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SMEX

تعزيز الحقوق الرقمية
Advancing Digital Rights

Access Now and SMEX Joint Submission to the United Nations Human Rights Council on the Universal Periodic Review Fourth Cycle for Lebanon

About Access Now

Access Now defends and extends the digital rights of people and communities at risk. As a grassroots-to-global organization, we partner with local actors to bring a human rights agenda to the use, development, and governance of digital technologies, and to intervene where technologies adversely impact our human rights. By combining direct technical support, strategic advocacy, grassroots grantmaking, and convenings such as RightsCon, we fight for human rights in the digital age. As an ECOSOC accredited organization, Access Now routinely engages with the United Nations in support of our mission to extend and defend human rights in the digital age.¹

About SMEX

SMEX is a non-profit that advocates for and advances human rights in digital spaces across West Asia and North Africa. Our vision is for everyone living in West Asia-North Africa and the diaspora to be able to access and engage with the internet, mobile services, and other networked spaces safely and without fear of censorship, surveillance, or repercussion.²

¹ Access Now, available at: <https://www.accessnow.org/>, 2025.

² SMEX, available at: <https://smex.org/about-us/>, 2025

I. Introduction

1. The Universal Periodic Review (UPR) is an important United Nations (UN) mechanism aimed at addressing human rights issues across the globe. Access Now and SMEX welcome the opportunity to contribute to Lebanon's Fourth review cycle.
2. Since Lebanon's last UPR in 2021, the country has undergone both drastic political and economic shifts and turmoil. In January 2025, Lebanon ended a prolonged political deadlock by electing Joseph Aoun as president and appointing Nawaf Salam as prime minister, who formed a new government that gained parliamentary confidence in February, marking a shift toward a "technocratic" leadership.
3. Between October 2023 and November 2024 in Lebanon, the war with Israel resulted in over 3,900 deaths and the displacement of more than 1.2 million people. Israeli airstrikes caused widespread destruction, including attacks on telecommunications infrastructure.
4. Lebanon's economic situation, described by the World Bank as one of the most severe crises globally since the mid-19th century, has continued to deteriorate. The currency collapse, soaring inflation, and banking sector paralysis have pushed much of the population into poverty.
5. During the period under review, the human rights situation in Lebanon has not improved, particularly for the right to freedom of expression as well as protection of journalists and media outlets. This submission addresses the following themes:
 - a. Cooperation with international human rights mechanisms;
 - b. Freedom of expression;
 - c. Data protection and right to privacy; and
 - d. Attacks and harassment of bloggers, journalists, HRDs and political opposition.

II. Cooperation with international human rights mechanisms

5. During the period under review, Lebanon's cooperation with international human rights mechanisms has seen little tangible progress. Although the country has established an independent national human rights institution in 2019, it has yet to implement several recommendations made in 2021, including the ratification of the two Optional Protocols to the International Covenant on Civil and Political Rights (ICCPR),³ the Optional Protocol to the

³ Rec 150.1, Ratify the two Optional Protocols to the International Covenant on Civil and Political Rights, Slovenia. (Noted)

Rec 150.2, Sign and ratify the Optional Protocol to the International Covenant on Civil and Political Rights, Honduras. (Noted)

Rec 150.3, Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Honduras, Iceland, Italy. (Noted)

International Covenant on Economic, Social and Cultural Rights (ICESCR),⁴ and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).⁵

6. The National Human Rights Commission (“the Commission”) stated in its 2025 report on Lebanon’s cooperation with human rights mechanisms that “13 Special Rapporteurs and Working Groups have been awaiting approval to visit Lebanon for years. While some delays are logistical or technical, political and diplomatic obstacles often hinder these visits. Lebanon has selectively approved visits from Special Rapporteurs addressing issues aligned with its political agenda while rejecting others, particularly those focused on sensitive mandates such as judicial independence and enforced disappearances.”⁶

More specifically, despite repeated outstanding requests, Lebanon has not granted visit approvals by the UN Special Rapporteurs on the independence of judges and lawyers; extrajudicial, summary, or arbitrary executions; the rights to freedom of peaceful assembly and association; freedom of religion; torture; human rights and counterterrorism; and freedom of opinion and expression; and the Independent Expert on the promotion of a democratic and equitable international order, and the Working Group on discrimination against women and girls.⁷

7. The Commission has also noticed a lack of cooperation with treaty bodies. For example, Lebanon was supposed to appear before the Committee Against Torture in May 2021; the Committee on Economic, Social and Cultural Rights in October 2021; the Human Rights Committee in April 2023; and the Committee on the Rights of the Child in June 2023. Lebanon has also failed to submit its voluntary UPR mid-term report in April 2023.

