



Kingdom of the Netherlands

## *Lebanon's Uprising*

### Human Rights Violations Throughout a Year of Demonstrations

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Centre Libanais des Droits Humains

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CRISIS AS WELL AS TORTURE IN LEBANON PROJECT.

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Table of Contents	
List of Acronyms	4
List of Tables and Charts	5
Introduction	6
About CLDH	6
1. Section One: Objectives and Background	8
1.1 Objectives of the report	8
1.2 International and Domestic Legal Framework	8
1.2.1 The UDHR and ICCPR	8
1.2.2 Human Rights Obligations	9
1.3 The Lebanese Political Uprising	15
1.3.1 October 17, 2019	15
1.3.2 Timeline of Protests, Harms, and Political Events	15
2. Section Two: Methodology	16
2.1 Literature Review	16
2.2 Survey	16
2.3 Key Informant Interviews	17
2.4 Mini Group Discussions	18
2.5 Limitations	18
3. Section Three: Findings	19
3.1 Human Rights Violations	19
3.1.1 Individual Case Examples of Rights Violations	19
3.1.2 General Human Rights Violations	22
Arbitrary Arrest and Detention	22
Enforced Disappearance	22
Equal Application of the Law/Non-discrimination	23
Excessive Use of Force	23
Freedom of Assembly, Opinion and Expression	24
Torture	26
Right to Life	27
Right to a Remedy	27
3.1.3 Legal Responsibilities of Police Forces	27

3.2 Violent Events and Political Factors	29
3.2.1 How Civil Society Organizations Can Address Violent Events	29
3.2.2 Opinions and Perceptions of Violent Events	29
3.3 Public knowledge and understanding of human rights	31
3.4 Perceptions of the Uprising	38
3.4.1 Perception of Survey Respondents	38
3.4.2 Perception of Key informants and MGD Participants	39
3.5 Human Rights Abuses After the Port of Beirut Explosion	41
4. Section Four: Summary of Findings, Conclusion, and Recommendations	43
4.1 Summary of Findings and Conclusion	43
4.2 Recommendations	45
Appendices	47
Appendix 1: Timeline of Violent Events	47
Appendix 2: Research Questions	52
Appendix 3: Population Survey Questionnaire	53

## List of Acronyms

CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CLDH	Lebanese Center for Human Rights
CSO	Civil Society Organization
FEMED	Euro-Mediterranean Federation against Enforced Disappearance
FIDH	International Federation for Human Rights
ICCPR	International Covenant for Civil and Political Rights
IRCT	International Rehabilitation Council for Torture Victims
ISF	Lebanese Internal Security Forces
KII	Key informant interview
LRC	Lebanese Red Cross
MGD	Mini-group discussion
OHCHR	United Nations High Commissioner for Human Rights
OMCT	SOS Torture Network of the World Organization against Torture
OPCAT	Optional Protocol to the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment
EuroMed Rights	EuroMed Rights Network
SOLIDA	Support for Lebanese Detained Arbitrarily
UDHR	Universal Declaration of Human Rights
UN	United Nations

## List of Tables and Charts

Table 1: List of Key Informants	16
Table 2: Specific Violations of Freedom of Expression on the Internet	24
Chart 1: Knowledge of Human Rights	31
Chart 2: Knowledge of Legality of Police Brutality	31
Chart 3: Perception of Torture	32
Chart 4: Knowledge of the Right to Protest	32
Chart 5: Knowledge of the Right to Protection	33
Chart 6: Knowledge of Legality of Use of Force	33
Chart 7: Knowledge of Rights Under Arrest	34
Chart 8: Knowledge of Legal Aid	34
Chart 9: Knowledge of the Right to Remedy	35
Chart 10: Knowledge of Human Rights Organizations	35
Chart 11: Perception of Rights in Lebanon	36
Chart 12: Knowledge of Human Rights Responsibility	37
Table 3: Rights Violations and Perpetrators	42

## Introduction

While the Uprising is still a controversial topic among residents in Lebanon, disagreeing on its core definition and application, it has, without doubts, paved the way for a potential social and political change.

Citizens showed a certain level of awareness around the topic of Human Rights during the 2019 Popular Uprising, but this has been building up since the 2015 protests following the waste management crisis, and even before, as some suggest a contribution to the protests happening since 2005, even if they were within a different political context. The 2015 movement paved the way for the collective knowledge of fundamental rights, as it was considered the biggest non-politically backed protest since the Taef.

With the increasing nepotism in various State institutions since 2016, the remaining notion of State was dismantled in favor of political parties and non-state actors. As violations saw their peak in the 2019 Uprising, along with the Government's inaction in implementing reforms, the Lebanese Center for Human Rights found it imperative to document these infringements and take a closer look at the protesters' level of awareness concerning Human Rights topics. In order to get a broader analysis, the report tackles several points of view from main actors: political parties, Government officials, and most importantly protesters.

## About CLDH

The Lebanese Center for Human Rights (CLDH) is a local non-profit, non-partisan Lebanese human rights organization based in Beirut. CLDH was created in 2006 by the Franco-Lebanese Movement SOLIDA (Support for Lebanese Detained Arbitrarily), which had been active since 1996 in the struggle against arbitrary detention, enforced disappearance, torture, and the impunity of those perpetrating gross human rights violations.

CLDH is a founding member of the Euro-Mediterranean Federation against Enforced Disappearance (FEMED), a member of the EuroMed Rights (REMDH), the International Rehabilitation Council for Torture Victims (IRCT), the International Federation for Human Rights (FIDH), and the SOS Torture Network of the World Organization against Torture (OMCT).

CLDH's complementary components include advocacy, public mobilization, rehabilitation for victims of torture and families of enforced disappearances, and the provision of pro-bono legal services for vulnerable groups.

As part of its advocacy campaign, CLDH monitors the human rights situation in Lebanon, fights enforced disappearances, impunity, arbitrary detention, and racism through media campaigns, lobbying with the civil society and decision-makers, and conducting reports on a regular basis. In addition, CLDH compiles a daily press review on human rights violations and on-going judiciary cases in Lebanon.

Within the scope of public mobilization, CLDH regularly organizes press conferences, workshops, and capacity building training to community members in order to raise awareness on human rights' issues and create agents of change in Lebanon.

Besides lobbying for policy change and public mobilization, CLDH's provided services consist of a base for monitoring ground-violations and reaching out to vulnerable groups through legal assistance and rehabilitation of victims of torture.

In 2007, CLDH opened "Nassim Center", a rehabilitation center for the victims of torture and families of the forcibly disappeared, which provides multi-disciplinary professional support and case management for victims of torture or families as per Istanbul Protocol, including psychotherapy, physiotherapy, legal, social, and financial assistance to over 100 victims of torture on a yearly basis.

In 2009, CLDH launched its legal aid program. Currently, a team of a dozen lawyers provides legal assistance and consultations to vulnerable groups. The team handles walk-in and in-prison cases all over 23 detention centers in Lebanon on a daily basis.

#### Executive Summary of key findings and recommendations

The Lebanese Uprising impacted all Lebanese citizens in different ways. For activists and protesters, the Uprising was viewed as a way for their voices to be heard and to unify the country. However, those same activists and protesters were victims of violence by state security through arbitrary arrests and detentions, enforced disappearance, excessive use of force which led to injury, murder, and torture. Some protesters were victims of violence from government supporters who opposed the Uprising. Those who opposed the Uprising focused on the violence of the movement and the lack of a clear message for resolution of Lebanon's political issues. Protesters who were harmed by those who opposed the Uprising or those who were victims of

State violence believed that their human rights were violated. However, much of the population surveyed did not know what their human rights are.

In order to combat these issues, the Government should abide by human rights and domestic laws to protect activists and protesters and launch a full investigation into incidents of rights violations during the Uprising. Any laws or practices not in conformity with international human rights requirements should be amended. To encourage greater knowledge of human rights among the citizenry, civil society organizations (CSOs) should launch awareness campaigns.

## 1. Section One: Objectives and Background

### 1.1 Objectives of the report

This report aims to highlight the human rights violations that occurred during the protests of the political Uprising which took place between October 2019 and September 2020, in reference to local and international legal contexts, and provide practical recommendations to protect peaceful protests in Lebanon.

The report aims to define what rights were violated, by who, and the legal basis for the violations. The report will explain what responsibilities the government has to protect the public and property and how well they fulfilled those roles. In regard to violent events, the report will analyze whether there were major political factors that triggered violent acts during protests, the differences between days of peaceful protests and violent protests, and how civil society organizations can and did prevent acts of violence during the protests. Additionally, a survey was conducted to analyze what the general public in Lebanon knows about human rights, how they perceive those rights regarding protests and their opinions regarding human rights violations and protests after the explosion in the Port of Beirut. Finally, the report will analyze various stakeholder opinions regarding the Uprising.

### 1.2 International and Domestic Legal Framework

This section will give a brief overview of human rights law Lebanon must abide by given its obligations under international instruments and under domestic law.

#### 1.2.1 The UDHR and ICCPR

The Lebanese Constitution in Paragraph (b) of the Preamble states that – “[...] [Lebanon] is... a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The State shall embody these principles in all fields and areas without exception.” The Universal Declaration of Human Rights (UDHR)



provides for the right to life, liberty, and security of a person, to be free from torture or to cruel, inhumane, or degrading treatment or punishment, to an effective remedy for acts violating fundamental rights to be free from arbitrary arrest and detention, to freedom of opinion and expression, to freedom of peaceful assembly and association. Lebanon became a party to the International Covenant on Civil and Political Rights (ICCPR) on November 3, 1972. This treaty provides the right to life, to be free from torture or to cruel, inhuman or degrading treatment or punishment, to liberty and security of person, to be free from arbitrary arrest or detention, to liberty and security of person, to freedom of expression, to peaceful assembly, and to equality before the law.

### 1.2.2 Human Rights Obligations

#### Access to Justice and Due Process

Those arrested have the right to contact family and an attorney under Article 47 of the Criminal Procedure which states “The suspect or the complainant shall, upon being detained for the necessities of the investigation, enjoy the following rights: (...) To meet with a lawyer appointing him with a statement written down On the record without the need for a duly organized agency.”<sup>1</sup> They also have the right to an interpreter, the right to be examined by a medical doctor upon request, and the right to speedy judicial review of their detention. Article 47 requires that detainees be informed of these rights.<sup>2</sup> There is a maximum 48-hour period for preliminary, investigation before detainees must appear before an investigative judge.<sup>3</sup> Because of the work of the Lawyers’ Committee, Law 47 was signed which makes the presence of the lawyer obligatory during a detainee’s first interrogation with officers.

#### Arbitrary Arrest and Detention

The prohibition against arbitrary detention is customary international law and considered *jus cogens*.<sup>4</sup> It is, therefore, non-derogable and can never be necessary and proportionate.<sup>5</sup> For an arrest not to be arbitrary, the person arrested must be informed, “at the time of arrest, of the reasons for his arrest [...] any charges against him[.]”<sup>6</sup> and be brought “promptly before a judge or other officer [...] and shall be entitled to trial within a reasonable time or to release.”<sup>7</sup> One category of arbitrary detention applicable in this context is detention of a person for exercising

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<sup>1</sup> The Lebanese University Center for Research and Studies in Legal Informatics, *Fundamentals of Criminal Trials: Art. 47*.

<http://www.legallaw.ul.edu.lb/LawArticles.aspx?LawArticleID=1047640&LawId=244483&language=ar>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Working Group on Arbitrary Detention, *Report of the Working Group on Arbitrary Detention*, ¶ 51, U.N. Doc. A/HRC/22/44 (December 24, 2012).

<sup>5</sup> *Id.* ¶ 47.

<sup>6</sup> ICCPR art. 14(2).

<sup>7</sup> *Id.* at art. 14(3).

his/her rights and freedoms guaranteed in the UDHR and ICCPR.<sup>8</sup> Thus, any arrest and detention of activists, journalists, or protesters purely for exercising their freedom of expression and opinion is prima facie arbitrary since it is a protected right under the ICCPR.<sup>9</sup>

Article 8 in the Lebanese Constitution states that, “The right to personal liberty shall be guaranteed and protected by law. No one may be arrested, imprisoned or detained except as provided for by law and no offence or penalty may be established other than by law.”<sup>10</sup> Additionally the duration of custody of those detained must not exceed 48 hours, a term renewable only once.<sup>11</sup>

### Enforced Disappearance

Lebanon signed the Convention for the Protection of All Persons from Enforced Disappearance in 2007, but has yet to ratify. However, Lebanon is still required to act within the spirit of the law, prohibiting and punishing enforced disappearance. Enforced disappearance is:

1. An arrest, detention, or abduction, by a State or someone directed by the State, against the will of the victim<sup>12</sup>
2. Followed by the refusal of the State or quasi-State actor to disclose the whereabouts of the victim<sup>13</sup>
  - The Special Rapporteur on CAT recommends that the State be required to inform a relative of the arrest and place of detention of a detainee within 18 hours<sup>14</sup>

Domestically, enforced disappearance is illegal under Law 105/2018 for the Missing and Forcibly Disappeared. In November of 2018, the Lebanese Parliament passed a law which would create the Lebanon National Commission for the Missing and Forcibly Disappeared, whose mandate would be to investigate cases of those disappeared. However, the commission has not been created to date.<sup>15</sup> In July of 2020, the commissioners were appointed and sworn in,<sup>16</sup> but the Commission is still inactive.

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<sup>8</sup> Lebanese Center for Human Rights, *Arbitrary Detention and Torture in Lebanon*, p. 5 (2013).

