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LEBANON: ATTACK ON FREEDOMS TARGETS LGBTI PEOPLE

REPRESSIVE LEGISLATION; UNLAWFUL CRACKDOWN

- Lebanese authorities are systematically attacking the fundamental human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people.
- As Lebanon sinks deeper into crisis, the authorities are cracking down on the rights of LGBTI people and allowing unchecked violence against them.
- The Lebanese authorities should immediately scrap the proposed anti-LGBTI laws and end the ongoing attacks on basic freedoms.

Lebanese authorities are systematically attacking the fundamental human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people, [the Coalition to Defend Freedom of Expression in Lebanon](#), comprised of sixteen Lebanese and international organizations, said today.

In August 2023, two Lebanese officials introduced separate bills that would explicitly criminalize same-sex relations between consenting adults and punish anyone who “promotes homosexuality” with up to three years’ in prison. The introduction of the bills follows a series of hostile incidents over the past year and an unlawful [government ban](#) on events around gender and sexuality. These attacks are taking place during a crippling economic crisis that has had [disastrous consequences](#) for human rights and pushed over 80 percent of the population into poverty, [particularly impacting](#) marginalized groups.

“As Lebanon sinks deeper into crisis, the authorities are cracking down on the rights of LGBTI people and allowing unchecked violence against them,” said [Rasha Younes](#), senior LGBT rights researcher at Human Rights Watch, a coalition member. “The Lebanese authorities should immediately scrap the proposed anti-LGBTI laws and end the ongoing attacks on basic freedoms.”

The Lebanese authorities should safeguard the rights to freedom of expression, assembly, association, privacy, equality, and nondiscrimination of everyone in Lebanon, including LGBTI people, the coalition said.

Human Rights Watch, in addition to other Coalition members, has previously documented the abuses included in this report, which have been ongoing since 2017, as well as recent attacks targeting LGBTI people in Lebanon. Coalition members also reviewed the videos, social media posts, and government reports mentioned in this report.

Though consensual same-sex conduct is not explicitly criminalized in Lebanon, [article 534 of the penal code](#) punishes “any sexual intercourse contrary to the order of nature” with up to one year in prison, despite [a series of court rulings between 2007 and 2018 that consensual same-sex relations are not illegal](#). In July 2023, nine members of parliament [submitted](#) a draft law to repeal article 534. The draft law’s signatories have since been [subjected](#) to an online harassment campaign from political and religious authorities, resulting in one parliament member [withdrawing](#) his signature.

In response, the country’s culture minister and a member of parliament both submitted bills that would criminalize same-sex conduct and “promoting homosexuality,” which is undefined.

On August 23, men from a group that calls itself Soldiers of God, which is openly hostile toward LGBTI people, [attacked](#) people at a bar in Beirut where a drag event was being held, beat up some of the guests while they were attempting to leave, and [threatened](#) further violence against LGBTI people.

Internal Security Forces agents, who arrived while the attack was under way, [reportedly did not intervene](#). Instead, they apparently [interrogated](#) the bar owner and guests about the nature of the performance. No one has been arrested for the attack.

In June 2022, Lebanon’s caretaker interior minister, Bassam al-Mawlawi, [issued](#) an unlawful directive instructing security forces to ban pro-LGBTI events. Despite a court order in November 2022 [suspending](#) the directive, al-Mawlawi issued a [second directive](#) banning any “conference, activity, or demonstration related to or addressing homosexuality.”

Since 2017, Lebanese security forces have [regularly interfered](#) with [human rights events related to gender and sexuality](#), including by issuing [entry bans](#) against non-Lebanese attendees, which were [annulled](#) in 2021.

The series of attacks on fundamental freedoms in a country once proud to embrace diversity sparked backlash against state-sponsored repression by media organizations and civil society in Lebanon who stood in solidarity with LGBTI people.

On August 25, journalists, media workers and 18 media organizations in Lebanon [issued](#) a joint statement rejecting the recent crackdown on freedoms, including the targeting of LGBTI people, and calling for unity in the fight against it. “[The] demonization of freedoms, in their various forms, under the guise of ‘combating homosexuality,’ will inevitably impact all public freedoms,” the groups and individuals said.

Reporters sans frontières (Reporters Without Borders or RSF) also [condemned](#) the proposed anti-homosexuality laws as justification for a renewed attack on media freedom. The group documented recent cases of cyberstalking, threats, and intimidation against journalists who report on gender and sexuality issues in Lebanon.

Discrimination in providing protection against violence and access to justice is [prohibited](#) under international law. In 2021, during the Universal Periodic Review of Lebanon’s human rights protections at the UN Human Rights Council, Lebanon [accepted](#) recommendations to repeal article 534 and ensure the rights to peaceful assembly and expression for LGBTI people. Lebanon’s constitution also [guarantees](#) freedom of expression “within the limits established by law.”

The [International Covenant on Civil and Political Rights](#) (ICCPR), which Lebanon ratified in 1972, provides that everyone shall have the right to freedom of expression, assembly, and association, without discrimination.