Recommendations

- Ratify the two Optional Protocols to the ICCPR, the Optional Protocol to the ICESCR, and the Optional Protocol to the CEDAW;
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- Unconditionally facilitate and grant approval to all outstanding visit requests of UN special procedure, working groups, and other relevant UN experts to Lebanon; and

⁴ Rec 150.4, Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Honduras. (Noted)

⁵ 150.34, Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Botswana, Gabon. (Noted)

Rec 150.37, Lift reservations to the Convention on the Elimination of All Forms of Discrimination against Women. Croatia, Germany, Turkey. (Noted)

⁶ The National Human Rights Commission, Review of Lebanon's human rights record before treaty bodies and special procedures: delays and procrastination, 13 January 2025. Available online at:

https://en.nhrclb.org/archives/902?_gl=1*1kqkvj3*_ga*NTM1NzOwMzAzLjE3NDIxMjMzOTc.*_ga_HCM7XXF71Y*MTc0MjEyMzMS5Ni4xLjEuMTc0MjEyNDIwMS4wLjAuMA..

⁷ More information available online at: <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=LB&Lang=en>

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- Fully cooperate with treaty bodies by submitting reports on time.
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III. Freedom of expression

7. During the 2021 UPR, the government accepted recommendations to guarantee freedom of expression and opinion online and offline,⁸ to ensure that legislation and State practice are brought into line with Article 19 of the ICCPR, to ensure unimpeded access for all people in Lebanon to both local and foreign media, including during protests,⁹ and to protect the right of media professionals to freedom of expression by taking additional measures to further enhance the safety of journalists, and implement the United Nations Plan of Action on the Safety of Journalists.¹⁰
8. However, Lebanon has not kept its commitments made during the previous cycle concerning freedom of expression. The national legal framework continues to be repressive and used to curb the right of individuals to express themselves freely. Lebanese authorities continue to prosecute journalists, bloggers, HRDs and others for what they publish online and offline based on several draconian laws.
9. Furthermore, recommendations to reform defamation and blasphemy laws to align with international freedom of expression standards were merely noted by Lebanon during its last review in 2021.¹¹

Constitutional framework

⁸Rec 150.166, Guarantee freedom of expression and opinion online and offline, Ukraine. (Supported)

⁹ Rec 150.156, Promote and protect the right to peaceful assembly and freedom of expression, including media freedom, Latvia. (Supported)
Rec 150.157, Ensure unimpeded access for all people in Lebanon to both local and foreign media, including during protests, Latvia. (Supported)

Rec 150.160, Promote and uphold the right to freedom of expression, including press freedom, and to ensure that legislation and State practice are brought into line with article 19 of the International Covenant on Civil and Political Rights, Netherlands. (Supported)

Rec 150.161, Respect, protect and fulfil fully the right to freedom of expression and association, and take action to protect journalists and activists, and to fully enable non-governmental organizations and civil society to conduct their activities freely and safely, New Zealand. (Supported)

Rec 150.162, Ensure freedom of expression and assembly, and prevent violence against peaceful demonstrators, Norway. (Supported)

Rec 150.163, Take necessary steps to ensure the safety of journalists and peaceful protesters as a way of guaranteeing freedom of expression and assembly, Republic of Korea. (Supported)

Rec 150.164, Guarantee the freedom of expression and opinion and conduct investigations into attacks against journalists, Slovakia. (Supported)

Rec 150.165, Ensure that the new media law is amended in accordance with its international obligations, Switzerland. (Supported)

¹⁰ Rec 150.150, Protect the right of media professionals to freedom of expression, Canada. (Supported)

Rec 150.153, Take additional measures to further enhance the safety of journalists, and implement the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, Greece. (Supported)

¹¹ Rec 150.46, Repeal the criminal defamation provisions of the Penal Code, and reform article 317 of the Code to limit criminalization to incitement to discrimination, hostility and violence, United Kingdom of Great Britain and Northern Ireland. (Noted)

Rec 150.151, Review the legislation on defamation and bring it into conformity with international standards, Estonia. (Noted)

Rec 150.154, Decriminalize blasphemy, and fully decriminalize defamation, including insult and criticism of public officials, Ireland. (Noted)

10. Lebanon's Constitution, promulgated in 1926 and amended in 1990, enshrines the right to freedom of opinion and expression and press freedom in **Article 13** which provides that "[t]he freedom to express one's opinion orally or in writing, the freedom of the press, the freedom of assembly, and the freedom of association shall be guaranteed within the limits established by law."¹² Furthermore, the Constitution's Preamble emphasizes Lebanon's commitment to human rights in its second paragraph which stipulates that "Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception."¹³
11. While the Constitution protects freedom of opinion and expression, theoretically aligning with Article 19 of the ICCPR, the enforcement of such protections is often undermined by vague legal restrictions, broad security measures, and the lack of judiciary independence.

Restrictions on freedom of expression in the Penal Code

12. The Lebanese Penal Code, first issued in 1943 and subsequently amended multiple times, remains a key legal tool for restricting freedom of expression, particularly through **Articles 383 to 389**, which address defamation, insult, and contempt.¹⁴ Its vague and ambiguous articles allow for broad interpretations, therefore exposing activists, journalists, and artists to legal prosecution. Among the most commonly used provisions are:
 - a. **Articles 383 and 384**, which protect the President of the Republic, judges, and officials from criticism by imposing a penalty of up to two years imprisonment for any contemptuous content against them.
 - b. **Article 386**, which criminalizes defamation with an imprisonment from two months to two years if committed against the Head of State, and up to one year in prison if directed at the courts, organized bodies, the army, public administrations, or public authorities.
 - c. **Article 388**, which criminalizes insult with an imprisonment from one month to one year if committed against the Head of State. If directed at courts, organized bodies, the army, or public administrations, the penalty shall be imprisonment of up to six months.
 - d. **Articles 582 and 584**, which criminalize defamation and insult with an imprisonment up to three months if directed to individuals.