<sup>9</sup> See the section entitled Arrests and Detentions Based on Social Media Posts.

<sup>10</sup> Lebanese Constitution, adopted on May 23, 1926, art. 8.

<sup>11</sup> Lebanese Criminal Procedure Code, arts. 42, 47 and 107.

<sup>12</sup> Working Group on Enforced or Involuntary Disappearances, *Report of the Working Group on Enforced or Involuntary Disappearances*, ¶ 26, U.N. Doc. A/HRC/7/2 (Jan. 10, 2008).

<sup>13</sup> *Id.*

<sup>14</sup> U.N. Special Rapporteur on other Cruel, Inhuman or Degrading Treatment or Punishment, *General Recommendations of the Special Rapporteur on torture*, ¶ g.

<sup>15</sup> Maalouf, Lynn, *Lebanon: The right to know for the families of disappeared*, Amnesty International (April 13, 2019). <https://www.amnesty.org/en/latest/news/2019/04/lebanon-the-right-to-know-for-the-families-of-disappeared/>.

<sup>16</sup> International Commissions on Missing Persons, *ICMP Welcomes Appointment of Members of the Lebanon National Commission for the Missing and Forcibly Disappeared* (July 17, 2020).

### Equal Application of the Law/Non-discrimination

Article 26 of the ICCPR prohibits discrimination and requires equality before the law, including for “political or other opinion[.]” Discrimination means “any distinction, exclusion, restriction or preference which is based on any ground such as [...] political or other opinion [...] which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.”<sup>17</sup>

### Excessive Use of Force

The UN has adopted two relevant documents related to law enforcement and use of force. The UN High Commissioner for Human Rights (OHCHR) released Guidance on Less Lethal Weapons in Law Enforcement in 2020<sup>18</sup> and the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders adopted the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in 1990.<sup>19</sup> Lebanon was a state participant in the Congress.<sup>20</sup>

Lebanon has a duty to criminalize “arbitrary or abusive use of force and firearms” by law enforcement.<sup>21</sup> Use of force must be proportional, non-discriminatory, and necessary.<sup>22</sup> The only circumstance where use of force is allowed is to disperse an unlawful assembly, prevent a crime, or arrest offenders.<sup>23</sup> “Non-lethal incapacitating weapons” and firearms should be used in a way that minimizes harming non-violence or uninvolved individuals,<sup>24</sup> and non-violent means must

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<https://www.icmp.int/press-releases/icmp-welcomes-appointment-of-members-of-the-lebanon-national-commission-for-the-missing-and-forcibly-disappeared/>.

<sup>17</sup> CCPR, *General Comment No. 18: Non-discrimination*, ¶ 7 (Nov. 10, 1989).

<https://www.refworld.org/docid/453883fa8.html>.

<sup>18</sup> U.N. Office of the High Commissioner for Human Rights, *Guidance on Less Lethal Weapons in Law Enforcement*, U.N. Doc. HR/PUB/20/1 (2020) [Hereinafter OHCHR, *Guidance on Less Lethal Weapons*]. [https://www.ohchr.org/Documents/HRBodies/CCPR/LLW\\_Guidance.pdf](https://www.ohchr.org/Documents/HRBodies/CCPR/LLW_Guidance.pdf).

<sup>19</sup> Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, (Sept. 7, 1990) [Hereinafter 8th UN Congress, *Basic Principles on the Use of Force*].

<https://www.ohchr.org/en/professionalinterest/pages/useofforceandfirearms.aspx>.

<sup>20</sup> Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *List of Participants*, p. 32, U.N. Doc. A/CONF.144/INF.3 (Sept. 5, 1990).

[https://www.unodc.org/documents/congress//Previous\\_Congresses/8th\\_Congress\\_1990/048\\_ACONF.144.INF.3\\_List\\_of\\_Participants.pdf](https://www.unodc.org/documents/congress//Previous_Congresses/8th_Congress_1990/048_ACONF.144.INF.3_List_of_Participants.pdf).

<sup>21</sup> 8th UN Congress, *Basic Principles on the Use of Force*, *supra* note 19, at ¶ 7.

<https://www.ohchr.org/en/professionalinterest/pages/useofforceandfirearms.aspx>.

<sup>22</sup> CCPR, *General comment No. 37 on the right of peaceful assembly (article 21)*, ¶ 78, U.N. Doc. CCPR/C/GC/37 (Sept. 17, 2020).

<sup>23</sup> *Id.* at ¶ 79.

<sup>24</sup> OHCHR, *Guidance on Less Lethal Weapons*, ¶ 6.3.2-3; 8th UN Congress, *Basic Principles on the Use of Force*, *supra* note 19, at ¶ 3.

be attempted first.<sup>25</sup> These Basic Principles cannot be derogated even in political instability or a state of emergency.<sup>26</sup>

### Use of Firearms, Specifically

According to UN principles, it is always unlawful to use firearms to disperse assembly.<sup>27</sup> Law enforcement are only allowed to use firearms:

- in defense of self or others
- to prevent a serious crime which includes a grave threat to life
- to arrest a person who is in danger of committing a crime which includes a grave threat to life and is resisting law enforcement authority,
- or to prevent the escape of that person

All of the above are only available when less extreme means is not able to achieve those stated objectives and only when less extreme means is insufficient to achieve these objectives. Lethal force, of course, cannot be used unless protecting another life.<sup>28</sup>

Batons: Batons should not be used on certain parts of the body such as the “head, neck and throat, spine, kidneys and abdomen.”<sup>29</sup>

Tear gas: Tear gas canisters should not be directly thrown at an individual or at a person’s head or face.<sup>30</sup>

Rubber and plastic bullets: Kinetic impact projectiles should not be aimed at a person’s head, face, or neck.<sup>31</sup>

Water cannons: Water cannons should not be used to aim a single jet of water at a person or individuals at short range or when persons cannot move.<sup>32</sup>

Domestically, law 17/1990 states when police officers are allowed to use firearms, but the criminalization of arbitrary or abusive use of force and firearms remains vague.<sup>33</sup> The Internal Security Force (ISF) code of conduct stipulates that “Police members will resort to the use of firearms only when it is absolutely necessary according to the law, after having taken all possible precautions and exhausted all other means,”<sup>34</sup> but use is not clearly criminalized.

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<sup>25</sup> 8th UN Congress, Basic Principles on the Use of Force, *supra* note 19, at ¶ 3.

<sup>26</sup> *Id.* at ¶ 8.

<sup>27</sup> OHCHR, Guidance on Less Lethal Weapons, *supra* note 18, at ¶ 6.3.4.

<sup>28</sup> 8th UN Congress, Basic Principles on the Use of Force, *supra* note 19, at ¶ 9.

<sup>29</sup> OHCHR, Guidance on Less Lethal Weapons, *supra* note 18, at ¶ 7.1.5.

<sup>30</sup> *Id.* at ¶ 7.3.6.

<sup>31</sup> *Id.* at ¶ 7.5.8.

<sup>32</sup> *Id.* at ¶ 7.7.4.

<sup>33</sup> Internal Security Forces Code of Conduct, p.13.

<sup>34</sup> <http://www.isf.gov.lb/files/1582100364cocenglish.pdf>.

<sup>34</sup> *Id.*

## Freedom of Assembly and Expression and Opinion

The Human Rights Council considers domestic laws inconsistent with Article 19(3) (freedom of opinion and expression) of the ICCPR when they include restrictions on: “[d]iscussion of government policies and political debate; [...] government activities and corruption in government; [...] peaceful demonstrations or political activities, including for peace or democracy; and expression of opinion and dissent[.]”<sup>35</sup>

The right of assembly under ICCPR Article 21 protects peaceful assembly, particularly non-violent assemblies for purposes of expression.<sup>36</sup> Peaceful assemblies are protected when they cause disruption to pedestrian and vehicular movement and economic activity,<sup>37</sup> if there is pushing and shoving,<sup>38</sup> when there are state or other actors inflicting violence upon those in the assembly,<sup>39</sup> or when there are isolated acts of violence.<sup>40</sup>

The State approach to a peaceful assembly cannot be based on the identity of the participants nor the participants’ relationship with government authorities.<sup>41</sup> States have a duty to protect participants to exercise their right to assembly (principle of non-discrimination)<sup>42</sup> by protecting “against interference or violence by other members of the public,” like counter demonstrators, including discriminatory attacks.<sup>43</sup>

Attacks on journalists/journalism are “fundamentally at odds” with protection of the freedom of opinion and expression,<sup>44</sup> and States must protect journalists and human rights defenders from “reprisals or other harassment, and their equipment must not be confiscated or damaged.”<sup>45</sup>

Lebanese law guarantees freedom of speech, press and assembly in Article 13 of the Constitution which states that “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

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<sup>35</sup> CCPR, *Resolution 12/16: Freedom of opinion and expression*, ¶ 5(p)(i), U.N. Doc. A/HRC/RES/12/16 (Oct. 12, 2009).

<sup>36</sup> CCPR, *General Comment No. 37 on the right of peaceful assembly (article 21)*, ¶ 4, U.N. Doc. CCPR/C/GC/37 (Sept. 17, 2020) [Hereinafter CCPR, *Gen. Comment 37*].

<sup>37</sup> *Id.* ¶ 7

<sup>38</sup> *Id.* ¶ 15.

<sup>39</sup> *Id.* ¶ 18.

<sup>40</sup> *Id.* ¶ 17.

<sup>41</sup> *Id.* ¶ 22.

<sup>42</sup> *Id.* ¶ 8.

<sup>43</sup> *Id.* ¶ 24.

<sup>44</sup> U.N. Secretary General, *Promotion and protection of the right to freedom of opinion and expression*, ¶ 35, A/71/373 (Sept. 6. 2016).

<sup>45</sup> CCPR, *Gen. Comment 37*, *supra* note 36, at ¶ 30.

the limits established by law.”<sup>46</sup> Additionally, article 329 of the Penal Code makes it a crime to infringe on the civil rights of protesters.

### Torture

Lebanon became a party to the Convention Against Torture (CAT) on October 5, 2000 and its Optional Protocol (OPCAT) on December 22, 2008. The CAT and OPCAT do not enjoy de jure constitutional status. However, under Article 2 of the Lebanese Code of Civil Procedure, the provisions of the international instruments ratified by Lebanon take precedence over domestic legislation that is inconsistent with those provisions, and can be invoked in Lebanese courts. Additionally, in October of 2017, Lebanon adopted Law 65 on Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, making the criminalization of torture domestically enforceable law. CAT specifically defines the elements of torture as:

- (1) The infliction of severe mental or physical pain or suffering
- (2) For a specific purpose, such as gaining information, punishment or intimidation
- (3) By or with the consent or acquiescence of the State authorities.

### Right to Life

Deprivation of life is an “intentional or otherwise foreseeable and preventable life-terminating harm or injury, caused by an act or omission.”<sup>47</sup> A deprivation of life is arbitrary if it has no “legal basis or is otherwise inconsistent with life-protecting laws and procedures” or is inconsistent with national and international law.<sup>48</sup> States are required to take all necessary measures to prevent arbitrary deprivation of life by law enforcement or military assigned to law enforcement.<sup>49</sup> To do this, they must follow the standards outlined above in the section on use of force, but they also must implement “mandatory reporting, review and investigation of lethal incidents and other life-threatening incidents[.]”<sup>50</sup>

### Right to a Remedy

Under Article 2 of the ICCPR and Article 8 of the UDHR, victims of human rights violations have a right to a remedy which includes “[e]qual and effective access to justice [and] adequate, effective and prompt reparation for harm suffered.”<sup>51</sup> States have a duty to investigate alleged

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<sup>46</sup> Lebanese Constitution, *supra* note 10, at art. 13.

<sup>47</sup> CCPR, *General Comment no. 36 Article 6: right to life*, ¶ 6, U.N. Doc. CCPR/C/GC/36 (Sept. 3, 2019).

<sup>48</sup> *Id.* ¶¶ 11, 12.

<sup>49</sup> *Id.* ¶ 13.

<sup>50</sup> *Id.*

<sup>51</sup> U.N. General Assembly, Resolution 60/147 Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, Part VII, ¶ 11 (Dec. 16, 2005)  
<https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx>.

perpetrators of gross human rights violations and, if evidence is sufficient, prosecute them. If the person is found guilty, the State has a duty to punish the perpetrator.<sup>52</sup> Victims of torture, specifically, are entitled to a full and comprehensive reparations which includes “restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition.”<sup>53</sup>

### 1.3 The Lebanese Political Uprising

#### 1.3.1 October 17, 2019

After the accumulation of deteriorating economic and social issues in Lebanon before October 2019, a spontaneous Uprising was initiated by Lebanese protesters on October 17, 2019. The civil protest was triggered as the Council of Ministers announced, on the night of October 17 additional taxes on Lebanese citizens even in the midst of an economic crisis. The protests were also a result of several incidents in the previous months and weeks such as the devastating fires with no proper government prevention and response measures, the fluctuating value of the dollar currency, and the general social and employment hardship. Between October 17, 2019 and June 2020, thousands of protesters stayed for weeks in the streets of different areas all over Lebanon demanding socio-economic rights regardless of any religious or sectarian views. Throughout this period, security forces have met protesters with violent suppression, physical assault, arbitrary arrests, torture, tear gas, rubber bullets, and calls for investigation over opposing social media content.

On August 4, 2020, an explosion from improperly stored ammonium nitrate in the Port of Beirut killed hundreds and left hundreds of thousands homeless in Beirut. Protesters took to the streets once again after the explosion as it represented further government incompetence and corruption. These protests also turned violent with many injured.

