wp-content/uploads/2015/11/Shattering_the_Facade_Web.pdf for more on the SIU

¹⁸ Roy Greenslade, "Bahrain refuses to prosecute police who tortured journalist," The Guardian, 20 November 2015, <https://www.theguardian.com/media/greenslade/2015/nov/20/bahrain-refuses-to-prosecute-police-who-tortured-journalist>

reporting because she had continued working even though the IAA had refused her license renewal earlier that year.¹⁹ Her trial is expected to take place February 28, 2017. In addition to Saeed, authorities have arrested more than 300 women on charges related to exercising rights like free expression and assembly.²⁰

In December 2016, a Bahraini military officer killed Eman Salehi, a young female journalist, in front of her six-year-old son.²¹ The man, who was later revealed to be a member of the ruling family, had attempted to give her his phone number. When she refused, he shot her.²² Women journalists like Nazeeha Saeed and Eman Salehi face additional challenges due to their gender. The government, and society at large, discriminates against them simply because they are women.

B. Policies to Address Gender Discrimination

The Bahrain Journalists Association (BJA), founded in 2001, is supposed to “represent and protect the interests of all Bahrain-based journalists.”²³ Members of the association recently elected three women journalists to its eight-member board.²⁴ However, the association is not an independent society. Additionally, there is no press union. The absence of a press union and the lack of the BJA’s independence limit journalists’ ability to conduct awareness-raising sessions or trainings, particularly surrounding gender-based issues for women journalists.

C. Legal Recourse

The government targets journalists with impunity. Based on recommendations by the Bahrain Independent Commission of Inquiry in 2011, the Office of the Ombudsman and the SIU were established to investigate instances of torture and abuse at the hands of government security forces during the Arab Spring protests. However, the US State Department found that only eight of the 227 cases referred to the SIU from January to October 2015 were brought to court.²⁵ ADHRB and its partners have concluded that the Bahraini government has failed to establish independent and effective accountability mechanisms to protect victims of abuse and uphold its obligations to international standards like the Istanbul Protocol.²⁶ The absence of credible, independent, and impartial bodies for upholding the rule of law has resulted in few women journalists taking their cases to court.

¹⁹ “Bahrain: Journalist Faces Prosecution, Travel Ban,” Human Rights Watch, 24 July 2016, <https://www.hrw.org/news/2016/07/24/bahrain-journalist-faces-prosecution-travel-ban>

²⁰ “Bahrain’s Third Cycle UPR: A Record of Repression,” ADHRB, BIRD, & BCHR

²¹ Raf Sanchez & Associated Press, “Journalist in Bahrain was ‘murdered by member of royal family,’ activists claim,” The Telegraph, 29 December 2016, <http://www.telegraph.co.uk/news/2016/12/29/journalist-bahrain-murdered-member-royal-family/>

²² “Bahrain Royal Allegedly Shoots Journalist to Death After Harassing Her,” Carbonated.TV, 25 December 2016, <http://www.carbonated.tv/news/military-officer-royal-family-suspect-shoots-bahrain-sports-journalist>

²³ Habib Toumi, “Women Gain Power in Bahrain Journalists’ Board,” Gulf News, 20 May 2012, <http://gulfnews.com/news/gulf/bahrain/women-gain-power-in-bahrain-journalists-board-1.1025204>

²⁴ Ibid.

²⁵ *Steps taken by the Government of Bahrain to Implement the Recommendations in the 2011 Report of the Bahrain Independent Commission of Inquiry*, US Department of State, 21 June 2016, <http://pomed.org/wp-content/uploads/2016/06/State-BICI-Report.pdf>

²⁶ “Istanbul Protocol,” Office of the United Nations High Commissioner for Human Rights, 2004, <http://www.ohchr.org/Documents/Publications/training8Rev1en.pdf>

2. Saudi Arabia

Restrictions on free expression and press

The Government of Saudi Arabia retains tight control over media outlets, which they believe should promote national unity. Officials do not tolerate criticism directed towards the government and religion, nor does it accept any statements they deem harmful to Saudi society.²⁷ This causes many journalists to self-censor themselves, particularly women, who can receive harsh criticism for reporting on news conservative readers deem inappropriate for women to comment on.²⁸

Guardianship System

The male guardianship system is the primary barrier to full equality and freedom of movement of women journalists in Saudi Arabia. Under Saudi law, women are required to have a male guardian, such as a husband, father, brother, or son, from whom she must gain permission to conduct a variety of everyday activities, including travel, marriage, and studying at higher education institutions.²⁹ The system contradicts Saudi Arabia's international human rights obligations under CEDAW, as well as its commitments to reform following recommendations provided during its 2013 UPR review cycle.³⁰

