

## ALEF – act for Human Rights UPR statement

For the past year, Lebanon has been facing a socio-economic crisis, a financial collapse, a political deadlock, the COVID-19 pandemic, and, in addition to all that, a blast that destroyed Beirut on August 4, 2020. These crises are the results of what has been ongoing for the past 30 years: rampant corruption, negligence, a lack of accountability, and an absence of justice. But more importantly, this series of events has plunged the country into uncertainty and is contributing to a degradation of the country's human rights commitments.

Lebanon is now facing another threat growing bigger day by day: polarization. The Lebanese society is more and more polarized, with some people supporting the authorities, the political parties, or the protests, but all of them now resorting more and more to violence. This evolving context is having a dire impact on an already shrinking civic space. The Lebanese state's narrative is trying to distinguish Lebanon from other countries in the region, where freedom of speech and assembly are almost non-existent. But on the ground, censorship, intimidation, and detention are increasing, in a country that always perceived itself as a beacon of freedoms in the Middle East but where basic freedoms are now becoming under threat.

In fact, the Lebanese authorities, and political parties, have been blurring the lines in terms of freedom of speech and assembly, in order to avoid criticism from international partners. During the past few years, human rights organization have been facing a stronger crackdown from the part of the authorities. More and more journalists, human rights defenders, and protesters have been arbitrarily arrested, summoned by the security forces, while some were even tortured. Most of the time, these arrests are the result of a complaint filed by Lebanese politicians or parties, following online or in-person criticism or defamation but also, and in many cases, following protests.

Further, the Lebanese protests, that started in October 2019 and are still ongoing, have been met with a dramatic disproportional use of force from the part of the security forces (Lebanese Armed Forces, the Internal Security Forces, and the Parliamentary Police) and even from the part of political parties' supporters. With thousands of gas canisters fired, rubber bullets, and in some cases, real ammunition, protesters have been met with extreme violence, which is a clear breach of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (a recommendation to Lebanon during the last UPR Cycle). Additionally, at the early stages of the COVID-19 pandemic, during the first major lockdown, the Lebanese authorities deployed security forces who violently destroyed the camp of peaceful protesters stationed in downtown Beirut. Moreover, political sympathizers have also resorted to violence to intimidate and stop people from protesting at several occasions. For context, Lebanon has still not ratified the ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize (another recommendation to Lebanon during the last UPR Cycle). The authorities who have been under pressure since the start of the protests in October 2019, the violent reaction from the part of the state, the political establishment, and the security apparatus, are all fueled by a tentative to maintain control and stability even if it means not respecting basic human rights principles.

Finally, the COVID-19 pandemic has also contributed to an increase in terms of hate speech and discrimination across the country. Stereotyping speech against certain communities that targets geographic affiliation, nationality and, in certain cases, religion, has increased. Further, sectarian clashes opposing certain political parties, resulting in the deaths of several militants, have also increased in the past year due to the worsening security and political situation in the country. With civil unrest increasing, and

tensions between political forces growing, threats to civic space, to human rights, their promotion, and protection will also become more common. It is imperative that the Lebanese authorities ensure that civic space remains safe from political interferences and security threats. The Lebanese authorities should also commit to its engagements, uphold the rule of law, promote transparency, and hold accountable any official or civil servant who does not respect legal proceedings or human rights standards.

## Recommendations

### Freedom of Expression

- 1) Replace the criminal offence of defamation and its penalties with a civil claim for defamation.
- 2) Abolish pre-censorship for all types of artistic productions.
- 3) Ensure suspects under investigation from the CCB are informed 24 hours prior to their summons. Provide the reasons for the summons and identity of the person who filed the charges.
- 4) Abolish the practice of getting suspects to sign pledges before their trial.
- 5) Apply the provisions of Law 140/1999 which protects the public from surveillance.
- 6) Ensure the new media law is amended in accordance with international standards.

### Freedom of Association

- 1) Ensure there is a fixed period for registering associations under the 1909 law.
- 2) Reform article 3 of the 1909 law to clearly state that interpretations for not granting notification or dissolving associations is subject to Lebanese law.
- 3) Amend Law Decree No. 112 issued in 1959 to allow civil servants (and by extension judges by virtue of article 132 of the Code of Judicial Conduct) to be members and/or founders of professional associations. Grant official recognition to LGBTQ+ associations, and refrain from any targeting of LGBTQ+ events and actions.
- 4) Abolish Article 7 of the Labor Law to ensure equality between workers across sectors.
- 5) Abolish or amend article 92 of the Labor Law to allow migrant workers to form and lead unions.
- 6) Ratify ILO Convention 189.

### Freedom of Religion

- 1) Guarantee freedom of expression through a clarification of the concept of blasphemy and what can fall under the latter's definition.
- 2) Fight hate speech and discrimination through the development of legal frameworks that condemn racism and discrimination against all religions and gender.
- 3) Develop educational curriculums, as part of the formal educational system, that promote diversity, and create awareness on hate speech, discrimination, and racism.
- 4) Remove restrictive constitutional clauses with respect to the requirement for the recognition of religious groups.
- 5) Implement constitutional reforms that guarantee the equal treatment of all persons regardless of their faith or beliefs, including non-believers or agnostics.
- 6) Eradicate all hate speech, incitement, and violence against all religious groups, particularly against religious minorities and unrecognized religious groups.
- 7) Relaunch the discussion on civil marriage to protect individuals under a national legal framework.

- 8) Amend discriminatory provisions in personal status laws to ensure women are not discriminated when confronted with child custody issues, inheritance, divorce, and nationality.
- 9) Consult and work on the personal status law with the Lebanese judiciary, religious authorities, and civil society groups on women's and children's rights.
- 10) Protect and expand the civic space necessary to foster public discussion on issues pertaining to religious and political identities.