

# Code of Ethics of Websites Against Hate-Speech

## Explanatory Memo

# Preamble

Without a doubt Bahrain has witnessed several changes since independence; these transformations were not the product of the moment as they were fulfilling the requirements of the era and internal, regional and international events. The major strategic change was due to the desire of His Majesty King Hamad Bin Issa Al Khalifa to develop the political regime to a more democratic one; hence, the National Action Charter was launched and was overwhelmingly approved by a national popular referendum that took place on February 14, 2001.

Parliamentary life started in 2002 with which tensions increased among the different political groups in the kingdom before the first legislative term. Political polarization reached its peak at a time which was rife with discrimination on the basis of sex, race, religion, ideology and foreign ideas.

Tensions increased leading to an escalation in polarization, which led to the exploitation of various tools and means through which goals are achieved, such as influencing and using blogs, forums and websites that became a means to accomplish many objectives that were very far from patriotic responsibilities. Sectarian dialogue was spread to serve political objectives. Hatred started to spread among citizens of the same society. National figures, religious sects, races and ideas were irrationally attacked in a way that was counterproductive to the higher national good. As the role of blogs, forums and websites increased, polarization increased accordingly and hatred was incited among citizens of the same nation due to ignorance and political manipulation which led to an alarming rise in sectarian tensions which necessitated to develop a scheme to stop what could be called the manufacture of hatred.

# Chapter one:

## Terminology and Definitions

**Hatred:** What concerns us is the speech of hatred which incites violence or action against an individual or group of individuals in any form (action, verbal, written... etc.) on the basis of race, sex, sect, religion, or ideology and thought.

**Nationalism:** Is the sense of belonging and loyalty towards one country which is responsible of fulfilling the basic needs of its citizens and protecting them from any type of hazard.

**Sectarianism:** It is an attitude or method of communication belonging to the political field that leads to political polarization under the guise of religion through criticizing different religious sects or ideologies or other thought in a way that doesn't reflect the values of that religious sect or ideology; on the contrary, it aims at provoking riot.

# **Chapter two:**

## **How the code of ethics charter was initiated on the websites**

A group of webmasters, forum moderators and bloggers met to discuss the possibility of initiating a code of ethics charter. Meetings went on for about more than three months starting from April 2008 at Al-Waqt newspaper until the 26<sup>th</sup> of July 2008; the day in which the final charter was decided upon. Despite the fact that there were many discussions and disagreements, the true will of the group was enough to enable this charter to be launched. It is scheduled to be signed on the 31<sup>st</sup> of August 2008, which coincides with the International BlogDay.

A large number of webmasters, forum moderators and bloggers were invited to attend these meetings, some accepted and some others didn't. Some of them participated in the beginning and then withdrew whereas other groups fully supported the project.

# Chapter three:

## Basics and principles

- 1- Freedom of speech and expression is guaranteed to everyone and cannot be compromised.
- 2- Blogs, forums and websites are an integral part of the Media - the fourth estate - thus they have the right to tackle public issues without any restrictions.
- 3- A person's family, affiliation and privacy shall be immune from verbal attacks and that criticism should steer away from obscenity and profanity

# Chapter four:

## The websites' code of ethics and justifications

### First

The freedom of expression is guaranteed by the Constitution. It is an asset that cannot be eliminated, being an integral part of the fundamental freedoms stipulated in:

- The United Nations Charter, stating in its ninth chapter, article 55 that there should be “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction of race, sex, language or religion; no discrimination between men and women, and taking these rights and freedoms into serious consideration”.
- The International Covenant for Civil and Political Rights, stating in its second article that “each State Party to the present Covenant undertakes to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”, and also states in the second clause of article 19 that “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in printing, in the form of art, or through any other media of his choice”.
- The Universal Declaration of Human Rights, stating in its 19<sup>th</sup> article that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.
- The Constitution of the Kingdom of Bahrain, stating in its 23<sup>rd</sup> article of the third chapter (Public Rights and Duties) that “freedom of opinion and scientific research is guaranteed. Everyone has the right to express his opinion and publish it by word of

mouth, by writing or by other means in conformity with 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”.

- The National Action Charter, stating in its first chapter (Fourth: freedom of expression and publication) that “Every citizen shall have the right to express himself orally, in writing or in any other way of expression of personal opinion or creativity. Under this law, freedom of scientific research, publishing, press and printing are ensured within the scope specified by law”.

This freedom should be responsible and should play a part in the maintenance of the social fabric and should not infringe upon the others’ freedoms and religious or doctrinal affiliation.

**Clarification:**

Whereas the covenants and the charters are recognized by the Kingdom of Bahrain and now have official legal status; accordingly we should implement and abide by them in any legislation without causing contradiction with other laws, and on this basis, we should implement and abide by them with the other charters (The United Nations Charter, The International Covenant for Civil and Political Rights, The Universal Declaration of Human Rights).

As the Constitution is the source of all laws, we must follow it as long as it is valid and applicable; it serves as a reliable reference, as in the case of The National Action Charter, which is considered to be the main ingredient in a unified and cohesive community within the Kingdom of Bahrain.

The freedom mentioned in The United Nations Charter, The International Covenant for Civil and Political Rights, The Universal Declaration of Human Rights, The National Action Charter and The Constitution of the Kingdom of Bahrain should be a responsible freedom that aids in the maintenance of the social fabric of the kingdom and should reinforce and

highlight an international and important principle which is that freedom stops when it infringes upon the others' freedoms and religious or doctrinal affiliation.

