



UN Human Rights Council
Universal Periodic Review Third Cycle
July - 2020

**CONTRIBUTION BY FREETHOUGHT LEBANON ON THE SITUATION OF FREE SPEECH IN
LEBANON**

About Freethought Lebanon

“Freethought Lebanon” is an initiative that aims to empower freethinkers in Lebanon in order to promote humanism, encourage critical thinking, and disseminate secular values as a solution for intolerance and sectarian violence in Lebanon.

A General Outlook on the Human Rights Situation in Lebanon: A Bleak Scene

While Lebanon might be perceived to have a better human rights situation than that of other Arab countries, the truth is that there are significant and severe shortcomings of state institutions to uphold basic human rights in the country. Furthermore, there is a worrying trend in which the human rights track record of the state of Lebanon is declining with time.

Massive policy failures by successive Lebanese Governments since the end of the civil war (1990) and high levels of corruption by Lebanon’s ruling elite have thrown the country into an unprecedented economic crisis (Lebanon ranks 138/180 on the corruption index by Transparency International). The local currency has lost around 80% of its value in recent months, thus completely destroying people’s livelihoods and their hard-earned life-savings. Additionally, banks have enforced harsh capital control measures on the population and unemployment rates are skyrocketing. The economic situation is so dire that there are estimates that 75% of the population will be in need of food assistance by the end of the year.

Amidst this situation, the state of Lebanon has chosen to increase its draconian measures against the general public as well as against activists who protest these injustices. These include unlawful and excessive use of force, politically-driven arrests, and an increased suppression of free speech on social media outlets.

Attempts to Crush a Popular Uprising

In the face of a popular uprising, the unlawful use of force by security personnel against protesters have permanently blinded several people, amputated the finger of at least one protester, and caused the death of at least one other protester in the city of Tripoli. Incidents of the use of excessive force by members of the Lebanese Armed Forces (LAF) against civilians have been documented. In one incident, members of LAF were videotaped while assaulting a doctor in an emergency room because he didn't allow the immediate arrest of an injured patient who was being treated there. In another incident, members of LAF appeared to act vindictively against civilians in Tripoli as one army tank was videotaped to be intentionally and needlessly driving over an empty car that was parked on the side of a street.

In the aftermath of the "October 17" popular uprising against the ruling oligarchy, state institutions were weaponized against protestors who were calling for an end to corruption and sectarianism. Military courts, detention by police, humiliation and abuse of protestors inside detention centers (both physical and verbal), as well as several other intimidation tactics were deployed by the state in a politicized manner. These measures were solely used against anti-regime protestors and against those who are calling for a civil (secular) state that is free of corruption. In contrast, the state intentionally failed to take any measure against the transgressions of hooligans, who are loyalists to the ruling elite, as they targeted activists. These hooligans repeatedly attacked and assaulted protests in an attempt to silence and intimidate the uprising. They also savagely ambushed and attacked individual activists in order to deter the uprising. In one instance, a 17-year-old young man was kidnapped and tortured by such hooligans simply for posting an 'insult' to the Speaker of the Parliament on Facebook. This young man was beaten, had his head forcefully shaved (a well-known method of humiliation and subjugation that was often used by militia gunmen during the Lebanese civil war), and was forced to recant his earlier statement on camera while being held at gunpoint. As expected, the state institutions did not make any effort to arrest those responsible or hold them accountable because they were politically backed. This unfair and selective targeting of activists, while failing to protect freedom of speech and while simultaneously ignoring, or rather enabling, the offences of party loyalists, has been a consistent pattern of state institutions such as LAF, ISF (Internal Security Forces), as well as civilian courts and military courts.

Suppression of Freedom of Speech and Freedom of Assembly

Acts against free speech are on the rise in Lebanon and many in the country fear that we might be turning into a police state. These measures have also extended to the recent announcement that anything deemed insulting to the current President would be considered a crime and met with a response, including imprisonment. While it was met with scrutiny, it is a dangerous precedent, and some activists were in fact arrested over online posts deemed offensive to the

current sitting president. Arrests and lawsuits over “insulting” politicians have also been on the rise.

There have also been cases where formal institutions go beyond what these unjust laws allow them in order to punish their political opponent. One prominent case in when a state police bureau framed the comedian/activist Ziad Itany with a false accusations related to treason. After arrest, torture, and defamation, it turned out to be a fabricated and politically motivated affair.