¹² The 1926 Constitution with its amendments through 1990 is available online at:

<https://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>

¹³ The 1926 Constitution with its amendments through 1990 is available online at:

<https://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>

¹⁴ The Penal Code is available online at: (Arabic)

https://sherloc.unodc.org/cld/uploads/res/document/lebanon-penal-code_html/Lebanon_Penal_Code_1943.pdf

13. These provisions are at odds with Article 19 of the ICCPR for at least two reasons:

- a. Firstly, the UN Human Rights Committee encourages states to “consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty.”¹⁵
- b. Secondly, these articles provide a discriminatory regime based on the status of the person as they impose harsher sanctions when the defamed is an official. As stated in the UN Human Rights Committee's (UN HRC) **General Comment No. 34**, “[a]ll public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition. Accordingly, the Committee expresses concern regarding laws on such matters as, lese majesty, desacato, disrespect for authority, disrespect for flags and symbols, defamation of the head of state and the protection of the honour of public officials, and laws should not provide for more severe penalties solely on the basis of the identity of the person that may have been impugned.”¹⁶

14. These provisions have been used on several occasions to prosecute individuals for peacefully exercising their right to freedom of expression online. For example:

- a. On July 10, 2023, Lebanese TV presenter **Dima Sadek** was found guilty by the Court of Appeal in Beirut, of slander, defamation, and inciting sectarian tensions, based on **Articles 582, 584, and 317** of the Penal Code. Dima was sentenced to one year of prison for her tweet accusing the Free Patriotic Movement of Nazism after the party's supporters assaulted a demonstrator.¹⁷
- b. On November 24, 2021, comedian Shaden Fakih was convicted by the Military Court of Beirut under **Article 383** for allegedly humiliating and damaging the reputation of the Internal Security Forces. This conviction stemmed from a comedy video she posted on Instagram, in which she called the police to ask if they could deliver sanitary pads, a request made in light of the movement restrictions during Lebanon's coronavirus lockdown.¹⁸

¹⁵ UN Human Rights Committee, *General comment No.34 on Article 19: Freedoms of opinion and expression*, July 29, 2011, para 47. Available online at:

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

¹⁶ UN Human Rights Committee, *General comment No.34 on Article 19: Freedoms of opinion and expression*, July 29, 2011, para 38. Available online at:

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

¹⁷ SMEX, *Ruling against Sadek Sets Dangerous Precedent for Freedom of Opinion in Lebanon*, 17 July 2023. Available online at:

<https://smex.org/ruling-against-sadek-sets-dangerous-precedent-for-freedom-of-opinion-in-lebanon/>

¹⁸ Legal Agenda, *The Trial of Shaden Fakih: The Military Court Convicts for the "Kotex Call," and the Defense Condemns the Trial of Civilians*, 28 June 2022. Available online at: (In Arabic)

<https://legal-agenda.com/%D9%88%D9%82%D8%A7%D8%A6%D8%B9-%D9%85%D8%AD%D8%A7%D9%83%D9%85%D8%A9-%D8%B4%D8%A7%D8%AF%D9%86-%D9%81%D9%82%D9%8A%D9%87-%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%85%D8%A9-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1/>

15. A new draft media law reappeared on the legislative agenda in 2023.¹⁹ It was first submitted in 2010 but its adoption was postponed due to several factors including the political and economic crisis.

16. The draft law contains several provisions which would stifle freedom of expression and are at odds with international human rights standards. For example, it maintains in its **Articles 74, 75** and **76** the criminalization of defamation against public agents and the President of the Republic, which could result in imprisonment up to two years.²⁰

Article 77 would criminalize with up to three years of imprisonment the insulting of any of Lebanon's recognized religions, or jeopardizing state security, its sovereignty, unity, borders, or puts Lebanon's foreign relations at risk.

Such provisions fail to meet the three-part test set out in **Article 19(3)** of the ICCPR and will have a chilling effect on freedom of expression both online and offline in Lebanon. By enabling the application of vague terms and shielding public officials from criticism, they would undermine journalists' and others' ability to engage in public discussions on matters of public interest.

17. **Article 26** of the draft law requires that the issuance of political and non-political print media be subject to prior authorization from the media regulator, following consultation with the Journalists' Syndicate. Such a licensing regime for print media is inconsistent with international standards, which distinguish between broadcast and print media, only the former may be subject to licensing due to the limited nature of the airwaves.