#### 1.3.2 Timeline of Protests, Harms, and Political Events

The CLDH team created a timeline of important protests, instances of major violence, and important political moments since October 17, 2019. The timeline does not include all human rights violations, but captures alleged incidents where large numbers of people were involved or injured, arbitrary detained, extreme use of force, enforced disappearance, violence by political party supporters, and torture. The timeline can be found in Appendix 1.

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<sup>52</sup> *Id.* Part III, ¶ 4.

<sup>53</sup> Committee Against Torture, *General Comment No. 3: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: implementation of article 14 by States parties* (Dec. 13, 2012).

## 2. Section Two: Methodology

The research used a mixed-method approach to draw a comparative analysis of the findings. The research was conducted via monitoring and documentation activities throughout the whole period from October 17, 2019 until October 17, 2020. Based on a preliminary observation, an inception report was developed where it was deemed necessary to conduct further literature review, online surveys, Mini group discussions (MGDs), and key informant interviews (KIIs). The list of research questions can be found in Appendix 2.

### 2.1 Literature Review

News articles related to the Lebanese protests and political events were used to document and catalogue abuses and violence during these protests. Documents relating to international and domestic human rights laws as well were reviewed including UN treaty websites and Legal Agenda. Additional methods consisted of reviewing reports on arbitrary arrest, detention, and torture from the archives of CLDH's online library.

### 2.2 Survey

CLDH conducted an online survey using Google Forms. The aim of the survey was to evaluate how knowledgeable the affected populations are of their human rights and their opinions on protests that happened after October 17, 2019 and after the explosion in the Port of Beirut. The survey questionnaire addressed specific evaluation questions (Appendix 3). It consisted of mainly closed questions to obtain statistical/quantifiable data. The survey was randomly conducted from September 15-30, 2020 in both English and Arabic. The survey was shared on CLDH's social media platforms as well as by word of mouth. There were 133 respondents. To understand the differences in responses among different identity groups, demographic information of respondents was captured.

Demographics: Among respondents, 78 identify as female, 51 identify as male, and 1 identified as other. Most respondents were between the ages of 18 to 45 and were single. Most respondents had obtained a Bachelors and/or Master's degree. 26 respondents were unemployed and looking for work. Respondents worked in a variety of fields including blue collar, white collar, nonprofit, academia, and journalism. There were no members of law enforcement represented in the survey.

Political Involvement: 106 respondents did not identify as politically active, 16 said they were sometimes politically active, and only 8 categorized themselves as politically active. 5 respondents said they were engaged in or had membership in a political party. 3 considered themselves political party supporters and 2 participated as a candidate in past elections. Only one respondent had a career in politics.



Participation in Protests: 91 respondents participated in protests between October 17, 2019 and the day of the explosion, August 4, 2020. 87 participated in protests after the explosion.

### 2.3 Key Informant Interviews

KIIs were conducted using an interview guide with a list of mainly open-ended questions to give the respondents room for elaboration. Table 1 catalogues those interviewed. To ensure a variety of opinions, the team interviewed government officials, journalists, non-governmental organization representatives, lawyers, and political party members. To analyze the qualitative responses, the team used open coding to find trends in response to similar questions. The responses are referenced throughout the report as helping to answer questions about violence seen during the protests and opinions on protests.

Table 1: List of Key Informants

Key Informant Interviews	
Alexi Haddad	Board Member and Activities Supervisor, Mouwatinoun
Ali Fayad	Member, Hezbollah   Deputy in Parliament
Ali Msarrah	Activist
Elsy Moufarrej	Producer of 'It's About Time; Sar el Wa2et' political talk show, executive editor of the 'Justice Magazine; AL Majale Al Kada2iye
Faysal Sayegh	Member, Socialist Party   Deputy in Parliament
Jad Shahour	Media Manager, Samir Kassir Foundation
Jean Kassir	Director, Megaphone
Marie Claude Najm	Minister of Justice
Micheal Moussa	Member, Development and Liberation Bloc   Deputy in Parliament   Chairman, Parliamentary Human Rights Committee
Nada Nassif	Social Media Director, LI HAKKI
Nasser Yassine	Director, Issam Fares Institute for Public Policy and International Affairs
Nayef El Alawi	Lawyer in the Tripoli Bar Association and a member of the lawyers hirak (movement)

Samy Gemayel	President, Lebanese Phalanges (Kataeb) Party   Deputy in Parliament
Wadih Al Asmar	Founder and President, Lebanese Center for Human Rights
Wael Hammam	Lawyer, Beirut Bar Association and Lawyers' Committee for Defense of Protesters
Ziad Rizkallah	Colonel and Director of the International Humanitarian Law and Human Rights Department in the Lebanese Army

The goal was to conduct KIIs with a member of every political party so that they all would be equally represented within the research.

#### 2.4 Mini Group Discussions

The team conducted three MGDs with protest participants. MGD 1 included four participants from Jal el Dib and Zouk. MGD 2 included three participants from Baabda, Aley, and Chouf. MGD 3 included four participants from Beirut. Groups were asked the same set of questions. The goal of the MGDs was to understand facts and perceptions from those who participated in the Uprising on the ground, and to get a sense of the collective ideology.

#### 2.5 Limitations

The research was bound by several limitations. First, the literature review, although thorough, did not capture all harms which took place during the Uprising as documentation available did not cover all violations. Second, the survey responses only represent a certain subset of the affected population as the survey was disseminated randomly, allowing anyone to respond. Of those who participated in the survey and identified their area of work, only one worked in politics and another was in the Marines. All other respondents were civilians.

Third, the KIIs were limited to those who agreed to speak with CLDH researchers. The team reached out to over 20 individuals for KIIs, with 16 agreeing to be interviewed. The team reached out to a member of the Seven Party, members of the Free Patriotic Movement with no response. Thus, not all political parties were represented. Journalist Dima Sadek, and journalist Riad Kobaysi did not respond to an interview request. Hassan Rifai, a journalist, and Halima Kaakour of Beirut Madinati were unable to attend interviews due to unforeseen circumstances. The Lebanese Red Cross was unable to provide an interview, but gave the team data on the Uprising. The team also reached out to the ISF and the Ex-Prime Minister by official letter, but they did not respond.

The MGDs give only a limited perspective, as not all areas in Lebanon were represented. Further, the MGDs only included those in support of the Uprising. Both KIIs and MGDs were limited due to the outbreak of COVID-19 and protection concerns of those speaking to researchers.

The survey, KIIs, and MGDs were limited by protection concerns, as those participating expressed worry about retaliation for speaking about the topic. Thus, some people chose not to participate or give too much personal information about themselves. Additionally, political and security unrest after the explosion in the Port of Beirut and its effects hampered availability of interviewees and delayed production of the report.

### 3. Section Three: Findings

#### 3.1 Human Rights Violations

##### 3.1.1 Individual Case Examples of Rights Violations

The following are examples of personalized attacks that violated the rights of individuals. These instances were found through MGDs, reports by the Lawyers' Committee for the Defense of Protesters (Lawyers' Committee), and other news reports:

Case 1: Attack by Berri Supporters with no Govt. Investigation<sup>54</sup> - A man was attacked by Berri supporters on May 22, 2020 after he made a negative Facebook post about Berri. The Berri supporters found him, forced him out of his vehicle, tried to kidnap him and severely beat him. He filed a kidnapping and attempted murder complaint, but no investigation has been opened.

Case 2: Kidnapping, enforced disappearance, and torture by ISF in Baabda<sup>55</sup> - On November 13, 2019 a journalist and activist was kidnapped by the ISF in Baabda. He was arrested without any clarification on his whereabouts to lawyers or even his family. He was held incommunicado for 18 hours. He asked for a phone call and was not given one. This was in violation of Article 47 of the Criminal Procedure since he has a right to contact an attorney, family, friends, or an employer. When released, he showed the local press that he was wounded in several places on his body. His left ear was injured due to the assaults. He said that security forces asked where protesters were getting money and hit him hard to extract answers.

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<sup>54</sup> Fahas, Badia, يمثل، أبو زيد ولم يمثل، أسبوع على الاعتداء على بشير أبو زيد ولم يمثل، Fahas, Badia, Legal Agenda (June 1, 2020). <https://legal-agenda.com/عن-شباب-آمن-بالثورة-وبحق-الناس-في-العيش-ب/>.

<sup>55</sup> Ayoub, Laure, ممثل النيابة العامة العسكرية يطلب البراءة للناشط خلدون جابر: حكم يفضح تلفيق الأجهزة الأمنية التهم ضد المتظاهر، Legal Agenda (Oct. 8, 2020). <https://legal-agenda.com/ممثّل-النيابة-العامة-العسكرية-يطلب-البراءة-للمتظاهرين-الذين-تم-تلفيق-التهمة-عليهم-من-جهاز-الأمن-بأنهم-متمثلون-بالثورة-وبحق-الناس-في-العيش-ب/>.

Case 3: Torture by ISF and Civilian Military Court Hearing in Beirut<sup>56</sup> - A man was arrested by the ISF during a protest on January 22, 2020. He was beaten during the arrest and before interrogation. A doctor who visited him in detention confirmed signs of abuse. The man confirms that he was assaulted during his arrest and interrogation. He was later charged by the military prosecutor for “forcefully resisting security forces” and appeared at the Military Tribunal on February 3, 2020.

Case 4: Due Process Violation and Torture in Rihaniyeh by Army, Civilian Military Tribunal Hearing<sup>57</sup> - A man was charged with resisting security forces and attempting to kill a member of the Army. He has been detained since December 25, 2019 in the Defense Ministry and Military Police branch in Rihaniyeh. He was not allowed to contact anyone before his interrogation. He also alleges that he was tortured during his interrogation. On January 31, 2020 he appeared before a Military Tribunal. On February 4, 2020 he appeared before a military investigative judge.

Case 5: Enforced Disappearance and Torture by Military near Gemayzeh<sup>58</sup> - Two protesters were taken into custody by military intelligence officers and tortured during their interrogations. Authorities moved them from one police station to another, until reaching Gemayzeh police station. Lawyers could not locate them or a proof of the arrest for 24 hours.

Case 6: Arbitrary Detention in Nabatieh by Military<sup>59</sup> - On June 17, 2020, the District Attorney in Nabatieh released the activist Sultan Yaacoub after he was arrested by the military prosecution. He was detained for five days during the investigation of his participation in a protest in Nabatieh objecting to bank policies. This detention exceeded the maximum period permitted by law to detain suspects for investigation.

Case 7: Excessive Use of Force by ISF in Beirut<sup>60</sup> - A man was walking alone to his car one night after a protest and someone with the security forces put the butt of a gun to his head threatening to hit him so hard in the face that he would never look the same.

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<sup>56</sup> Majzoub, Aya, *Lebanon’s Military Courts Have No Business Trying Civilians*, Human Rights Watch (Feb. 5, 2020). <https://www.hrw.org/news/2020/02/05/lebanons-military-courts-have-no-business-trying-civilians>.

<sup>57</sup> *Id.*

<sup>58</sup> Medina, Daniel, Kareem Chehayeb, *As the Lebanon Uprising Hits 100-Day Mark, Protesters Allege Torture by Security Forces*, The Intercept (Jan. 25, 2020). <https://theintercept.com/2020/01/25/lebanon-protests-torture/>; Lebanese Center for Human Rights, Weekly Brief.

<sup>59</sup> Lebanese Center for Human Rights, Weekly Brief.

<sup>60</sup> Interview with Wael Hammam, Lawyer, Beirut Bar Association and Lawyers’ Committee for Defense of Protesters (Sept. 25, 2020).

Case 8: Torture in Sidon by the Army<sup>61</sup> - The Lawyers' Committee for the Defense of Protesters shared an incident of torture by the Army against seven people in Sidon. They were arrested in May for violence against security forces and banks. Six of them were released four days after their arrest with three having to be taken to the hospital. According to medical reports, one detainee was "repeatedly vomiting" and had pain in both his legs and his head. Another has swelling on the soles of his feet, shoulder pain, leg pain, and bruises on his back. Some of those detained were electrocuted and beaten with sticks.

Case 9: Excessive use of Force in Zouk<sup>62</sup> - According to a protester, physical abuse was directed towards the elderly, women, children, and adults with no differentiation.

Case 10: Torture and Excessive Force in Jal el Dib and Keserwan by Army Brigade 11<sup>63</sup> - In Jal el Dib and Keserwan Brigade 11, specifically, harmed protesters by hitting with wooden and iron sticks, arbitrary arrests, throwing tear gas, and firing bullets. One victim was leaving a protest which turned violent when three soldiers from the Army caught them and hit them on the head and back with an M4. Brigade 11 put all twelve of those arrested in a very tiny room where no one could move. They forced all detainees to sit on their knees and while their hands were locked behind their backs. If a detainee said something bad to a soldier, all of them were hit harshly, not just the one speaking. If they slept or talked or raised their heads to look around, they were abused. They were left in this detention for at least three hours.

Case 11: Excessive Use of Force by the Army in Aley<sup>64</sup> - At a protest of 400-500 people in Aley, the Army directly attacked the protestors using sticks without provocation. The Army did not ask the protesters to move or open the road before attacking. One victim stated that the Army intelligence and seven soldiers attacked them personally.

Case 12: Discrimination and Failure to Protect by the Army in Aley<sup>65</sup> - At a protest of around 1000 people from Aley, 200 people affiliated to a certain political party holding guns and the political party's flag joined the protest. While one protester was leaving, a group of 40 young people affiliated to the political party attacked them. They ran to the car and locked the doors for safety but the political party members started kicking the car, breaking the glass. A group of Army soldiers stood watching five meters away and did not intervene to prevent the violence.