While restrictions on free speech target all citizens, non-religious and atheist individuals face significantly more difficulties. Though the Lebanese constitution realizes the freedom of belief/disbelief, the criminal law “in section 6-chapter 1 article 473 and 474” discriminate against any act of blasphemy however the act of blasphemy was done by a believer or non-believer. Although the above-mentioned law has not been used widely against atheists, it has been a tool to prosecute and silence atheists who speak against the sectarian nature of the Lebanese regime. The application of this law has been extended beyond the conventional methods of communication in media to be used in cases of social media expressions as in the case of Charbel Khoury who has been prosecuted for a Facebook post in which he jokingly expressed skepticism about the alleged miracles of a local saint, and with the prominent activist Assaad Thebian who was also sued for making jokes about religious historical figures. Blasphemy laws are clearly being used as a tool to both instigate the public against political dissenters and to punish those individuals with legal measures.

Another aspect of discrimination against atheists of Lebanon is revealed by the absence of civil marriage law that gives them no choice but going through religious marriages to be allowed to have legal recognition of their relation, or to travel abroad to obtain marriages in countries that have civil marriage legislation. Civil marriage has been a major demand for the atheist community, supported by many of the religious community who support freedom of choice, but it was fiercely opposed by religious institutes (Christian and Muslim alike) who have strong ties with the political leaders of the state. The state has failed to legislate a Lebanese personal status law and thus forces those who wish to obtain a civil marriage to travel abroad.

The state’s sectarian regime also allows for social discrimination against atheists by allowing for hate speech against them (example the hate speech by TV. Host Tony Khalifa, comedy program creator Charbel Khalil, and others). The hate speech against atheists is also promoted within religious facilities (mosques and churches) without any intervention from the side of the state or to succumb to the control of religious institutions. These hate speech incidents have serious consequences. Young atheists are often physically assaulted and kicked out of their houses by family members because of their views. These individuals have no safety net. Additionally, hate speech contributes to social stigma against atheists, and this often leads to termination of jobs of those who come out as atheists.

The state is also preventing the legal recognition of communities that might adopt atheistic worldviews without proper justification. Our group, Freethought Lebanon, who many of its members are atheists and which regularly publishes content online related to skepticism and critique of dogma, has been a victim to such suppression of free speech and of freedom of assembly. Freethought Lebanon attempted to gain legal recognition by registering as an NGO at the Ministry of Interior and Municipalities, but its application was denied. According to law, the Ministry should only take notice of the establishment of NGOs and they are not entitled to neither allow nor reject their establishment. Yet our 2016 application was intentionally delayed and later denied without legal justification. The Ministry simply informed Freethought Lebanon's lawyer that they cannot allow the application for "security reasons". This vague excuse is baseless and is used for the sole purpose of allowing the Ministry to not justify their decision as security-related information are deemed sensitive by law and can be withheld if the authorities decide so.

Suppression of Arts in the name of Religious Sensitivities

The popular Lebanese Band "Mashrou' Leila", whose lead singer is openly gay, was due to perform in Byblos festivals in the summer of 2019. However, a vicious inflammatory campaign was launched against the band by the state-sponsored "Catholic Media Center". The inflammatory instigation campaign made false claims that the band's lyrics were satanic and insulting to Christianity. In reality, the intention was to ban the band because they are cultural symbols for the LGBTQ+ movement in Lebanon and the Arab World. As such, religious authorities wanted them censored.

A calculated effort was exercised to pressure the municipality and eventually the directors of Byblos Festivals to cancel the appearance of the band on stage. The decision of the Byblos Festivals committee was largely a result of the many public death threats that were addressed to the band and the Byblos Festivals Committee. These death threats were shared publicly on social media platforms such as Facebook. Instead of vowing to preserve the safety of the concert, Police and other state institutions, ever the allies of sectarian and religious institutions, declared that they will not protect the concert and that concert-goers should assume the risk themselves. This decision forced the hand of the Byblos Festivals committee and they had to cancel the concert. This was mostly because the government failed to provide any security to the event, and did not bother to pursue the threats, even when the people behind them took no measure to hide their identities. In this case and in a multitude of other cases, the state is enabling religious zealots and corrupt political leaders to violate the rights of activists and regular citizens.

Recommendations

- The Lebanese state should abstain from excessive, vindictive, and illegal use of force against protestors.
- The Lebanese state must guarantee absolute free speech, with the sole exception of hate speech, and must abstain from using judicial or security measures to punish political dissenters.
- The Lebanese state must punish hate speech regardless of where it comes from.
- The Lebanese state should protect all civilians from assaults and attacks from politically-backed hooligans.
- The Lebanese state must legislate an optional Civil Personal Status Law.
- The Lebanese state must respect freedom of assembly to all citizens regardless of their religious views.