18. **Article 45** establishes a media regulator composed of ten members: half elected by an absolute majority of Parliament, and the other half appointed by the Council of Ministers. This appointment process excludes professionals, experts, and civil society actors from participating, which is inconsistent with international best practices.²¹

19. In response to public criticism, the Parliamentary Committee on Administration and Justice agreed to hold further consultations through a subcommittee comprising experts and civil society organizations to improve the draft law. Experts recommended clarifying the authorization regime to specify that it applies only to media outlets using airwaves,

¹⁹ Draft law of media. Available online at:

<https://maharatfoundation.org/media/1801/maharat-comments-on-judges-version-1.pdf>

²⁰ Amnesty International, *Proposed media law poses grave threat to freedom of expression*, 28 November 2023. Available online at:

<https://www.amnesty.org/en/latest/news/2023/11/lebanon-proposed-media-law-poses-grave-threat-to-freedom-of-expression/>

²¹ To learn more about best practices, see: Council of Europe, Recommendation Rec(2000)23 of the Committee of Ministers to member states on the independence and functions of regulatory authorities for the broadcasting sector, 20 December 2000. Available online at:

<https://search.coe.int/cm/#%7B%22CoEIdentifier%22:%5B%2209000016804e0322%22%5D,%22sort%22:%5B%22CoEValidationDate%20Descending%22%5D%7D>

eliminating several punitive provisions, and adopting a multi-stakeholder approach to appoint members of the media regulator.

In May 2025, the subcommittee formed by the Committee on Administration and Justice and tasked with reviewing the draft media law conducted a final reading of the proposal and approved the final version after amending three articles.²² The draft should be reviewed by the Parliament's Committee on Administration and Justice before being submitted to the general assembly of the Parliament for voting.

Platform blocking

20. During the 2021 UPR, Lebanon accepted two recommendations to guarantee freedom of expression and opinion online and offline and to ensure unimpeded access to local and foreign media.²³ However, it has not kept its commitments made during the previous cycle. For example, Grindr, the largest social networking app for gay, bisexual, transgender, and queer people, remains blocked in Lebanon since 2019.²⁴ In this context, the authorities are not only unduly restricting the right to freedom of expression, but also using blocks to deliberately marginalize specific groups of people.

21. Blocking online platforms or websites is at odds with **Article 19** of the ICCPR. As stated by the UN HRC in its General Comment No. 34 generic bans on the operation of websites and systems are not compatible with paragraph 3 of **Article 19**.²⁵

Recommendations

- Repeal articles criminalizing libel, slander, and defamation (including Articles 292, 383, 384, 385, 386, 388, 398, 474, 582, 584 of the Penal Code), replacing them with civil defamation provisions that do not carry prison sentences;
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- Amend Article 317 of the Penal Code to criminalize only statements that amount to incitement to discrimination, hostility, or violence, using clear definitions aligned international human rights standards such as the Rabat Plan of Action; and
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²² The Lebanese Parliament, Public statement, 27 May 2025. Available online at:

<https://www.lp.gov.lb/ContentRecordDetails?Id=34201>

²³ Rec 150.166, Guarantee freedom of expression and opinion online and offline, Ukraine. (Supported)

Rec 150.157, Ensure unimpeded access for all people in Lebanon to both local and foreign media, including during protests, Latvia. (Supported)

²⁴ SMEX, *Grindr Ban: Lebanese Courts Restrict LGBTQ+ Rights*, 28 May 2019. Available online at:

<https://smex.org/grindr-ban-lebanese-courts-restricts-lgbtq-rights/>

²⁵ UN Human Rights Committee, *General comment No.34 on Article 19: Freedoms of opinion and expression*, July 29, 2011, para 43. Available online at:

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no34-article-19-freedoms-opinion-and>

- Ensure that any media regulation is in full compliance with international freedom of expression standards.

IV. Data Protection and privacy

19. During the second and third cycle of Lebanon's UPR in 2015²⁶ and 2021²⁷, the right to privacy was barely discussed, only raised in joint civil society submissions which SMEX was part of. It is, therefore, crucial that the Human Rights Council pays special attention to this long-ignored, yet fundamental, right during this review cycle and requests further information and commitment from Lebanon to address reported unlawful interferences with and violations of the right to privacy.
20. The Lebanese Constitution does not explicitly protect the right to privacy as only the inviolability of the home is protected under its **Article 14**. While **Articles 8** (individual liberty) and **13** (freedom of expression) of the Constitution have been interpreted to imply privacy protections,²⁸ these remain insufficiently defined and unenforceable in practice.
21. Whereas Law No. 140 of 27 October 1999 on Telecommunication Interception²⁹ upholds the protection of secrecy of communications carried out by all means of communication, it is concerning that there is a lack of constitutional protection of the right to privacy more broadly, to reflect the protections enshrined in Article 17 of the International Covenant on Civil and Political Rights (ICCPR) to which Lebanon has acceded.
22. In 2018, Lebanon adopted the E-transactions and Data Protection Law No. 81/2018.³⁰ The law, aiming to regulate digital commerce and personal data protection, has sparked concerns³¹ due to its vague provisions that could potentially enable censorship. This law was drafted in 2004-2005 but was only adopted in 2018 by the Lebanese Parliament, making it outdated.³²

²⁶ <https://www.privacyinternational.org/news-analysis/1441/lebanon-its-time-turn-your-international-position-privacy-action-national-level>

²⁷ [SMEX and Small Media. Digital Rights in Lebanon. UPR Submission. Session 37](#)

²⁸ Available online at:

<https://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>

²⁹ Available online at:

<https://cyrilla.org/ar/document/jqgn2g3qudqkqfl4zi5mkuik9?page=4>

³⁰ Available online at:

<https://cyrilla.org/ar/entity/vrlqtpwf7ss?searchTerm=e%20transactions%20law&page=3>

³¹ Legal Agenda, Notes on the Electronic Transactions Law: Freedom of Expression at the Mercy of the Public Prosecutor, 31 Mai 2019, (in arabic) available online at:

<https://legal-agenda.com/%d9%85%d9%84%d8%a7%d8%ad%d8%b8%d8%a7%d8%aa-%d8%ad%d9%88%d9%84-%d9%82%d8%a7%d9%86%d9%88%d9%86-%d8%a7%d9%84%d9%85%d8%b9%d8%a7%d9%85%d9%84%d8%a7%d8%aa-%d8%a7%d9%84%d8%a5%d9%84%d9%83%d8%aa%d8%b1%d9%88/>

³² Legal Agenda, Notes on the Electronic Transactions Law: Freedom of Expression at the Mercy of the Public Prosecutor, 31 Mai 2019, (in arabic) available online at:

23. **Article 87** of this law states that “Personal data shall be collected faithfully and for legitimate, specific and explicit purposes. The data shall be appropriate, not go beyond the stated objectives, be correct and complete and remain on a daily basis as relevant as possible. At a later stage, the said data may not be processed for purposes that are not in line with the objectives specified, unless this is related to processing data for statistical or historical purposes or for scientific research.”³³

This article is concerning as it **does not define the “legitimate” purposes. The e-transactions law enables the collection of data based on vague and not defined legal basis.**

24. One of the core shortcomings of this law is that it does not safeguard nor define consent to personal data processing and whether it can be withdrawn. **Article 92** is among the law’s most dangerous provisions as it **does not enshrine privacy as a fundamental right** but instead ties an individual’s ability to object to the collection or processing of their personal data to demonstrating “legitimate reasons” (أسباب مشروعة), a term left undefined by the law.³⁴ More critically, the article prohibits objections if the individual had “previously consented to the processing of their personal data” without specifying the form, timing, or validity of such consent. The right to consent to personal data processing and withdrawing this consent is a cornerstone of protecting data and the right to privacy in the digital age.
25. Regarding the authority responsible for issuing licenses for personal data processing, it is notable that the original 2004 draft of the law proposed establishing an independent oversight authority-similar to France’s Commission nationale de l’informatique et des libertés (CNIL). However, when the draft became a proposed law (اقتراح قانون), the provision to create an independent body was abolished, and its powers were transferred to the Ministry of Economy (**Article 95**), and thus to the executive branch, deviating sharply from global best practices in data protection.
26. The law grants the Minister unchecked discretion to set licensing criteria for data processors and controllers. **Article 98**, for instance, fails to specify any objective standards or conditions the Ministry must follow when approving licenses, creating a framework ripe for arbitrariness and abuse. This centralization of power in the executive, without judicial oversight or transparent criteria, contravenes principles of institutional independence enshrined in

<https://legal-agenda.com/%d9%85%d9%84%d8%a7%d8%ad%d8%b8%d8%a7%d8%aa-%d8%ad%d9%88%d9%84-%d9%82%d8%a7%d9%86%d9%88%d9%86-%d8%a7%d9%84%d9%85%d8%b9%d8%a7%d9%85%d9%84%d8%a7%d8%aa-%d8%a7%d9%84%d8%a5%d9%84%d9%83%d8%aa%d8%b1%d9%88/>

³³ [unofficial translation]

³⁴ “Every natural person shall have the right to object, for legitimate reasons, before the data-processing officer to the collection and processing of his/her personal data, including the collection and processing for the purpose of commercial promotion. However, a person shall not be entitled to exercise the right of objection in the following two cases:

1. In the event the data-processing officer is obliged to collect the data under the law; and
2. In the event s/he has agreed upon processing of his/her personal data.” [unofficial translation]

principles of good governance as well as data protection models like the EU General Data Protection Regulation (GDPR), and undermines public trust in data governance.

27. Another core issue with this law resides in **Article 94**, which states that public sector entities are exempt from obtaining licenses to process personal data “within the scope of their jurisdiction,” effectively excluding them from the law’s data protection obligations and limiting its application to the private sector. The law’s broad exemptions (**Articles 94, 91, 92**) undermine its core purpose, reducing data protection to an exception rather than a norm. For instance, **Article 91** prohibits processing health, genetic, or sexual data but fails to protect equally sensitive information like political or religious affiliations. Meanwhile, **Article 97** grants ministries (Defense, Interior, Justice, Health) unchecked authority to license personal data processing without clear criteria, constituting a dangerous loophole that enables arbitrary decisions and violates privacy principles.