“Far from serving the public interest, the Lebanese government is undermining basic rights while failing to enact urgent economic and justice reforms,” said [Wadih Al-Asmar](#), president of the Lebanese Center for Human Rights (CLDH), a coalition member. “LGBTI rights are fundamental human rights and stifling them as an excuse to keep a portion of society marginalized under the false pretext of so-called public morals is detrimental to everyone’s human rights.”

PROPOSED ANTI-LGBTI LEGISLATION

Nine parliament members submitted the draft law that would repeal article 534 of the penal code. The draft law’s signatories have since been [subjected](#) to an online harassment campaign from political and religious authorities, including the Caretaker Culture Minister Mohammed Mortada and other members of parliament, as well as leaders of Lebanon’s Christian, Muslim, and Druze religious authorities, resulting in one parliament member [withdrawing](#) his signature.

On August 16, in response to the draft law, Mortada [introduced](#) a draft law “aimed at combatting the promotion of sexual deviance/perversion.” The bill would criminalize any act that seeks to explicitly or implicitly promote or encourage “deviant sexual relations contrary to the order of nature” with a prison sentence of up to three years and a fine of 5 million Lebanese pounds.

The bill would also criminalize and impose the same prison sentence on people who engage in “any act that seeks to promote the possibility of ‘sex change’” or share information directed at minors that would “compel them to change their sex or sexual orientation.”

On August 17, Achraf Rifi, a member of parliament, [introduced](#) a draft law to criminalize the “promotion of homosexuality” and “sexual deviance.” The draft law would amend article 534 to explicitly criminalize “any relation, act or sexual intercourse contrary to the order of nature between men or between women, regardless of consent,” and impose a prison sentence of one to three years and a maximum fine equivalent to five times of the minimum wage at the time of sentencing. The draft law would also impose the same sentence on anyone “promoting, facilitating, hiding or inciting others on committing such acts, through any means possible.”

Such proposed legislation is contrary to [Lebanese jurisprudence](#) and international human rights law. Lebanese courts have, on several occasions, [declined](#) to convict gay and transgender people under this article. In July 2018, a Lebanese appeals court [issued a groundbreaking ruling](#) that same-sex conduct is not unlawful, dismissing charges brought against people under article 534.

The judges denounced the law’s discriminatory intrusion into people’s private lives and declared that homosexuality is not “unnatural.” The ruling followed four judgments from lower courts since 2007 declining to convict gay and transgender people under article 534.

GOVERNMENT CRACKDOWN ON FREE EXPRESSION, ASSEMBLY

On June 24, 2022, the caretaker interior minister, Bassam al-Mawlawi, sent an urgent [letter](#) to the Directorates of Internal Security and General Security instructing them to [ban any gatherings](#) aimed at “promoting sexual perversion.” The letter includes vague and overly broad grounds, citing no legal basis, to determine that such gatherings violate “customs and traditions” and “principles of religion.”

The interior minister said this [decision](#) was in response to calls to his ministry from religious groups to “reject the spread of this phenomenon.” The letter is understood to refer to gatherings by LGBTI groups, citing a message circulated on social media that detailed plans for activities organized by LGBTI activists.

In August 2022, two Beirut-based human rights organizations, Legal Agenda and Helem, filed a lawsuit challenging the directive’s legality. On November 1, the State Council, Lebanon’s highest administrative court, [suspended](#) the directive.

On November 18, following the State Council court order, al-Mawlawi issued a [second directive](#) banning any “conference, activity, or demonstration related to or addressing homosexuality,” citing security concerns around the presence of “extremist groups.” On December 7, Legal Agenda and Helem filed another State Council challenge against al-Mawlawi’s November 2022 directive. The court has yet to rule on the second challenge.

Since June 2022, LGBTI activists have [reported](#) facing repeated harassment by the Internal Security Forces, General Security, and Internal Security’s Information Branch, who have visited activists’ offices without warning to inquire about their activities, indicated that they were monitoring the activists’ social media accounts, and instructed them to cancel several events around gender and sexuality, citing the ministerial directive. Activists [said](#) they have received frequent calls from the Information Branch inviting them “for a chat over coffee,” which the activists declined.

Since 2017, Lebanese security forces have [regularly interfered](#) with [human rights events related to gender and sexuality](#). On September 29, 2018, General Security forces raided and unlawfully [attempted to shut down](#) an annual conference that advances LGBTI rights and [issued entry bans](#) for the non-Lebanese participants. In 2021, the State Council [annulled](#) the entry bans and stated that participation in a conference related to LGBT rights falls under freedom of expression guaranteed by article 13 of the Lebanese Constitution.

In recent years, Lebanese authorities have increasingly [relied](#) on Lebanon’s criminal insult and defamation laws to silence, punish, and harass journalists, media workers, and activists who criticize government policies and corruption. Peaceful dissent or criticism of the security agencies is often [referred](#) for prosecution in military courts to intimidate and silence critics.