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<sup>61</sup> Azhari, Timour, *Lebanese Army denies beating, electrocuting detained protesters*, Al-Jazeera (May 4, 2020). <https://www.aljazeera.com/news/2020/5/4/lebanese-army-denies-beating-electrocuting-detained-protesters>.

<sup>62</sup> Mini Group Discussion (MGD) 1 on Zoom (Sept. 30, 2020).

<sup>63</sup> *Id.*

<sup>64</sup> Mini Group Discussion (MGD) 2 on Zoom (Oct. 1, 2020).

<sup>65</sup> *Id.*

Case 13: Arbitrary Arrest and Detention, Enforced Disappearance, and Torture by the Army and Army Intelligence in Baabda<sup>66</sup> - A protester was abducted by three security forces in plain clothes from a protest in Baabda. They were moved seven times between six different locations. They were abducted for 30 hours and were denied a call to a lawyer or family member. They stated that more than 20 security forces were brutally torturing them by abusing them verbally, hitting them with guns on their head, knee, elbow, and back. During the investigation they were abused physically and verbally for asking for an attorney or to contact a family member. The abuse was conducted by the Army and Army Intelligence, and traumatizes them to this day. Results of the torture include a 70% loss of hearing in the left ear, a sprained spine, and the loss of four teeth.

### 3.1.2 General Human Rights Violations

#### Arbitrary Arrest and Detention

Lebanese law enforcement violated international law by arbitrarily arresting and detaining protesters based on their protected right of freedom of expression and violated Article 8 of the Lebanese Constitution by detaining people for more than 48 hours.<sup>67</sup> The Lawyers' Committee often saw disproportionate numbers of arrests.<sup>68</sup> When some within the protests were violent the security forces would arrest peaceful protesters too purely for exercising their right to freedom of expression.<sup>69</sup>

#### Enforced Disappearance

Lebanon violated Law 105/2018 for the Missing and Forcibly Disappeared and international law by not prohibiting and punishing enforced disappearance during the Uprising. The Lawyers' Committee filed 17 claims under Lebanese Law 105/2018.<sup>70</sup> The Public Prosecutor decided not to investigate these claims.<sup>71</sup> However, this does not mean that there were no incidents which meet the Working Group's definition of enforced disappearance.<sup>72</sup>

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<sup>66</sup> *Id.*

<sup>67</sup> See section 3.1.1 Case 6.

<sup>68</sup> Interview with Wael Hammam, *supra* note 60.

<sup>69</sup> *Id.*; See section 3.1.1 for Cases 2, 5 and 6.

<sup>70</sup> Lawyers' Committee for the Defense of Protesters, *Press Release*, Legal Agenda (February 2, 2020) [Hereinafter Lawyers' Committee Press Release].

<https://legal-agenda.com/بيان-صحافي-للمحاميين-المتطوعين-للدفاع/>.

<sup>71</sup> *Id.*

<sup>72</sup> See section 3.1.1 for Cases 2, 5, 8, 10 and 13.

### Equal Application of the Law/Non-discrimination

Lebanon violated the right to equal application of the law and non-discrimination under Article 7 of the UDHR and Article 26 of the ICCPR. During the Uprising people belonging to political parties attacked protestors, burning down the tents, and physically abusing protestors.<sup>73</sup> In several cases, the political protesters causing the violence went unpunished.<sup>74</sup>

### Excessive Use of Force

Lebanon did not abide by UN guidelines to limit excessive use of force as use of force was unnecessary, disproportionate, and indiscriminate. Additionally, weapons were used improperly. According to the Lebanese Red Cross (LRC), between the beginning of the Uprising in October 2019 until October 2020, LRC transported 946 persons to the hospital and treated 3849 persons on site. These injuries are largely from tear gas, rubber bullets, and beatings. Those involved in the protests were victims of abuse by law enforcement through verbal abuse, physical abuse, use of live ammunition, use of rubber bullets directly towards protestors, mini steel bullets, large quantities of tear gas, throwing rocks at protestors, and shredded bombs.<sup>75</sup> The Army, ISF, and Parliament Police were all seen using excessive force,<sup>76</sup> but Parliament Police were blamed for most of the violence.<sup>77</sup> This violence was inflicted against both violent and non-violent protestors.<sup>78</sup> Tear gas used would reach the back lines of the protest, harming families, the elderly, and children.

In some instances, violence against protestors ended in death. Human Rights Watch reported that, on the night of April 27 in Tripoli, a group of protestors marched to the home of Faysal Karamah, a Parliamentary Representative of Tripoli.<sup>79</sup> There the protestors -- including women, children, and the elderly -- were met with tear gas and rubber bullets along with physical beating by the Army.<sup>80</sup> That same night, violence took place in Nour Square where soldiers were firing

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<sup>73</sup> Interview with Wael Hammam, *supra* note 60.

<sup>74</sup> See section 3.1.1 Cases 1 and 12.

<sup>75</sup> Interview with Ali Msarrah, Activist (Oct. 2, 2020); Interview with Nada Nassif, Social Media Director, LI HAKKI (Oct. 28, 2020); Interview with Wael Hammam, *supra* note 60; See section 3.1.1. Cases 7, 10 and 2 for examples of personal violence.

<sup>76</sup> Interview with Ali Msarrah, *supra* note 75; Interview with Wael Hammam, *supra* note 60.

<sup>77</sup> Majzoub, Aya, *Lebanon Police Force Directs Blame for Abuse Against Protesters*, Human Rights Watch (Sept. 21, 2020). <https://www.hrw.org/news/2020/09/21/lebanon-police-force-directs-blame-abuse-against-protesters>; Interview with Wael Hammam, *supra* note 60.

<sup>78</sup> Interview with Wael Hammam, *supra* note 60; Interview with Nasser Yassine, Director, Issam Fares Institute for Public Policy and International Affairs (Sept. 28, 2020).

<sup>79</sup> Human Rights Watch, *Lebanon: One Protester Dead in Tripoli* (April 29, 2020).

<https://www.hrw.org/news/2020/04/29/lebanon-one-protester-dead-tripoli>.

<sup>80</sup> *Id.*

rubber bullets, live ammunition, and tear gas indiscriminately, even at those who were trying to aid the wounded.<sup>81</sup> Fawaz Fouad al-Samman died from a gunshot wound sustained that night.<sup>82</sup>

In Tripoli, Nayef El Alawi, a lawyer in the Tripoli Bar Association, and a member of Lawyers' Hirak Movement, aided over 100 people with a team of around 30 attorneys.<sup>83</sup> The violence in Tripoli came in the form of physical abuse and arbitrary arrest from the Army and Army intelligence.<sup>84</sup> Some who were taken to Army intelligence were physically abused in custody.<sup>85</sup> Alawi recalls one time when the army accused around 17 protestors of burning an Army vehicle and a police vehicle.<sup>86</sup> The protestors were arrested and harshly beaten.<sup>87</sup> One of the protestors lost his eye from the injuries. Another now has a permanent back injury.<sup>88</sup>

### Freedom of Assembly, Opinion and Expression

The Lebanese authorities violated freedom of assembly under Article 21 of the ICCPR and Article 329 of the Lebanese Penal Code by violating the rights of peaceful protestors. They also violated the right to freedom of opinion and expression under Article 19(3) of the ICCPR and Article 13 of the Lebanese Constitution by violating the rights to freedom of opinion and expression in the form of assembly and using defamation laws to silence dissent.

### Attacks on Journalists During Protests

The Samir Kassir Foundation reported that there were more than 100 attacks on journalism between January and September 17, 2020.<sup>89</sup> Jean Kassir, Director of MEGAPHONE, stated that he and other journalists working to document the protests were physically attacked or attacked with rubber bullets or tear gas, especially if they were holding cameras. He also stated that he was personally harmed by government personnel wearing civilian clothes. Elsy Moufarrej, a journalist, stated that she was threatened by Army intelligence after she publicly defended a protester and that authorities attempted to take her phone away from her during a protest.

### Arrests and Detentions Based on Social Media Posts

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<sup>81</sup> *Id.*

<sup>82</sup> *Id.*; See Appendix 1 for the timeline which includes those killed during the Uprising.

<sup>83</sup> Interview with Nayef El Alewe, Lawyer in the Tripoli Bar Association and a member of the lawyers hirak (movement), Oct. 6 2020.

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

<sup>89</sup> Ayoub, Laure, *الصحافة مش مكسر عصاة: 100 اعتداء في 2020 على الصحفيين حتى الآن*, Legal Agenda (July 5, 2020).



Since the beginning of the protests through July 2020, 60 people have been arrested or called for interrogation by authorities based on social media content.<sup>90</sup> On June 15, 2020, the state prosecutor issued an order to sue people who post material on social media that poses an insult to the presidency<sup>91</sup> and the Central Criminal Investigation Bureau began investigations to uncover the identity of people who shared pictures and comments on social media that insult the President and his position. Table 2 lists incidents where people were arrested based on social media content. However, the table is limited to only well-publicized incidents.

Table 2: Specific Violations of Freedom of Expression on the Internet

February 6, 2020	Beirut Investigative Judge Wael Sadeq charged Samer al-Saidawi for sectarian incitement and threatening civil peace after a video circulated on social media of him insulting the Shiite sect. <sup>92</sup>
February 24, 2020	Activist Charbel Khoury was released after arrest for a Tweet critical of an adviser to former Foreign Minister Bassil. Khoury was released when the adviser withdrew his complaint amid outrage from protesters. <sup>93</sup> Khoury said that, after his hour-long interrogation, officers at the Cybercrimes Bureau told him that he would need to remove his Tweet and sign a pledge promising not to insult the adviser. When Khoury refused, he said, the public prosecutor ordered his arrest. Officers took him to a small, overcrowded, and dirty cell in the Bureau. Khoury said that he was detained for about five hours, during which officers tried three times to convince him to sign the pledge. <sup>94</sup>
Feb. 27, 2020	Dima Sadek and Gino Raidy, journalists, were released on bail after a hearing by the criminal police. They are being prosecuted for spreading false information and inciting confessional dissension due to a video on social media suggesting that CPL supporters assaulted a Sunni Tripolitan in Jounieh. <sup>95</sup>
March 2, 2020	The Cybercrimes Bureau interrogated journalist and activist Khaldoun Jaber over a complaint filed by the head of a municipality whom Jaber accused of corruption in an article from July. Jaber said that his interrogation was two hours and that he was not asked to sign a pledge or take down the article. <sup>96</sup>

<sup>90</sup> Human Rights Watch, *Lebanon, New Coalition to Defend Free Speech* (July 13, 2020).

<https://www.hrw.org/news/2020/07/13/lebanon-new-coalition-defend-free-speech>.

<sup>91</sup> Lebanon National News Agency, عويدات كلف المباحث مباشرة التحقيقات حول تدوينات تحقر رئيس الدول (June 15, 2020).

<http://nna-leb.gov.lb/ar/show-news/484842/>.

<sup>92</sup> The Daily Star, *Man charged with sectarian incitement threatening civil peace* (Feb. 07, 2020).

<http://www.dailystar.com.lb/News/Lebanon-News/2020/Feb-07/500701-man-charged-with-sectarian-incitement-threatening-civil-peace.ashx>.

<sup>93</sup> The Daily Star, *Activist released after arrest for criticizing Bassil adviser* (Feb. 24, 2020).

<https://www.dailystar.com.lb/News/Lebanon-News/2020/Feb-24/501685-activist-released-after-arrest-for-criticizing-bassil-adviser.ashx>.

<sup>94</sup> Human Rights Watch, *Lebanon: spate of free speech prosecutions* (March 12, 2020).

<https://www.hrw.org/news/2020/03/12/lebanon-spate-free-speech-prosecutions>.

<sup>95</sup> *Id.*; The Daily Star, *Journalist, blogger released after interrogation for lawsuit filed by FPM* (Feb. 27, 2020); <https://www.dailystar.com.lb/News/Lebanon-News/2020/Feb-27/501877-journalist-blogger-released-after-interrogation-for-lawsuit-filed-by-fpm.ashx>.

<sup>96</sup> LBCI Lebanon News, وقفة تضامنية مع الناشط خلدون جابر أمام مكتب مكافحة الجرائم المعلوماتية (March 2020).

June 17, 2020	Activist Pascale Tarraf was ordered to appear before state security after publishing an article on social media that attacked Lebanese leaders. <sup>97</sup>
June 18, 2020	Activist Michel Chamoun was arrested by state security for writing comments on social media that were deemed humiliating to President Michel Aoun. <sup>98</sup>
June 18, 2020	Activist Kinda Al Khatib was arrested for spying for Israel. However, family members suspect that she was arrested for her criticism of President Michel Aoun and Hezbollah on Twitter. <sup>99</sup>
Sept. 15, 2020	Public Prosecutor Judge Carla Kassis listened to the testimonies of journalists Dima Sadek and Farouq Yaacoub on September 15, 2020 after they were summoned on the background of a complaint submitted by Speaker of Parliament Nabih Berri, accusing them of "inciting sectarian and sectarian strife, slander, slander and contempt." <sup>100</sup>

### Torture

Lebanese authorities violated CAT and Lebanese Law 65/2017 by torturing detainees during the Uprising.