Recommendation

- Introduce a new robust data protection legal framework, aligned with international standards and best practices.
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V. Attacks and harassment of bloggers, journalists, HRDs and political opposition

34. During the previous UPR cycle, Lebanon accepted 20 recommendations relating to civic space, including recommendations on ceasing attacks on and harassment of bloggers, journalists, human rights defenders, and political opposition.³⁵

Escalating judicial harassment

35. While the Court of Publications is responsible for dealing with media offenses, the weaponization of the judicial system has led to the intimidation and harassment of journalists and media outlets.
36. As noted earlier, Lebanese authorities often use criminal defamation laws and provisions to target dissents, journalists, and human rights defenders. Between January 2019 and March 2024, the Cybercrimes Bureau of the Internal Security Forces (ISF) investigated 1,684 insult and defamation cases, with a significant increase in 2023 to 321 cases, including 35 insult complaints, the highest since 2019.³⁶

³⁵ Civicus, *Adoption of the Universal Periodic Review report of the Lebanese Republic*, available online at: <https://www.civicus.org/index.php/es/component/tags/tag/upr>

³⁶ Amnesty International, *Lebanon: End use of defamation laws to target journalists and critics*, 3 Mai 2024. Available online at: <https://www.amnesty.org/en/latest/news/2024/05/lebanon-end-use-of-defamation-laws-to-target-journalists-and-critics/>

37. The use of military courts against journalists is also contentious. Journalists who criticize security forces or report on sensitive national security issues can find themselves facing trial in these courts, where due process is often limited, and freedom of expression is not always guaranteed.
38. Lebanese authorities and politically connected individuals increasingly use the criminal justice system to intimidate and silence critical media. Lawsuits and complaints are often filed in retaliation for reporting on corruption, financial mismanagement, or state conduct, as seen in the cases against Daraj Media and Megaphone News. These actions are frequently accompanied with smear campaigns and disinformation targeting independent outlets.³⁷
39. The authorities also flout the legal safeguards for journalists by committing procedural violations.³⁸ Summons are often issued by phone, with no written notice or details around the charges, violating the Code of Criminal Procedures (Article 147) and the Publications Law, which require written notification and that media offenses be handled by the Court of Publications, not the public prosecutor. The cases of Jean Kassir from Megaphone, Lara Bitar from Public Works, Hayat Mershad from Sharika wa Laken, and many others illustrate this issue.³⁹
40. The threat of criminal prosecution, unlawful pledges to refrain from future reporting, and the possibility of imprisonment or heavy fines have a chilling effect on freedom of expression and encourage self-censorship among journalists and media outlets.⁴⁰
41. Between 2023 and 2024, Lebanese authorities intensified their use of criminal defamation and slander laws to silence journalists, activists, and critics, with high-profile cases such as Dima Sadek being sentenced to one year in prison and fined for social media posts criticizing the Free Patriotic Movement,⁴¹ and journalist Mariam Majdouline Lahham detained for 11 hours, her home searched, and her post deleted after she accused a senior religious judge of a conflict of interest.⁴² Other journalists and activists, including Jean Kassir, Lara Bitar,⁴³ Nizar Saghiéh,⁴⁴ and Hayat Mirshad,⁴⁵ were summoned or prosecuted for their reporting or public commentary,

³⁷ CPJ, others stand in solidarity with Lebanon news outlets Daraj and Megaphone amid legal harassment, 26 March 2025. Available online at: <https://cpj.org/2025/03/cpj-others-stand-in-solidarity-with-lebanon-news-outlets-daraj-and-megaphone-amid-legal-harassment/>

³⁸ Lebanon: defamation and insult laws weaponized to silence critics, 7 August 2023. Available online at: <https://www.amnesty.org/en/wp-content/uploads/2023/08/MDE1870462023ENGLISH.pdf>

³⁹ Lebanon: defamation and insult laws weaponized to silence critics, 7 August 2023. Available online at: <https://www.amnesty.org/en/wp-content/uploads/2023/08/MDE1870462023ENGLISH.pdf>

⁴⁰ Amnesty International, *Lebanon: End use of defamation laws to target journalists and critics*, 3 Mai 2024. Available online at: <https://www.amnesty.org/en/latest/news/2024/05/lebanon-end-use-of-defamation-laws-to-target-journalists-and-critics/>

⁴¹ Freedom House, *Freedom on the net 2024*. Available online at: <https://foelebanon.net/en/2023/07/14/ruling-against-sadek-sets-dangerous-precedent-for-freedom-of-opinion-in-lebanon/>

⁴² L'orient today, *Journalist Mariam Laham released after 11 hours in detention*, 6 September 2023, available online at: <https://today.lorientlejour.com/article/1348626/journalist-mariam-laham-released-after-11-hours-in-detention.html>

⁴³ RSF, *RSF denounces unlawful summoning of Megaphone News director in Lebanon*, 5 April 2023. Available online at: <https://rsf.org/en/rsf-denounces-unlawful-summoning-megaphone-news-director-lebanon>

⁴⁴ Frontline Defenders, *Behind the summons of Nizar Saghiyé, a threat to freedom of expression*, 20 April 2023. Available online at: <https://www.frontlinedefenders.org/en/statement-report/behind-summons-nizar-saghiye-threat-freedom-expression>