## **Second**

We confirm that the freedom of criticism and oversight of both civil and governmental foundations, is a fundamental right of websites, forums and blogs that cannot be violated, based on the fact that these sites, forums and blogs are a legitimate part of the fourth estate and freedom of expression limits shall not be renounced.

### **Clarification**

Websites, forums and blogs are an integral part of the fourth estate and have the right to criticize and to oversee all the organizations whether private, public or civil society organizations. An important task that websites, forums and blogs have is to shed light on corruption in all its forms; this serves society and reinforces a more responsible freedom which cannot be violated whatsoever.

## **Third**

We seek to elevate the level of the dialogue, in a democratic framework, freely, and away from any incitement based on race, sex, religious sect or ideology and thought, undertaking not to cause harm.

### **Clarification**

Webmasters, forum moderators and bloggers undertake to elevate the level of the dialogue, in a clear, transparent democratic framework, away from any incitement based on race, sex, religious, sect or ideology; as everyone has the right to choose without pressure, interference or harm from others. Webmasters, forum moderators and bloggers should promptly remove any material that is offensive and measures should be taken (see



clause number five) against anyone that attempts to provoke via written material, pictures or insinuations.

## **Fourth**

Through our supervision and participation in websites, forum and blogs we aim to serve the country and the citizens under diversified freedom that is based on understanding, dialogue and an exchange in points of view without any insinuations based on race, sex, religious, sect, or ideology and thought.

### **Clarification**

Websites, forum and blogs, through supervision and participation, have a vital role in serving the country and the citizens and vow to protect the above mentioned freedom provided that this freedom is based on dialogue which in turn is based on mutual respect and far from any kind of provocation and hatred.

## **Fifth**

We condemn the formation of any kind of websites, forums or blogs that incite hatred, regardless of the party that formed it whether it is official, civil or organizations of the civil society.

We unequivocally reject any suggestions that may incite hatred, violence or discrimination towards any party and we will express our point of view against anything that will widen the gap between citizens of the same society as it will deteriorate national unity. We shall take all necessary measures to fight such occurrences as prescribed in the explanatory memo of the charter.

## **Clarification**

We the webmasters, forum moderators and bloggers condemn the deliberate formation of any kind of websites, forums or blogs that incite hatred, regardless of the party that formed it whether it is official, civil or organizations of civil society as this will be counterproductive to the benefit of Nation and its citizens.

The webmasters, forum moderators and bloggers also clearly declare their refusal of any kind of incitement that will reflect negatively on the society as this will damage any attempt to achieve national unity. Certain measures, mentioned below, will be taken if the instance is repeated, taking into consideration the rules and regulations of each site.

- a- Removal of the offensive material and warning the violator.
- b- If the offence is repeated, the material shall be removed and the violator shall be banned from the site according to site's bylaws and procedures.
- c- If the violator repeats the offence, the member will be permanently banned from the site permanently.

## **Sixth**

We emphasize our complete commitment in removing all that violates the charter from our websites, forums or blogs to assure national unity and taking a firm stand against those attempting to be offensive to any particular party or sect.

## **Clarification**

Webmasters, forum moderators and bloggers work towards removing every violation of the charter that is found in their websites as soon as possible in addition to taking the necessary measures according to clause number five provided that it doesn't contradict freedom of speech or expression.

## **Seventh**

We refuse to shut down websites, forums or blogs as a result of any administrative order or individual decision and we emphasise that any such action must be done solely through judicial decisions which will be the final arbiter of the fate of perceivably offending websites. We declare our solidarity with anyone or any website that has been affected by administrative orders other than a judicial one.

### **Clarification**

Shutting down websites, forums or blogs as a result of any administrative orders or individual decisions is unacceptable whatever the source may be. The Justice system alone must have such authority. Webmasters, forum moderators and bloggers shall unite in such a case via the following:

- a. Displaying the icon or logo of the site that has been banned in all websites, forums and blogs as a sign of support and unity.
- b. Sending successive correspondences to the party that decided to ban the site in the absence of a Judicial context.
- c. Communicating with all organizations and concerned parties inside and outside of Bahrain and applying pressure to reopen the website, and holding the person or office responsible for the closure to account.

# Chapter 5:

## The driving force of the Charter

- 1- A preparatory committee shall be formed of members to be elected from signatories of the charter.
- 2- This committee shall be responsible to encode the laws and procedures pertaining to the candidacy and elections to the managing committee and dealing with the various websites, forums or blogs.
- 3- Until the formation of the regulations and bylaws, the preparatory committee shall deal with violations as follows:

### **a. Charter members**

- Charter members should be fully committed to the previously mentioned articles as well as being committed to displaying the special logo of the charter.
- In case of any violation by any website, blog or forum leaving offending material on their site for over 24 hours, any individual or group can file a complaint to the Preparatory Committee and this committee shall address the violating party. In case this violation is repeated, the committee warns the violating party three times officially, and in case of non-compliance, the committee shall list them as a violating party on the website and legal procedures against the violator may commence if the committee deems it necessary.

### **b. Non Charter Members**

All websites, blogs and forums should have a professional commitment and any violation will oblige the committee to warn the violators three consecutive

times, in case there is no reply, the website, blog or forum shall be listed on the webpage of the committee as a violating website, blog or forum that incites hatred and a lawsuit may be filed against the violating party if the committee deems it necessary.