

# Reporters Without Borders

<http://www.rsf.org/bahrein-human-rights-organisations-filed-04-02-2013,44016.html>

Middle East/North Africa - Bahrain

Digital weapons

## Human rights organisations filed formal complaints with the OECD against surveillance companies

4 February 2013

Human rights organisations file formal complaints against surveillance software firms Gamma International and Trovicor with British and German governments.

Reporters Without Borders Germany, Reporters Without Borders International, Privacy International, Bahrain Watch, the Bahrain Center for Human Rights and the European Center for Constitutional and Human Rights filed formal complaint with the [Organisation for Economic Cooperation and Development](#) (OECD) against a surveillance software company on Friday 1st February. The [OECD National Contact Points](#) National Contact Points (NCPs) in the UK is being asked to investigate Gamma International with regards to the company's potential complicity in serious human rights abuses in Bahrain. A corresponding complaint against Munich-based Trovicor will be filed in Germany on Wednesday 6th February.

The complainants argue that there are grounds to investigate whether surveillance products and services provided by Gamma International and Trovicor have facilitated multiple human rights abuses in Bahrain, including arbitrary detention and torture, as well as violations of the right to privacy, freedom of expression and freedom of association. They allege that there is evidence to suggest that information gathered from intercepted phone and internet communications may have been used to detain and torture bloggers, political dissidents and activists and to extract confessions from them. If the complaints are upheld, the companies are therefore likely to be found to be in breach of the OECD Guidelines for Multinational Enterprises, recommendations addressed by governments to companies that set out principles and standards for responsible business conduct.

The UK's NCP is based at the Department for Business Innovation and Skills, and the German NCP is based at the Federal Ministry of Economics and Technology. If the NCPs accept the complaints against Gamma and Trovicor, they will then:

- investigate the extent of the defendants' complicity in human rights abuses in Bahrain;
- mediate between complainants and defendants;
- issue final statements on whether OECD Guidelines have in fact been breached;
- provide recommendations to the defendants on how to avoid further breaches;
- and follow up in order to ensure that they comply with those recommendations.

**Eric King, Head of Research at Privacy International, said:** «The failure of governments to properly control exports of surveillance technology has left companies like Gamma and Trovicor regulated exclusively by their own moral compasses. Unfortunately, these compasses seem to have malfunctioned and directed companies towards some of the most dangerous and repressive regimes in the world. We very much hope the OECD process will persuade Gamma and Trovicor to take a long hard look at their current and future clients, and to think carefully about the role their products play in the targeting and torture of activists and the suppression of pro-democracy voices.»

**Christian Mihr, Executive Director of Reporters Without Borders Germany, said:** «Unregulated trade with surveillance technologies in authoritarian states is one of the biggest threats to press freedom and human rights work on the internet. Exports of such digital arms have to be made subject to the same restrictions as foreign dealings with traditional arms.»

**Miriam Saage-Maaß, Vice Legal Director at ECCHR, said:** «By maintaining permanent business relations with the state of Bahrain and maintaining their surveillance software, both companies have accepted the risk that they may be accused of abetting torture and other grave human rights violations. If true, such actions would amount to a violation of the OECD Guidelines.»

Details of both complaints will be presented at a joint press conference in Berlin on Wednesday 6th February.

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- , (JPEG - 9.9 kb)
  - Read the OECD complaint summary, (PDF - 57.7 kb)
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