⁴⁵ L'Orient Today, *Activist Hayat Mirshad refuses to appear before criminal court*, 2 June 2023. Available online at: <https://today.lorientlejour.com/article/1339313/activist-hayat-mirshad-refuses-to-appear-before-criminal-court.html>

often in violation of Lebanon's Publications Law, which stipulates that such cases should be handled by the Court of Publications. Authorities have also targeted individuals with fabricated or unrelated charges, and have used military courts to prosecute journalists like Radwan Mortada for criticizing security institutions, further undermining freedom of expression and due process.⁴⁶ These incidents illustrate a broader pattern of judicial harassment, procedural violations, and impunity for those targeting independent voices in Lebanon.⁴⁷

Physical threats and attacks

42. Journalists and activists in Lebanon face physical threats and violence from both state and non-state actors, with attacks escalating amid political unrest, economic collapse, and armed conflict. Between October 2019 and March 2021, the Samir Kassir Eyes Center for Media and Cultural Freedom documented 106 assaults by non-state actors and 80 by government agents against media workers covering protests. Despite substantial evidence, accountability remained elusive, with no security force members held criminally liable for these unlawful attacks.⁴⁸
43. State violence is notable during protests. Lebanese security forces, including the Internal Security Forces (ISF) and the military, routinely use excessive and unlawful force, including beatings, rubber and live bullets, and tear gas, against journalists covering protests. For example, during the 2021 sit-in by victims of the 4 August Beirut blast, Lebanese security forces and unidentified assailants assaulted families and journalists while ISF officers failed to intervene.⁴⁹
44. Journalists and activists often face orchestrated online harassment, intimidation, and incitement campaigns by political factions, non-state armed groups, and politically-affiliated civilians, which escalate to physical threats. For instance, pro-Hezbollah supporters targeted journalist Luna Safwan in 2024 after she criticized the group online, while others faced death threats for reporting on these groups' corruption.⁵⁰ Comedian Shaden Fakih faced death threats and legal action over a satirical performance, she was accused of "blasphemy against

⁴⁶ ARTICLE 19, *Stop prosecution of journalist Radwan Mortada*, 13 December 2021. Available online at:

<https://www.article19.org/resources/lebanon-stop-prosecution-of-journalist-radwan-mortada/>

⁴⁷ Legal Agenda, *Cybercrime Office: Unregulated Surveillance of Digital Spaces*, 3 December 2023. Available online at:

<https://legal-agenda.com/%d9%85%d9%83%d8%aa%d8%a8-%d9%85%d9%83%d8%a7%d9%81%d8%ad%d8%a9-%d8%a7%d9%84%d8%ac%d8%b1%d8%a7%d8%a6%d9%85-%d8%a7%d9%84%d9%85%d8%b9%d9%84%d9%88%d9%85%d8%a7%d8%aa%d9%8a%d8%a9-%d8%b1%d9%82%d8%a7%d8%a8/>

⁴⁸ HRW, *Freedom of Speech in Lebanon Is Under Attack*, 4 Mai 2021. Available online at:

https://www.hrw.org/news/2021/05/04/freedom-speech-lebanon-under-attack?utm_source=chatgpt.com

⁴⁹

<https://www.amnesty.org/en/latest/news/2021/08/lebanon-parliament-police-take-part-in-vicious-attack-on-families-of-beirut-blast-victims-and-journalists/>

⁵⁰ Women Press Freedom, *Threats Directed At Former CFWIJ Fellow Luna Safwan Are Outrageous. Her Safety Must Be Ensured At All Cost*, 2 October 2020. Available online at:

<https://www.womeninjournalism.org/threats-all/lebanon-threats-directed-at-former-cfwij-fellow-luna-safwan-are-outrageous-her-safety-must-be-ensured-at-all-cost>

God and the Prophet Mohammad.",⁵¹ while journalist Dima Sadek⁵² endured rape threats and defamation lawsuits for criticizing powerful figures.⁵³ Similarly, comedian Nour Hajjar was summoned by the Military Police in August 2023 for a stand-up sketch he posted online and faced a wave of social media hate.⁵⁴ Critics of Hezbollah, in particular, like journalist Hasan Chaaban and activist Lokman Slim (assassinated in 2021), risk retaliation including death threats and smear campaigns.

45. Lebanese journalists covering Israel's war on Gaza and Lebanon faced lethal violence, with Israeli airstrikes deliberately targeting media workers.⁵⁵ In October 2023, Reuters journalist Issam Abdallah was killed and six others injured while reporting on clashes near the Lebanon-Israel border; investigations by RSF, Amnesty, and HRW concluded the strike was intentional.⁵⁶ Similar attacks in 2024 killed at least 12 journalists, including Al-Mayadeen's Ghassan Najjar and Al-Manar's Wissam Kassem, underscoring systematic risks for those documenting conflict. Lebanese authorities have failed to hold perpetrators accountable, fostering impunity.⁵⁷ Israeli strikes killing journalists have not been independently investigated, with Lebanon filing largely symbolic UN complaints.⁵⁸
46. Marginalized groups, including Syrian refugees and the LGBTQ+ community, have also faced state-tolerated violence and disinformation. After a Lebanese official blamed Syrians for a high-profile murder in 2024, online hate speech fueled mob attacks and arbitrary deportations of Syrian refugees.⁵⁹
47. LGBTQ+ advocates faced assaults and vandalism by non-state group "Soldiers of God" following a TV ad opposing anti-gay laws, with security forces failing to intervene.⁶⁰ Women journalists and activists face gendered online harassment, death threats, and smear