The guardianship system is a mixture of laws, customary practices, and religious declarations that restrict a woman's activities and access to basic services. Thus, although the government does not legally require women to gain permission from their guardian to work, authorities often do not sanction private employers that still require it.³¹

The extent of a woman's freedom depends on her guardian. This is often related to her family's socio-economic status. Upper-class women are more likely to have families that grant them greater freedom, while lower-class women's freedom is often restricted by conservative values.³² Nonetheless, even the most emancipated women journalists face discrimination as a result of social attitudes concerning women's place in society. Women journalists' male colleagues do not face these restrictions and limitations.

The safety of women journalists in Saudi Arabia is directly related to the male guardianship system. The Saudi government has stated its support of expanding women's labor force participation, a proposal which would necessitate granting women more freedom. However, it has not taken the legal steps necessary to ensure that women have more freedom. In this environment, there are few women journalists.

A. Rights Violations

²⁷ "Freedom of the Press 2016: Saudi Arabia," Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/2016/saudi-arabia>

²⁸ Rob Wagner, "Saudi Female Journalists Defies Western Stereotypes," NewsTilt, n.d., <https://sites.google.com/site/roblwagnerarchives/saudi-female-journalist-defies-stereotypes>

²⁹ "A Midterm Report on Saudi Arabia's UPR Second Cycle: Analyzing Saudi Arabia's Refusal to Reform," ADHRB & BIRD, June 2016, <http://www.adhrb.org/wp-content/uploads/2016/06/Saudi-UPR-Midterm-Report-Electronic-Version.pdf>

³⁰ Ibid.

³¹ "Boxed In: Women and Saudi Arabia's Male Guardianship System," Human Rights Watch, 16 July 2016, <https://www.hrw.org/report/2016/07/16/boxed/women-and-saudi-arabias-male-guardianship-system>

³² Ibid.

Employment

Women journalists face many burdens in carrying out their job as compared to men. They are often paid less than men.³³ They sometimes choose to publish under male pseudonyms to avoid the societal stigmatization of a woman working in a public field.³⁴ One woman newscaster decided to move to the United Arab Emirates to produce her own news program to avoid the strict work environment for women in Saudi Arabia.³⁵

Women journalists face difficulties advancing in their field. Newspapers may fear backlash from readership and their male employees for allowing women into leadership positions.³⁶ One woman journalist, speaking of her newsroom, stated that the majority of reporters were women, but the senior management and editing positions were held by men.³⁷

Movement and Travel

The Saudi government bans women from driving and requires a woman to receive guardian permission in order to travel.³⁸ In response to international condemnation of these restrictive policies, the government has relaxed restrictions. However, the changes have not resulted in significant practical changes. For example, a new policy allows women over the age of 45 to travel. Another new policy eliminates the need for a woman to receive permission from her guardian to travel for certain reasons, though officials have not clarified what those reasons are. Moreover, implementation of the law differs between locales.³⁹

These restrictions on movement restrict women journalists' work and employment opportunities. Journalists require the ability to travel in order to access sources. However, this ability is limited for women in a way that it is not limited for men. This inhibits their professional growth and full integration into the male-dominated workforce.

Education

Saudi's official policies on women's and girls' education perpetuates patriarchal stereotypes.⁴⁰ According to the government, women should learn only what is suitable to "women's nature and future role as wives and mothers."⁴¹ By 2014, only one Saudi university offered communication and journalism courses to women, due to religious clerics' disapproval of women working as TV journalists.⁴² If women pursue

³³ Hana' al-Khamri, "Saudi Women Journalists are Coming out of the Closet," Menassat, 14 January 2008, <http://www.menassat.com/?q=ar/news-articles/2671-saudi-women-journalists-are-coming-out-closet>

³⁴ Ibid.