LGBTI PEOPLE PARTICULARLY AFFECTED BY ECONOMIC COLLAPSE

The anti-LGBTI rhetoric occurs against the backdrop of a devastating economic crisis in Lebanon. Lebanese authorities have [plunged the country](#) into one of the [worst economic crises](#) in modern times, demonstrating a callous disregard for the rights of the population, the groups said. The [impact](#) of the economic crisis on residents’ rights has been catastrophic and unprecedented. Almost [80 percent](#) of Lebanon’s population now lives under the poverty line, with [36 percent](#) in extreme poverty – up from 8 percent in 2019.

Marginalized groups, including refugees, people with disabilities, children, older people, migrant workers, and LGBTI people, have been [particularly affected](#). The crisis has had a devastating impact on the provision of public services, and in particular [education](#), [security](#), and [health](#).

No one has been [held accountable](#) for the [catastrophic explosion](#) in Beirut’s port on August 4, 2020, which killed at least 220 people and devastated half the city. Yet, Lebanese leaders have [continued](#) to obstruct and delay the ongoing domestic investigation.

Decades of corruption and mismanagement have [crippled the electricity sector](#), with the government unable to provide more than two to three hours of electricity daily. While widespread blackouts affect everyone living in Lebanon, some people can afford generators to supplement their supply, exacerbating inequality in the country.

VIOLENCE AND INCITEMENT AGAINST LGBTI PEOPLE

A [video](#) of the [attack](#) by the Soldiers of God on August 23 shows the assailants shoving some of the attendees and shouting, “We warned you, this is only the beginning,” and, “We will not allow the promotion of homosexuality in the land of God.”

Agents of the Internal Security Forces who arrived while the attack was under way did not intervene, five event attendees [reported](#). “The police were watching as they attacked us, but instead of stopping and arresting them, they interrogated the bar owner and the attendees about the nature of the performance,” a person who was there [reported](#).

Security forces had not arrested anyone in connection with the attack. Instead of calling for accountability, Mortada, the culture minister, [responded](#) to the attack by questioning why security forces did not prevent the bar from “promoting homosexuality.”

On July 29, Hassan Nasrallah, the leader of Hezbollah in Lebanon, [described](#) same-sex relations as a “sexual perversion,” and [warned](#) that gay people’s existence is a “threat to society.”

On July 22, [Nasrallah explicitly incited violence against gay and lesbian people](#). He [called](#) for them to be killed and urged people to use derogatory terms to describe gay people and to “collectively face this phenomenon [homosexuality], by all means necessary, without any limits.”

LGBTI people reported online harassment and death threats following his July 22 speech. In a [2023 report](#), Human Rights Watch reported on the far-reaching offline consequences of online targeting against LGBTI people, including being blackmailed and outed, family violence, and arbitrary arrests by Lebanon’s ISF.

In July 2022, following the Interior Ministry’s directive to ban LGBTI gatherings, [individuals](#) and some [religious groups](#) posted a wave of [anti-LGBTI](#) hate speech on social media, including incitement to violence, death threats, and [calls to ban the scheduled events by force](#).

LEBANON’S LEGAL OBLIGATIONS

Lebanon’s continued attacks against LGBTI people and activists violate their basic rights, including their right to privacy, free movement, free expression, assembly, and association, including on the internet, as well as their right to nondiscrimination and protection under the law. The abuses violate Lebanon’s constitution and international treaties to which Lebanon is a party.

Lebanon’s constitution explicitly [states](#) in its preamble that it is a “parliamentary democratic republic based on respect for public liberties, especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination.” Article 13 of the constitution [states](#) that the “freedom to express one’s opinion orally or in writing, the freedom of the press, the freedom of assembly, and the freedom of association are guaranteed within the limits established by law.”

The [International Covenant on Civil and Political Rights](#), which Lebanon ratified in 1972, provides that everyone shall have the right to freedom of expression, assembly, and association. The ICCPR, in its articles 2 and 26, [guarantees](#) fundamental human rights and equal protection of the law without discrimination. The United Nations Human Rights Committee, which interprets the covenant, has made [clear](#) that discrimination based on sexual orientation and gender identity is prohibited in upholding any of the rights protected by the treaty, including freedom of expression, assembly, and association.

In its [April 2018 evaluation](#) of Lebanon, the Human Rights Committee said that Lebanon should “explicitly prohibit discrimination on the basis of sexual orientation and gender identity and ensure that LGBTI individuals are afforded, both in law and in practice, adequate and effective protection against all forms of discrimination, hate speech or violence based on sexual orientation or gender identity.” It said that Lebanon should “take all measures necessary to guarantee in practice the effective enjoyment of the rights to freedom of expression and peaceful assembly of LGBTI individuals.”

Members of the Coalition

Act for Human Rights (ALEF)

Amnesty International

Alternative Media Syndicate

DARAJ Media

Helem

Human Rights Watch

International Commission of Jurists (ICJ)
Lebanese Association for Democratic Elections (LADE)
Legal Agenda
Maharat Foundation
Media Association for Peace (MAPP)
MENA Rights Group
Samir Kassir Foundation
SEEDS for Legal Initiatives
Social Media Exchange (SMEX)
The Lebanese Center for Human Rights (CLDH)

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