The Lawyers' Committee filed 17 claims under Lebanese Law 65/2017 on behalf of victims of torture.<sup>101</sup> However, none of the 17 were upheld.<sup>102</sup> The claims were referred by the Public Prosecutor's office to the commissioner of the Military Court.<sup>103</sup> When the Committee protested the referral to the military court as a violation of international and domestic law, the cases were moved back to the Government Commissioner.<sup>104</sup> However, the Commissioner dismissed the cases because of the refusal by the Committee for the complaints to be heard in a Military Court.<sup>105</sup> Under Article 13 of CAT, it is required that torture cases should be heard by regular judicial courts, not military courts. Not only would hearing the cases in front of a military court have been a violation of Law 65/2017 and the international right to a fair trial, but the

<https://www.lbcgroup.tv/news/d/lebanon/504656/وقف-تضامنية-مع-الناشط-خلدون-جابر-امام-مكتب-مكافحة/ar>.

<sup>97</sup> L'Orient-Le Jour, *Sit-in à Beyrouth contre les poursuites pour atteinte au président* (June 17, 2020).

<https://www.lorientlejour.com/article/1222287/sit-in-a-beyrouth-contre-les-poursuites-pour-atteinte-au-president.html>.

<sup>98</sup> Houssari, Najia, *Arrests of Lebanese activists continue*, Arab News (June 20, 2020).

<https://www.arabnews.com/node/1692466/middle-east>.

<sup>99</sup> Rose, Sunniva, *Kinda Al Khatib: Lebanese activist accused of spying for Israel*, The National (June 22, 2020). <https://www.thenational.ae/world/mena/kinda-al-khatib-lebanese-activist-accused-of-spying-for-israel-1.1037558>.

<sup>100</sup> Sabaa, Rouwa, *شكاوى ضد شرطة مجلس النواب والقضاء منشغل باستدعاء منتقدي بري*, Legal Agenda (Sept. 17, 2020). <https://legal-agenda.com/شكاوى-ضد-شرطة-مجلس-النواب-والقضاء-منشغل-باستدعاء-منتقدي-بري/>.

<sup>101</sup> Lawyers' Committee Press Release, *supra* note 70.

<sup>102</sup> *Id.*

<sup>103</sup> *Id.*

<sup>104</sup> *Id.*

<sup>105</sup> *Id.*

investigations would have been conducted by the Army Intelligence and Internal Security, the groups accused of torture.<sup>106</sup>

Even though the cases were dismissed, facts still point to instances of torture.<sup>107</sup> There may also be additional unreported incidents of torture.

Lebanese authorities themselves recognize that torture may have taken place during the Uprising. On May 5, 2020, Military Prosecutor Peter Germanos ordered the Army Intelligence's Investigation Branch to conduct an internal probe into the alleged torture of detainees in detention facilities in Sidon and elsewhere during the preceding week following heated nationwide protests.

### Right to Life

Since Lebanese law enforcement violated its obligations regarding excessive use of force which led to losses of life and there is no mandatory reporting of lethal or life-threatening incidents by law enforcement, Lebanon is in contravention of its obligations under Article 6 of the ICCPR. There are incidents, highlighted in Appendix 1 (the timeline) in which civilian protesters were killed by law enforcement, constituting an arbitrary deprivation of life.

### Right to a Remedy

Lebanon is violating the right to effective remedy under Article 2 of the ICCPR and Article 8 of the UDHR by not investigating and punishing violations of human rights. After the protest of August 8, 2020, the Justice Minister asked the Chief Public Prosecutor to open an investigation into the events due to the level of violence.<sup>108</sup> As of August, 25, no investigation had been opened.<sup>109</sup>

Lebanon is also violating Article 14 of CAT by not allowing an investigation of torture complaints from the Lawyers' Committee when the Commissioner dismissed the torture complaints because of the Committee's refusal for the complaints to be heard in a Military Court.<sup>110</sup>

## 3.1.3 Legal Responsibilities of Police Forces

### Responsibilities Under Law

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<sup>106</sup> *Id.*

<sup>107</sup> See section 3.1.1 for Case 2, 3, 5, 8, 10, and 13.

<sup>108</sup> Human Rights Watch, *Lebanon: Lethal Force Used Against Protesters* (Aug. 26, 2020) [Hereinafter HRW, *Lethal Force Against Protesters*]. <https://www.hrw.org/news/2020/08/26/lebanon-lethal-force-used-against-protesters>.

<sup>109</sup> *Id.*; See Case 1 in section 3.1.1.

<sup>110</sup> Lawyers' Committee, Press Release, *supra* note 70; See section 3.1.1 Case 1.

In addition to public and private property, law enforcement are required to protect the rights of participants, including journalists, during assemblies.<sup>111</sup> They should de-escalate situations of violence, but only use violence to do so if they have exhausted all other non-violent means and have given warning.<sup>112</sup> Plain-clothes officers should only be deployed in assemblies if it is strictly necessary in the circumstances and the officers do not, themselves, incite violence.<sup>113</sup> States have an obligation to investigate effectively, impartially and in a timely manner any allegation or reasonable suspicion of unlawful use of force or other violations by law enforcement officials in assemblies<sup>114</sup>

#### Responsibilities Under Domestic Law

The Army receives orders from military superiors, the ISF from the general directory, the Parliamentary Police from the head of the Parliament, Nabih Berri. Under Decree No. 1 of 1991, the Lebanese Army is required to maintain security in the interior.<sup>115</sup> During the Uprising, security forces were divided by geographic area.<sup>116</sup> Beirut was assigned to the ISF with the Lebanese Army acting in a supporting role.<sup>117</sup> Outside of Beirut, the Lebanese Army was mainly in charge of security with the ISF providing support.<sup>118</sup> The Army's main duties are to, without discrimination, protect citizens from aggression, protect public and private property, and creating borders between adverse parties.<sup>119</sup> The Army also has a duty to open roads.<sup>120</sup> Main highways can be closed only for a short period of time and less frequented streets can be closed for a few days before the Army must clear protesters.<sup>121</sup> To do this, the Army has the right to inform protesters twice that they should clear the street before using force.<sup>122</sup>

The main duty of the ISF and riot police is to protect any attacks on public and private property and to secure protection and arrest,<sup>123</sup> but Interviewees believed that the law enforcement

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<sup>111</sup> CCPR, *Gen. comment 37, supra* note 36, at ¶ 74.

<sup>112</sup> *Id.*

<sup>113</sup> *Id.* ¶ 92.

<sup>114</sup> *Id.* ¶ 91.

<sup>115</sup> Interview with Colonel Ziad Rizkallah, Director of the International Humanitarian Law and Human Rights Department in the Lebanese Army (October 15, 2020).

<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

<sup>118</sup> *Id.*

<sup>119</sup> *Id.*

<sup>120</sup> *Id.*

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*

<sup>123</sup> Interview with Marie Claude Najm, Minister of Justice (Sept. 24, 2020); Interview with Wael Hammam, *supra* note 60.

authorities were the main perpetrators of violence<sup>124</sup> or stood by to watch the destruction of property while only protecting government buildings.<sup>125</sup>

When acting under its responsibilities, law enforcement should use less lethal weapons like shields and sticks instead of guns, shredded bombs, or rubber bullets.<sup>126</sup> In some circumstances, “tear gas is acceptable following the international agreements and laws[,]”<sup>127</sup> but the amount used was inappropriate.<sup>128</sup> Water hoses and cannons are appropriate to protect property.<sup>129</sup> Instead, the Army used military tactics with guns, bullets, and rubber bullets to unjustifiably attack protesters.<sup>130</sup>

## 3.2 Violent Events and Political Factors

### 3.2.1 How Civil Society Organizations Can Address Violent Events

Only two interviewees commented on how CSOs can address violent events. The Lawyers’ Committee for the Defense of Protesters tried to prevent violence by putting fences between protesters and security forces and by letting the forces know that they were a Committee of attorneys there to prevent violence.<sup>131</sup> However, they could not prevent violence with so many protesters.<sup>132</sup> Nayef El Alawi stated that CSOs cannot prevent violence, but that violence can only be stopped through protests on the ground, not in the offices of a CSO.<sup>133</sup>

### 3.2.2 Opinions and Perceptions of Violent Events

#### Origins of State Violence

There were different opinions between KIIs and MGDs as to why law enforcement used violence against protesters. Some believed that violence by security forces “is an order from the above starting with the president of the country then by the prime minister reaching the relevant

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<sup>124</sup> Interview with Wael Hammam, *supra* note 60.

<sup>125</sup> MGD 1, *supra* note 62; MGD 2, *supra* note 64.

<sup>126</sup> Interview with Ali Fayad of Hezbollah and Deputy in Parliament (Oct. 12, 2020); Interview with Marie Claude Najm, *supra* note 123; Interview with Samy Gemayel, President of the Phalanges Party and Deputy in Parliament (Sept. 15, 2020).

<sup>127</sup> Interview with Micheal Moussa, Chairman of the Parliamentary Human Rights Committee and Member of the Development and Liberation Bloc (Sept. 23, 2020).

<sup>128</sup> Interview with Faysal Sayegh, Deputy in Parliament and Member of the Socialist Party (Sept. 17, 2020).

<sup>129</sup> Interview with Ali Fayad, *supra* note 126.

<sup>130</sup> Interview with Samy Gemayel, *supra* note 126; Interview with Faysal Sayegh, *supra* note 128.

<sup>131</sup> Interview with Wael Hammam, *supra* note 60.

<sup>132</sup> *Id.*

<sup>133</sup> Interview with Nayef El Alewe, *supra* note 83.

ministers and the police officers on the ground.”<sup>134</sup> In one instance, soldiers told protesters to leave protests because, although they supported the movement, they had orders to inflict violence.<sup>135</sup> The Army, specifically, receives orders from Army Leadership.<sup>136</sup>

Others believed that violence is an individual reaction and not an order from above.<sup>137</sup> Some observed that, even when commanders gave orders to law enforcement to stop the violence against protesters, they didn’t listen.<sup>138</sup>

Some felt that the biggest factor was politics through speech, parties, or leaders. Political groups caused fights and harmed or scared protesters.<sup>139</sup> Protests were more aggressive when the protests were targeting specific politicians, around Parliament, blocking the road to stop delegates from reaching Parliament to vote their trust to the new government, outside police departments to release the arrested,<sup>140</sup> or against banks.<sup>141</sup> Specifically, when Nasrallah or Berri were mentioned by the protestors, the aggression against them increased.<sup>142</sup>

It is important to mention that during a recent interview on Al Jadeed TV, former Minister of Interior and Municipalities Marwan Charbel stated that, during his term, they used to send ISF officers dressed as civilians to cause riots and, consequently, disperse protesters<sup>143</sup>.

#### Violence by Protesters

Those interviewed disagreed as to whether violence by protesters was justified.

Some condemned acts of violence by protesters such as sabotage or attacks on public institutions.<sup>144</sup> Others felt empathy with the frustration of protesters which led to violence.<sup>145</sup>

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<sup>134</sup> Interview with Samy Gemayel, *supra* note 126.

<sup>135</sup> MGD 2, *supra* note 64.

<sup>136</sup> Interview with Colonel Ziad Rizkallah, *supra* note 115.

<sup>137</sup> Interview with Ali Fayad, *supra* note 126; Interview with Faysal Sayegh, *supra* note 128.

<sup>138</sup> MGD 1, *supra* note 62.

<sup>139</sup> Interview with Alexi Haddad, Board Member and Supervisor of Mouwatinoun (Oct. 27, 2020); Jad Shahrour, Media Manager for Samir Kassir Foundation (Oct. 1, 2020); Interview with Wadih el Asmar, Founder and President of CLDH (Sept. 28, 2020); Interview with Wael Hammam, *supra* note 60.

<sup>140</sup> Interview with Ali Msarrah, *supra* note 75.

<sup>141</sup> Mini Group Discussion 3 (Oct. 2, 2020).

<sup>142</sup> Interview with Ali Msarrah, *supra* note 75.

<sup>143</sup> [https://www.youtube.com/watch?v=fCPw4Hnr4Ao&ab\\_channel=ALJadeed](https://www.youtube.com/watch?v=fCPw4Hnr4Ao&ab_channel=ALJadeed) (minute 4:05)

<sup>144</sup> Interview with Michael Moussa, *supra* note 127.

<sup>145</sup> Interview with Marie Claude Najm, *supra* note 123.

There was some consensus that the violence by protesters is relative and that throwing rocks or breaking glass are still part of a peaceful protest.<sup>146</sup> Instead, the true violence is the extreme use of weapons from the state.<sup>147</sup>

Participants in MGDs all corroborated that smaller groups of “rebels” would enter peaceful protests to cause chaos and violence. Some of those people were part of political parties and others were unidentifiable. There were accounts of the Parliament Police, dressed in civilian clothes and Army intelligence starting riots from inside the protests.<sup>148</sup> There was also an account of plainclothes protesters starting a riot and then running into the protection of the Army when they began firing on protesters.<sup>149</sup>

### 3.3 Public knowledge and understanding of human rights

Since human rights were violated during the Uprising, survey respondents were asked about their own understanding of human rights during protests, arrests, and of freedom of expression generally. The results are as follows:

#### General Knowledge on Human Rights

Of those who said they knew about human rights, 92 learned through formal education, 55 learned through news media, 77 learned through social media, 43 learned through word of mouth, and 14 learned through training by an organization. When asked if they had heard of the UDHR, 100 said yes and 30 said no.

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<sup>146</sup> Interview with Elsy Moufarrej, Producer of ‘It’s About Time; Sar el Wa2et’ and executive editor of the ‘Justice Magazine; AL Majale Al Kada2iye (Oct. 28, 2020); Interview with Jad Shahrour, *supra* note 139; Interview with Wadih el Asmar, *supra* note 139.