⁵¹ <https://today.lorientlejour.com/article/1413333/lebanese-comedians-under-legal-scrutiny-other-notable-cases.html>

⁵² Freedom House, Freedom on the net 2024. Available online at:

<https://foelebanon.net/en/2023/07/14/ruling-against-sadek-sets-dangerous-precedent-for-freedom-of-opinion-in-lebanon/>

⁵³ Sky eyes media, Online Incitement, Real-World Consequences for Journalists in Lebanon, 21 November 2024. Available online at:

<https://www.skeyesmedia.org/en/News/Reports/21-11-2024/12099>

⁵⁴ Freedom House, Freedom on the net 2024. Available online at:

<https://foelebanon.net/en/2023/07/14/ruling-against-sadek-sets-dangerous-precedent-for-freedom-of-opinion-in-lebanon/>

⁵⁵ CPJ, *No justice for journalists targeted by Israel despite strong evidence of war crime*, 10 October 2024. Available online at:

<https://cpj.org/special-reports/no-justice-for-journalists-targeted-by-israel-despite-strong-evidence-of-war-crime/>

⁵⁶ Reuters, *Israeli tank fire killed Reuters journalist Issam Abdallah in Lebanon*, 7 December 2023. Available online at:

<https://www.reuters.com/graphics/ISRAEL-LEBANON/JOURNALIST/akveabxrvr/>

⁵⁷ Le Monde, *Lebanon calls Israeli strike that killed three journalists a 'war crime'*, 25 October 2024. Available online at:

https://www.lemonde.fr/en/middle-east-crisis/article/2024/10/25/lebanon-calls-israeli-strike-that-killed-three-journalists-a-war-crime_6730457_368.html#

⁵⁸ CPJ, *No justice for journalists targeted by Israel despite strong evidence of war crime*, 10 October 2024. Available online at:

<https://cpj.org/special-reports/no-justice-for-journalists-targeted-by-israel-despite-strong-evidence-of-war-crime/>

⁵⁹ TIMEP, *How Misinformation Puts Lebanon's Syrian Refugees in Danger*, 28 August 2024. Available online at:

<https://timep.org/2024/08/28/targeted-how-misinformation-puts-lebanons-syrian-refugees-in-danger/>

⁶⁰ Amnesty International, *Attack on Freedoms Targets LGBTI People Repressive Legislation; Unlawful Crackdown*, 5 September 2023. Available online at:

<https://www.amnesty.org/en/latest/news/2023/09/lebanon-attack-on-freedoms-targets-lgbti-people-repressive-legislation-unlawful-crackdown/>

campaigns.⁶¹ Dima Sadek and Luna Safwan endured coordinated attacks for criticizing political elites, while false accusations of collaboration with Israel were levied against Mahassen Moursel⁶².

48. Lebanese authorities have systematically failed to investigate these threats and attacks, particularly when state actors are involved.⁶³ Instead, authorities have enabled a climate of impunity for attacks on journalists, prioritizing political interests over press safety and freedom. Women and independent reporters face compounded risks, with no meaningful recourse under current legal frameworks. The aforementioned patterns highlight a climate where digital harassment, physical violence, and state inaction converge to suppress dissent and endanger vulnerable populations.⁶⁴

Recommendations

- End judicial harassment and criminal prosecution of journalists and activists through the use of repressive defamation laws, undue process, and military tribunals to restrict freedom of expression and press freedom;
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- Uphold the right to a fair trial and ensure due process and judicial integrity when investigating or prosecuting possible online activities that may constitute a crime and are not protected by international law;
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- Investigate and hold accountable all state and non-state actors responsible for instigating or perpetrating physical and digital attacks, harassment, or intimidation of journalists and human rights defenders;
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- Provide protection mechanisms for especially vulnerable groups such as women, LGBTQ+ and refugees;
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⁶¹ RSF, *Three Lebanese women journalists hounded on social media*, 8 October 2020. Available online at: <https://rsf.org/en/three-lebanese-women-journalists-hounded-social-media>

⁶² <https://rsf.org/en/three-lebanese-women-journalists-hounded-social-media>

⁶³ Amnesty International, *Lebanon: Parliament police take part in vicious attack on families of Beirut Blast victims and journalists*, 12 August 2021, available online at:

<https://www.amnesty.org/en/latest/news/2021/08/lebanon-parliament-police-take-part-in-vicious-attack-on-families-of-beirut-blast-victims-and-journalists/>

⁶⁴ RSF, *RSF refers violence against Lebanese journalists to UN, one year after Lokman Slim murder*, 4 February 2022. Available online at: <https://rsf.org/en/rsf-refers-violence-against-lebanese-journalists-un-one-year-after-lokman-slim-murder>

- Guarantee journalists' right to work freely, protect their sources, and ensure their safety from both physical and legal threats;
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- Uphold the right to peaceful assembly and association and refrain from using excessive force against protests and journalists.
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