³⁵ Miyuki Droz Aramaki & Sylvain Lepetit, "Saudi Journalist Bdeir Fights for Women's Rights," France 24, 8 March 2016, <http://www.france24.com/en/20160308-focus-nadine-bdeir-saudi-arabia-emirates-womens-rights-tv-host>

³⁶ Al-Khamri, "Saudi Women Journalists are Coming out of the Closet"

³⁷ Saeed Kamali Dehghan, "Saudi Arabia's First Female Editor of National Newspaper Appointed," The Guardian, 17 February 2014, <https://www.theguardian.com/world/2014/feb/17/saudi-arabia-first-female-editor-national-newspaper>

³⁸ "A Midterm Report on Saudi Arabia's UPR Second Cycle: Analyzing Saudi Arabia's Refusal to Reform," ADHRB & BIRD

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Elham Manea, "Women in Saudi Arabia are Caught in a System of Gender Apartheid," Deutsche Welle, 20 December 2013, <http://www.dw.com/en/women-in-saudi-arabia-are-caught-in-a-system-of-gender-apartheid/a-17330976>

⁴² Aya Batrawy, "Freedoms for Saudi University Girls End at Gates," The Seattle Times, 6 January 2014, <http://www.seattletimes.com/nation-world/freedoms-for-saudi-university-girls-end-at-gates/>

educational opportunities abroad, they must be accompanied by a male guardian.⁴³ Otherwise, women who wish to become journalists must study another subject and learn on the job, disadvantaging them from the beginning compared to their male peers.

B. Legal Recourse

Saudi Arabia acceded to CEDAW though it did so with several reservations.⁴⁴ In addition, the kingdom has fully or partially accepted all the recommendations concerning women's and children's rights made during its UPR Second Cycle review in 2013.⁴⁵ However, because discrimination against women journalists is rooted in social norms, particularly the guardianship system, and supported by the state and the kingdom's top religious scholars, women have little legal recourse to fight for equal treatment.⁴⁶

C. Policies to Address Gender Discrimination

The government has attempted to increase women's higher education opportunities by establishing an all-women's university, a mixed-gender university, and by easing restrictions on what subjects women can study.⁴⁷ As a result of these practices, women make up over 50% of university students.⁴⁸ Under Vision 2030, Saudi Arabia aims to raise women's labor force participation from 22% to 30%.⁴⁹ These developments have the potential to advance women's rights, including opportunities for women journalists.⁵⁰ However, the continued existence of the guardianship system will limit progress.⁵¹

3. ADHRB's Work

ADHRB works with a number of organizations, including the Bahrain Institute for Rights and Democracy (BIRD), and Bahrain Center for Human Rights (BCHR) and journalism- and press freedom-focused organizations, including Reporters without Borders, Index on Censorship, and the Committee to Protect Journalists to raise public awareness of the cases of detained journalists and activists in Bahrain and Saudi Arabia. ADHRB, BIRD and BCHR work to achieve this primarily through social media and advocacy efforts. Social media efforts include blog posts, news releases, and statements.

ADHRB also advocates internationally at the United Nations (UN) Human Rights Council (HRC) and domestically in the United States on behalf of female journalists and female human rights defenders.

⁴³ Sarah Drury, "Education: The Key to Women's Empowerment in Saudi Arabia?" Middle East Institute, 30 July 2015, <http://www.mei.edu/content/article/education-key-women%E2%80%99s-empowerment-saudi-arabia>

⁴⁴ "Saudi Arabia's Obligations under International Law," Human Rights Watch, April 2008, <https://www.hrw.org/reports/2008/saudi-arabia0408/5.htm>

⁴⁵ "Saudi Arabia," UPR Info, 2017, <https://www.upr-info.org/en/review/Saudi-Arabia>

⁴⁶ "A Midterm Report on Saudi Arabia's UPR Second Cycle: Analyzing Saudi Arabia's Refusal to Reform," ADHRB & BIRD

⁴⁷ Valentine Pasquosoone, "Higher Education: The Path to Progress for Saudi Women," World Policy Blog, 18 October 2011, <http://www.worldpolicy.org/blog/2011/10/18/higher-education-path-progress-saudi-women>

⁴⁸ Batrawy, "Freedoms for Saudi University Girls End at Gates"

⁴⁹ "Vision 2030 Goals," Saudi Vision 2030, n.d., <http://vision2030.gov.sa/en/goals>

⁵⁰ "Saudi Vision 2030 Could Be a Catalyst for Realizing Women's Rights' – UN Expert," United Nations Human Rights Office of the High Commissioner, 19 January 2016, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21099&LangID=E>

⁵¹ "Boxed In: Women and Saudi Arabia's Male Guardianship System," Human Rights Watch

Together, ADHRB, BIRD and BCHR submit legal complaints to international human rights bodies such as the UN Special Procedures. They also advocate at the HRC by meeting with HRC member states and the Office of the United Nations High Commissioner for Human Rights.