<sup>147</sup> *Id.*

<sup>148</sup> Interview with Nayef El Alewe, *supra* note 83; MGD 1, *supra* note 62.

<sup>149</sup> MGD 1, *supra* note 62 (This took place on Sept. 12, 2020 in Baabda).

HOW MUCH, IF ANYTHING, WOULD YOU SAY YOU KNOW ABOUT HUMAN RIGHTS?

● A great deal ● A fair amount ● Not very much ● I don't know

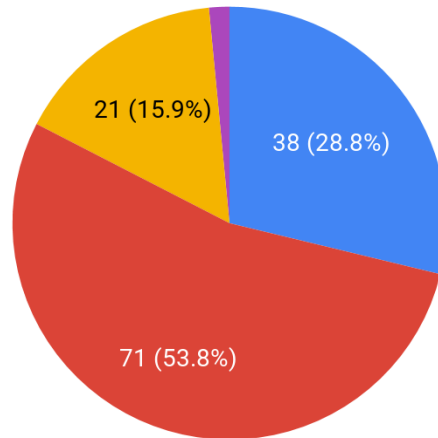


Chart 1: Knowledge of Human Rights

Questions Regarding Torture

IS POLICE BRUTALITY DURING DEMONSTRATIONS CONSIDERED TORTURE?

● Yes ● No ● I don't know

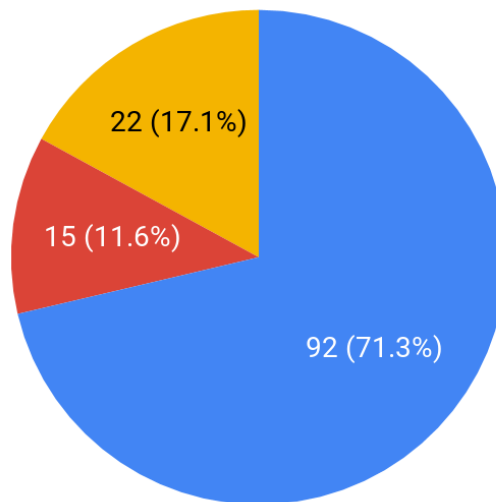


Chart 2: Knowledge of Legality of Police Brutality



### IS TORTURE AN ACCEPTABLE INVESTIGATION TOOL?

● Yes ● No ● In some cases (e.g. spying) ● I don't know

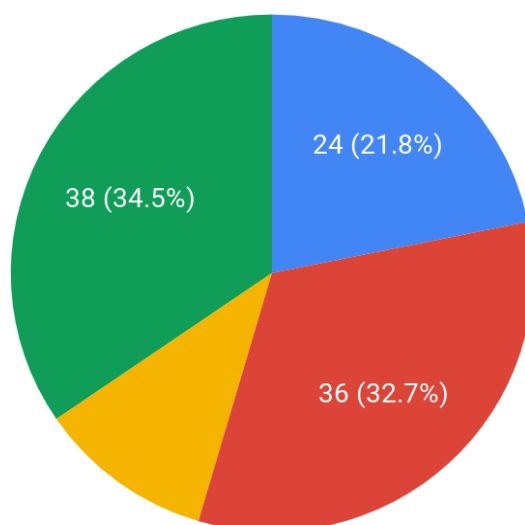


Chart 3: Perception of Torture

### Questions on Human Rights in Lebanon

#### LEGALLY, PEOPLE IN LEBANON HAVE THE RIGHT TO PROTEST AND TO CRITICIZE THEIR GOVERNMENT FREELY

● Yes ● No ● Sometimes ● I don't know

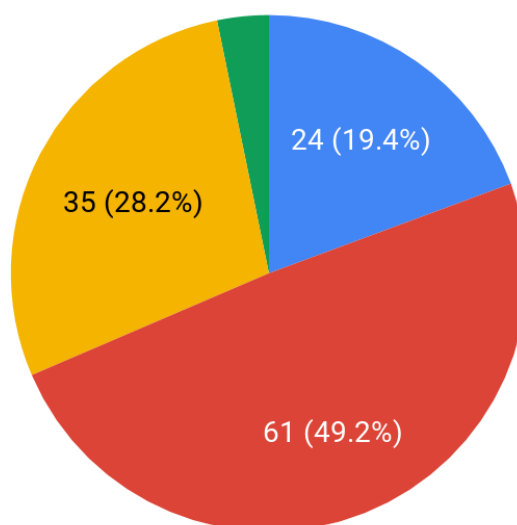


Chart 4: Knowledge of the Right to Protest

## DURING A PROTEST IN LEBANON, YOU HAVE THE RIGHT TO BE PROTECTED FROM VIOLENCE

● Yes ● No ● Depending on the perpetrator

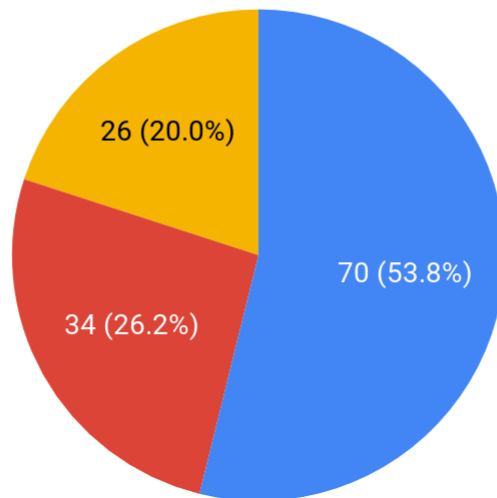


Chart 5: Knowledge of the Right to Protection

UNDER INTERNATIONAL HUMAN RIGHTS LAW, GOVERNMENTS ARE ALLOWED TO (CHECK ALL THAT APPLY)

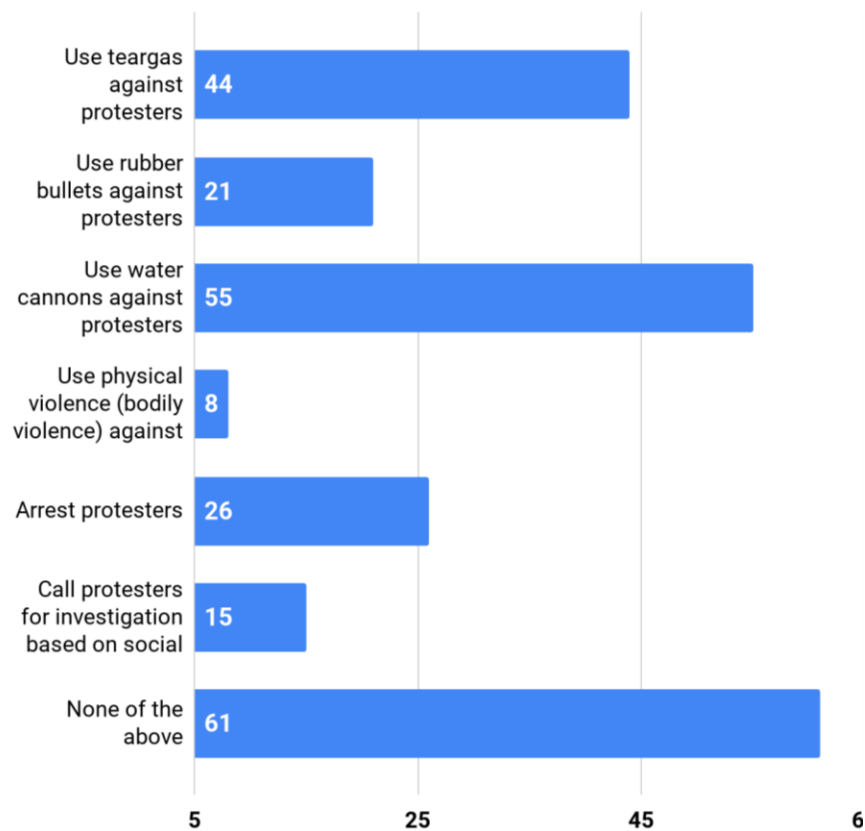


Chart 6: Knowledge of Legality of Use of Force

IF YOU ARE ARRESTED IN LEBANON, YOU LEGALLY HAVE THE RIGHT TO

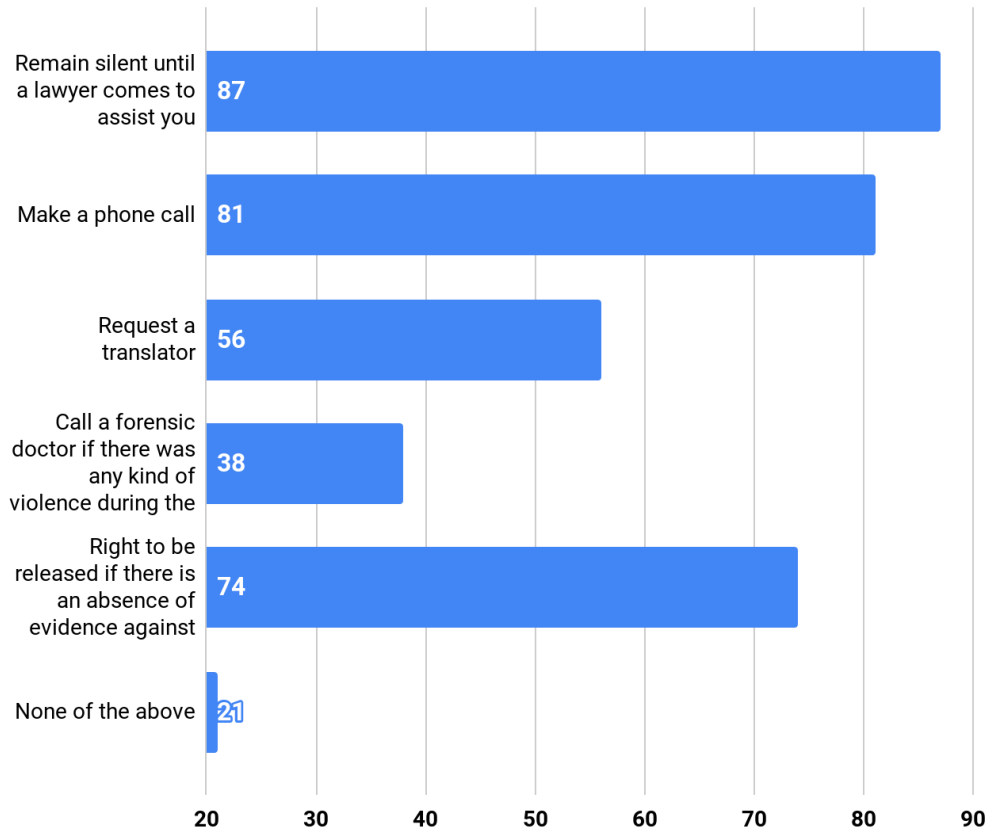


Chart 7: Knowledge of Rights Under Arrest

IF YOU ARE ARRESTED, YOU HAVE THE RIGHT TO FREE LEGAL AID

● Yes ● No ● I don't know

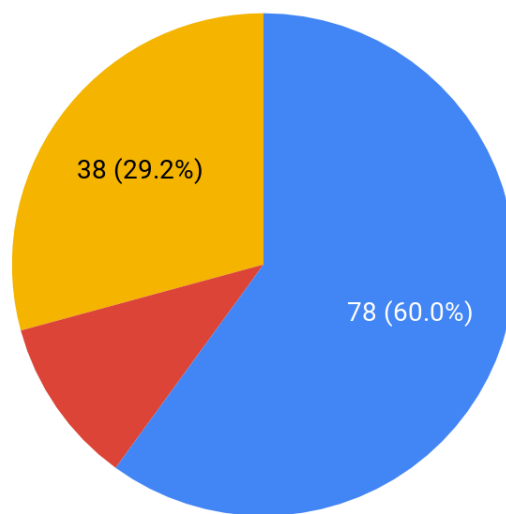


Chart 8: Knowledge of Legal Aid

# IF YOUR HUMAN RIGHTS ARE VIOLATED, YOU HAVE THE RIGHT TO A REMEDY

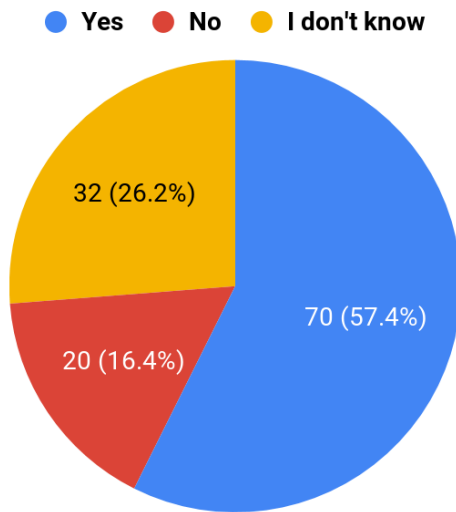


Chart 9: Knowledge of the Right to Remedy

## WHICH, IF ANY, OF THE FOLLOWING ORGANIZATIONS HAVE YOU HEARD OF?

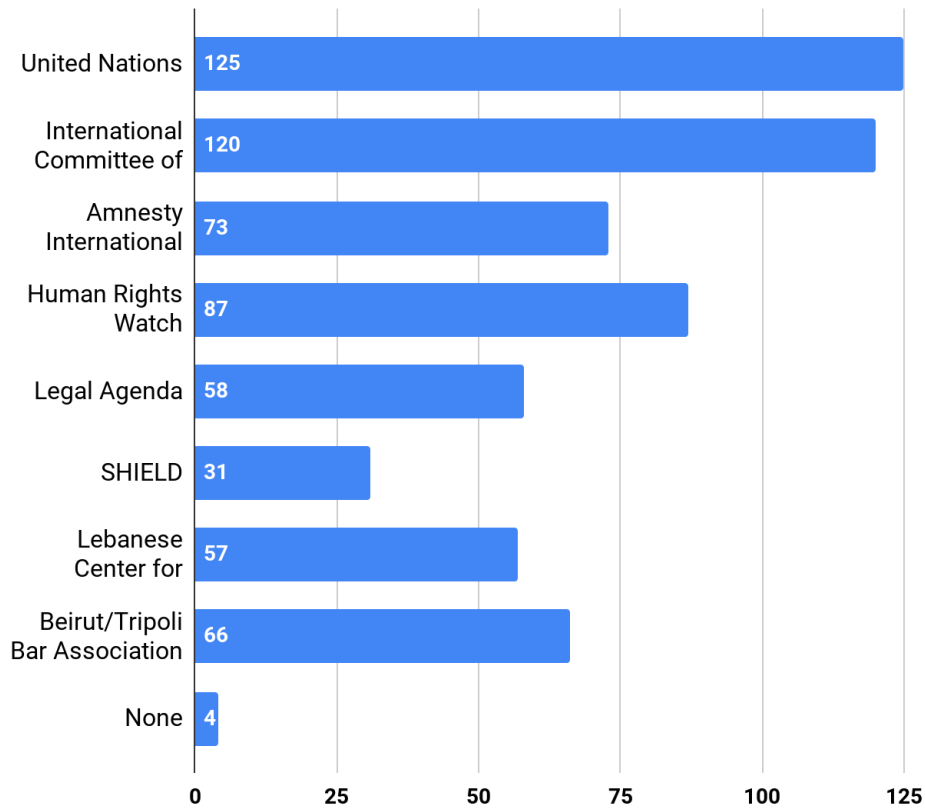


Chart 10: Knowledge of Human Rights Organizations

## WHICH OF THE FOLLOWING DO YOU THINK ARE HUMAN RIGHTS THAT YOU LACK IN LEBANON?

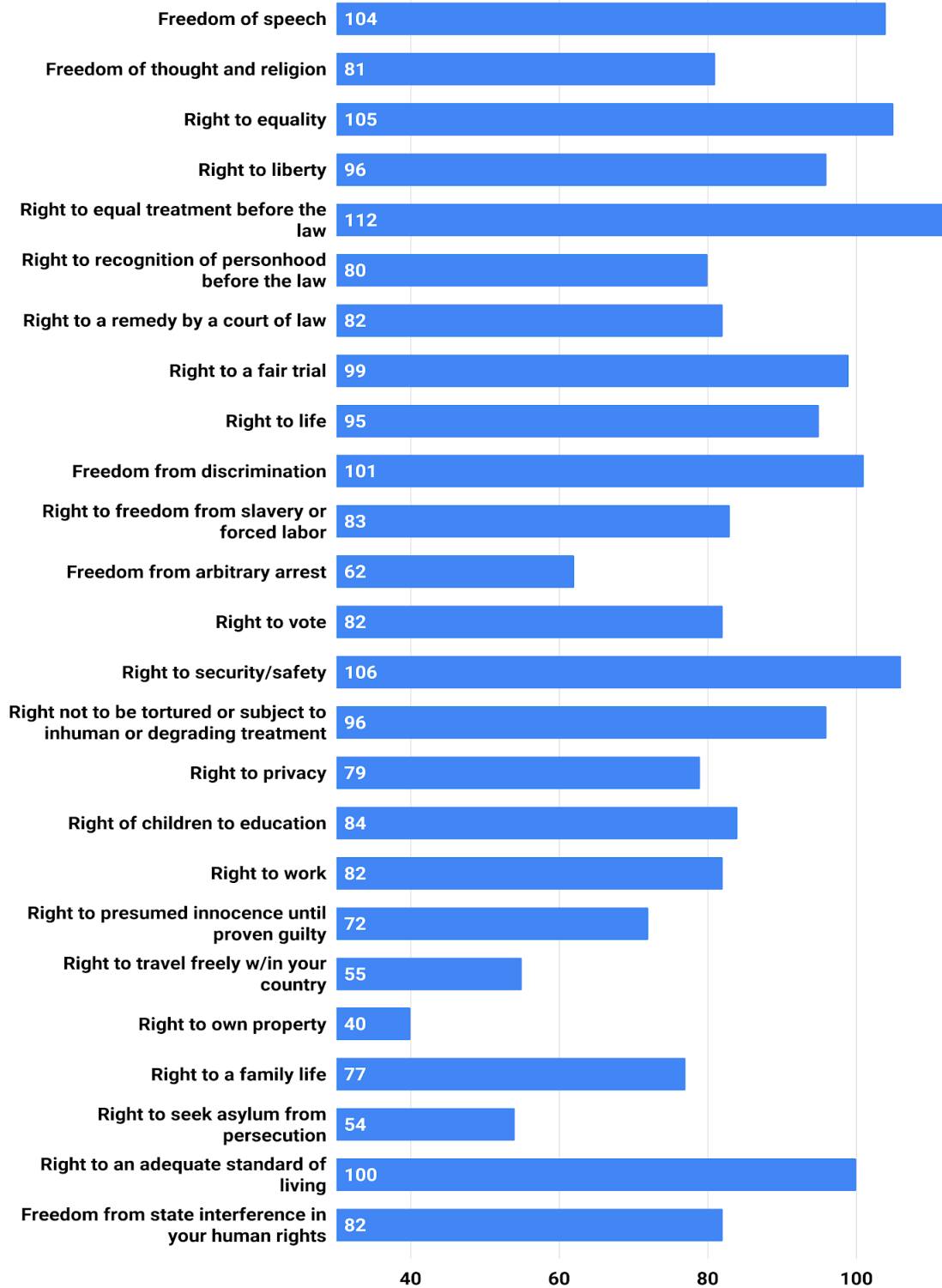


Chart 11: Perception of Rights in Lebanon

### WHO IS RESPONSIBLE FOR YOUR HUMAN RIGHTS IN LEBANON?

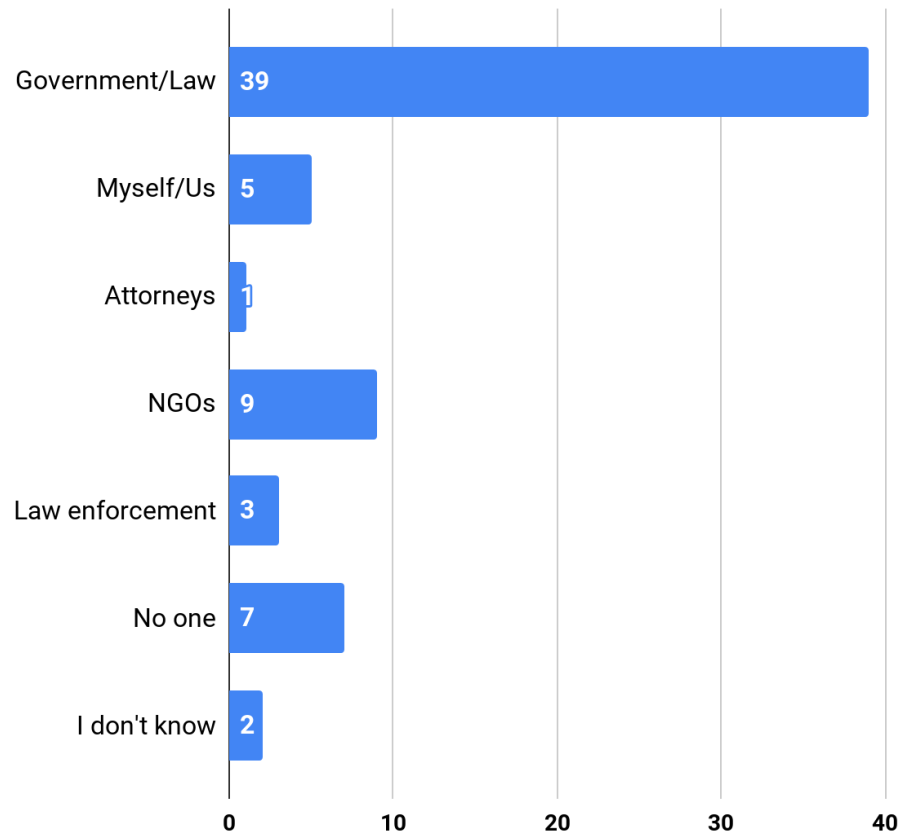


Chart 12: Knowledge of Human Rights Responsibility

### 3.4 Perceptions of the Uprising

By using open coding for the KIIs and the MGDs and utilizing Google's statistical output tools for the population survey, the team was able to identify key themes regarding opinions and perceptions of the Uprising.

#### 3.4.1 Perception of Survey Respondents

Generally, most respondents believe that the protests during the Uprising had a positive impact (47) or had both a negative and positive impact (54) on Lebanese society.

The survey respondents were asked whether they believed the protests before and after the explosion were justified or rightful. A majority of the respondents, 109, stated that they believed the protests before the explosion were justified or rightful. 20 did not. The reasoning for their responses falls into the categories below:

### Asking for Accountability from Leaders

Eight respondents stated that the protests were justified because of government corruption. Some felt that the protests were a way to show that the people were angry about corruption and wanted a change.

Twenty-five respondents stated that the protests were justified because of the need for more basic rights, human rights, and infrastructure. Of those issues, several people mentioned issues with water, electricity, unemployment and financial instability, lack of fuel and medicine, hunger, poverty, neglect, and mismanagement. Several respondents tied these issues back to government corruption and mismanagement.

Three respondents felt that the protests were about voices finally being heard.

### Protests as Problematic

Several respondents did not support the protests or think that they were justified. The main reasoning stated was that the protests were violent, the protests became infiltrated by political party agenda, and the protests were not conducted in a way that could make a change.

Regarding change, one respondent felt as though the main issue facing change was the mindset of voters. People needed to stop listening to politicians before any protest would be effective. One person felt that the protests were not strong enough: "If we believe that the party in the streets and the dancing will change, we will remain under the authority of these dogs sitting in their luxurious real estates." Another reflected that there was a lack of unity in creating a specific plan for change. The last respondent felt as though the protests didn't make any positive change, and that, in fact, interference in the movement by politicians made the situation worse than before.

### A Response to Sectarian Division

Several respondents felt that the protests were justified as a response to sectarian division. They stated that the divide had been a problem since the late eighties and the early nineties. Several others lamented that the situation was only getting worse, and that the protest was a way to create a change for a better future.

### 3.4.2 Perception of Key informants and MGD Participants

In both the KIIs and the MGDs, respondents stated in some way that the Uprising signaled the fall of the political elite, the willingness of citizens to fight for a better government, and served

as a tool of unity for all citizens to come together, despite differences, to protest. The below are themes of responses with specific quotes from key informants and summaries from MGDs.

### Fall of the Political Elite

Those interviewed described the Uprising as facilitating the loss of “politician prestige.” This was manifested through protesters feeling more comfortable speaking out against politicians<sup>150</sup> and holding leaders accountable as servants to the public.<sup>151</sup>

### The Uprising Unifies Lebanon

A theme in both MGDs and KIIs was the way in which the Uprising united people from different backgrounds in Lebanon. All people in Lebanon were affected by the economic crisis, so the protests included people from different ages, religions, and political parties working together and learning from each other to make change, despite sectarian division.<sup>152</sup>

### Involvement of Political Parties in the Uprising

Members of the Phalanges Party and the Socialist party were allowed to participate in protests,<sup>153</sup> but some felt that they should not participate as it could color the reputation of the Uprising.<sup>154</sup> Others felt like the place for political parties was advocating through their official capacity in government.<sup>155</sup>

### The Uprising as a Means for Sustainable Political Change

While two key informants felt that the Uprising was useful in informing the youth of government accountability<sup>156</sup> and an opportunity for modernization,<sup>157</sup> others felt that real sustainable change can only come through elections and voting for new leaders who will promote anti-corruption.<sup>158</sup>

### All Means All

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<sup>150</sup> Interview with Faysal Sayegh, *supra* note 128; MGD 2, *supra* note 64.

<sup>151</sup> Interview with Faysal Sayegh, *supra* note 128; Interview with Samy Gemayel, *supra* note 126.

<sup>152</sup> Interview with Jad Shahrour, *supra* note 139; Interview with Marie Claude Najm, *supra* note 123; Interview with Michael Moussa, *supra* note 127; MGD 1, *supra* note 62; MGD 2, *supra* note 64.

<sup>153</sup> Interview with Faysal Sayegh, *supra* note 128; Interview with Samy Gemayel, *supra* note 126.

<sup>154</sup> Interview with Ali Fayad, *supra* note 126; Interview with Michael Moussa, *supra* note 127; Interview with Samy Gemayel, *supra* note 126.

<sup>155</sup> Interview with Faysal Sayegh, *supra* note 128; Interview with Marie Claude Najm, *supra* note 123.

<sup>156</sup> Interview with Samy Gemayel, *supra* note 126.

<sup>157</sup> Interview with Michael Moussa, *supra* note 127.

<sup>158</sup> Interview with Faysal Sayegh, *supra* note 128; Interview with Jad Shahrour, *supra* note 139; Interview with Marie Claude Najm, *supra* note 123; Interview with Samy Gemayel, *supra* note 126.



Several political leaders emphasized the issue with the Uprising slogan “all means all[.]” They stated that the slogan alienates politicians who can help create constructive change<sup>159</sup> and that not all politicians are corrupt.<sup>160</sup> However, protest participants stated that “all means all” was a signal to the world that Lebanese people are ready to rid themselves of sectarianism.<sup>161</sup>

### The Shortcomings of the Uprising

Another theme expressed through interviews was the need of the Uprising to move from chaos to a movement based on concrete requests and plans presented to the government. Many stated that the Uprising needed to take shape within the government with direct demands, instead of through violence.<sup>162</sup> In response to these issues, one group is creating an “organizational and political framework” to impose the Uprising’s presence and “conditions on the political framework in the country.”<sup>163</sup>

### 3.5 Human Rights Abuses After the Port of Beirut Explosion

After the explosion in the Port of Beirut on August 4, 2020, hundreds were killed and hundreds of thousands were left homeless. 126 of the survey respondents saw the explosion itself as a violation of their human rights. Out of the respondents, 114 felt that the protests which took place after the explosion were justified. Some commented that the explosion was an illustration of what they had been protesting since October 17.

The explosion activated a new round of protests, with much violence against protesters taking place on August 8 in Beirut - there was not a protest that day in Tripoli.<sup>164</sup> Tens of thousands of protestors gathered downtown.<sup>165</sup> Several people stated that the force used by law enforcement authorities was no longer personal - with sticks or physical assault. Instead they doubled down with weapons that could be thrown or used from afar including more tear gas and the

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<sup>159</sup> Interview with Faysal Sayegh, *supra* note 128; Interview with Marie Claude Najm, *supra* note 123.

<sup>160</sup> Interview with Michael Moussa, *supra* note 127.

<sup>161</sup> MGD 1, *supra* note 62.

<sup>162</sup> Interview with Ali Fayad, *supra* note 126; Interview with Faysal Sayegh, *supra* note 128; Interview with Jad Shahrour, *supra* note 139; Interview with Jean Kassir, Director of MEGAPHONE (Sept. 28, 2020); Interview with Michael Moussa, *supra* note 127; Interview with Nasser Yassine, *supra* note 78; Interview with Wael Hammam, *supra* note 60.

<sup>163</sup> Interview with Wael Hammam, *supra* note 60.

<sup>164</sup> HRW, Lethal Force Against Protesters, *supra* note 108.; Ayoub, Laure, صرخة أطباء ضد إطلاق الرصاص الحي، Legal Agenda (Aug. 14, 2020); <https://legal-agenda.com/-الرصاص-الحي-على-شعب-يظهر-قهر-الطباء-ضد-إطلاق-الرصاص-الحي-على-شعب>.

<sup>165</sup> HRW, Lethal Force Against Protesters, *supra* note 108.

introduction of shredded bombs<sup>166</sup> and use of live bullets.<sup>167</sup> However, the Army,<sup>168</sup> ISF,<sup>169</sup> and Parliament Police<sup>170</sup> denied using live bullets. An Army representative stated that it was mainly the ISF shooting towards protesters.<sup>171</sup> Law enforcement authorities were also, reportedly, more non-discriminate, targeting everyone with weapons.<sup>172</sup>

728 people were injured during the protest on August 8th.<sup>173</sup> Some protesters were left blind and others harmed by shredded bombs.<sup>174</sup> This violence is corroborated in the survey with 93% of the survey respondents stating that they felt their human rights were violated after the explosion.

Protesters were violent too, destroying public and private property and throwing fireworks, rocks, and Molotov cocktails at law enforcement.<sup>175</sup> 105 Army soldiers were injured and 70 ISF members were injured with one killed.

### State of Emergency

Beirut was under a state of emergency during these protests.<sup>176</sup> Freedom of assembly is derogable.<sup>177</sup> The derogations have restrictions. A state of emergency cannot be used to derogate from the right to peaceful protest if there is another way to respond under Article 14 of the Covenant. Additionally, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials cannot be derogated in a state of emergency. In the aftermath of the Port explosion and the declaration of the state of emergency that followed, many restrictions were imposed and many violations were perpetrated. Migrants and refugees faced a series of arbitrary and unjustified arrests if they were found without their identification papers. In the

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<sup>166</sup> Interview with Wael Hammam, *supra* note 60.

<sup>167</sup> Interview with Nayef El Alewe, *supra* note 83.

<sup>168</sup> The Army Command - Directorate of Orientation, *LSF Denies News Reported on Social Media Pages*, Lebanese Army (Aug. 9, 2020). <https://www.lebarmy.gov.lb/en/content/laf-denies-news-reported-social-media-pages>.

<sup>169</sup> General Directorate of Internal Security Forces - Public Relations Division, توضيح حول عدم إطلاق عناصر قوى الامن الداخلي الرصاص المطاطي، ولا أي نوع آخر من الرصاص باتجاه المتظاهرين Internal Security Forces (Aug. 8, 2020). <http://isf.gov.lb/ar/article/9112946>.

<sup>170</sup> Lebanon National News Agency, شرطة مجلس النواب: كل ما جاء على لسان نادر مختلق واقتراء (Aug, 8, 2020). <http://nna-leb.gov.lb/ar/show-news/495656/nna-leb.gov.lb/ar>.

<sup>171</sup> Interview with Colonel Ziad Rizkallah, *supra* Note 115.

<sup>172</sup> MGD 1, *supra* note 62.

<sup>173</sup> HRW, Lethal Force Against Protesters, *supra* note 108.

<sup>174</sup> MGD 1, *supra* note 62.

<sup>175</sup> HRW, Lethal Force Against Protesters, *supra* note 108.

<sup>176</sup> Al-Jazeera, Lebanon gov't declares emergency in Beirut after deadly explosion (Aug. 5, 2020). <https://www.aljazeera.com/news/2020/8/5/lebanon-govt-declares-emergency-in-beirut-after-deadly-explosion>.

<sup>177</sup> CCPR, *Gen. comment 37*, *supra* note 36, at ¶ 96.

wake of the explosion many people rushed to help or search for missing persons or had lost their IDs. The Government tried to limit the work of non-governmental organizations in Beirut. NGOs were asked to request permission when responding to the blast and had to work under Army supervision. Moreover, the extension of the state of emergency until December 2020 has no factual basis or necessity other than keeping all relief work under the Army's control.

#### 4. Section Four: Summary of Findings, Conclusion and Recommendations

##### 4.1 Summary of Findings and Conclusion

This research sought to analyze the general human rights situation in Lebanon during the Uprising and the opinions on protests. In summary, the human rights violations which took place in Lebanon were mainly by the Army, ISF, and Parliament Police. Those human rights violations included excessive use of force during protests. With the protests the main issues were that the use of force was disproportionate to the threats of violence as they used rubber bullets, regular bullets, tear gas, water cannons, and shredded bombs against all protesters, violent and non-violent. These actions were a violation of the freedoms of speech, opinion, and assembly.

While violence at the protests affected the most people involved in protests, a smaller subset of participants was harmed by other human rights violations including discrimination, arbitrary arrest and detention, enforced disappearance, torture, violations of freedom of speech online, right to a fair trial, right to life, and right to a remedy. The following table shows which human rights violations occurred during the Uprising and who violated those rights:

Table 3: Rights Violations and Perpetrators

Right Violation	Perpetrator
Excessive Use of Force	Army Soldiers, Army Brigade 11, Nabatieh Municipality police, Security Forces, Parliamentary Guards, Riot Police
Right to Equal Application of the Law/Non-Discrimination	Army Soldiers, Public Prosecutor*, Riot Police
Arbitrary Arrest and Detention	Military Prosecution, Army, Internal Security Forces, Defense Ministry and Military Police branch in Rihaniyeh
Enforced	Army, Intelligence Security Forces

Disappearance	
Torture	Army including Brigade 11 and Intelligence, Internal Security Forces, Defense Ministry and Military Police branch in Rihaniyeh
Freedom of Speech and Opinion, Assembly	Army Soldiers, Beirut Investigative Judge, Mount Lebanon Public Prosecutor Judge, Public Prosecutors, Nabatieh Municipality police, Internal Security Forces Cybercrimes Bureau, Parliamentary Guards, Riot Police, Security Forces, State Prosecutor
Right to a Fair Trial	Military Tribunal, Military Prosecutor, Defense Ministry and Military Police branch in Rihaniyeh
Right to Life	Army
Right to a Remedy	Military Court, Chief Public Prosecutor

Law enforcement officials during the protests either began violence, or reacted to violence by a subset of people against all protesters. Law enforcement officials are required to protect both public and private property as well as people, but those interviewed felt as though private property and the people were not protected. Law enforcement also illegally arrested protesters for protected actions under international and domestic law. Those speaking out about their rights on social media were also called in for investigation based on online posts. These investigations had no basis under international law.

According to the KIs and MGDs, protests were more violent when the messages of protesters targeted specific politicians, when the protests were around parliament, and when people were protesting outside police departments to release the arrested. There were also specific events which triggered violent protests. No CSOs were successful in preventing acts of violence and CSO representatives did not feel that they could play a role in preventing acts of violence. CSOs were, instead, responding to acts of violence through aid and advocacy.

The majority of the public surveyed was aware of their human rights, but many did not know their rights during protests or that certain violence was not allowed under international law. Many felt that key rights were lacking in Lebanon.

Almost all survey respondents felt that their human rights were violated post-explosion. The public experienced violations of their freedom of assembly during the state of emergency. They also were victims of excessive use of force not allowable under international law. After declaring a State of emergency, many people were arrested arbitrarily in Beirut, and security forces

demanded certain papers from NGOs to be able to operate in the damaged area. The human rights violations were also present after the explosion in the Port of Beirut. There was a consensus that law enforcement used more long-range weapons during the protest on August 8, 2020. They additionally used shredded bombs during this time.

The Uprising had mixed responses from survey respondents, key informants, and MGD participants. Most felt that the protests were justified against the government. Others felt that the protests lacked a central goal which would allow for change. Some were also concerned about the violence of the protests.

A year since the beginning of the Uprising, many questions remain unanswered. To what extent did these events actually reshape the understanding of certain basic Human Rights notions? How can people's awareness of their rights serve future protests? But most importantly, will this popular Uprising pave the way for a real, long term societal change? Without any doubts, radical improvements take months and even years to come together as notable reforms with an actual impact on the civil and political life.

#### 4.2 Recommendations

##### At the executive level:

- Abide by the International Covenant on Civil and Political Rights ratified by the State in November 1972.
- Submit security forces to regular training on human rights, and effective ways to limit the excessive use of force.
- Implement the CAT and OPCAT ratified respectively by the State in October 2000 and December 2008.
- Implement article 47 of the Penal Procedure law that consists of informing the defendant of his/her rights upon arrest.
- Launch an independent investigation of all excessive force incidents.
- Hold security forces accountable whenever they commit human rights violations.
- Prohibit government institutions, including the army and security agencies, from bringing defamation suits.

##### At the legislative level:

- Amend the anti-torture and other cruel, inhuman or degrading treatment or punishment law (65/2018) to remove the expiration of the statutes of limitation and implement it.
- Amend laws that limit freedom of speech including article 384 of the Penal Code.
- Decriminalize defamation and insults such that they become civil offenses that do not carry any prison sentences.
- Decriminalize blasphemy and defamation, or insults to religion.

- Criminalize only statements that amount to advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence. The law should clearly define what is meant by each of these terms, using the Rabat Plan of Action as a guide.
- Amend the Lebanese Constitution in order to include article 47 of the Penal Procedure law.
- Amend the penal procedure code to impose further limitations on the authorities of the Public Prosecutors in matters of arbitrary detention.

At the judicial level:

- Pass the law regarding the independence of the Judiciary.
- Refrain from violating the Constitution and suppressing freedom of expression through arbitrary prosecutions based on social media posts and public statements.
- Advocate among prosecutors about the topic of Human Rights through regular workshops and training.
- Human Rights violations perpetrated by security officers should be investigated by an independent body (e.g. Judge) to avoid any conflict of interest and guarantee a fair and transparent investigation.

To civil society actors:

- Raise awareness to the population around legal and Human Rights topics through social media campaigns and virtual and in-person training.
- Continue to monitor, document and advocate for Human Rights violations in Lebanon with a focus on changing domestic law to conform with human rights laws.
- Increase government's accountability by connecting with national and international actors including Government's donors, the UN, INGOs and Civil Society Actors through participating in UN Human Rights Council meetings.
- Encourage accountability and reparations for human rights violations during the Uprising by periodically releasing reports on abuses during the Uprising and campaigning for Lebanon to allow individual complaints to CAT and the CCPR.

To Beirut and Tripoli Bar Associations:

- Promote effective pro-bono legal services and encourage junior lawyers to participate in pro-bono programs.
- Promote a culture of Human Rights among lawyers by providing training on human rights law.
- Encourage and promote legal aid to all nationalities by identifying nationalities that are underrepresented in pro-bono legal representation and creating programs to aid those communities.
- Establish a fundraising and donor relations department to increase the capacity of the Bar.
- Establish sanction mechanisms for lawyers who do not adequately represent clients in legal aid cases.

- Utilize the amendment of Article 47 of the Code of Criminal Procedure, which requires a lawyer for preliminary investigations for them be recorded in audio and video to limit the extraction of confessions under pressure and torture.
- Play an active role in the prevention of torture and ill-treatment by establishing a committee specializing in this area that coordinates with the National Prevention Mechanism and the National Human Rights Institute.

## Appendices

### Appendix 1: Timeline of Violent Events

October 17, 2019	Protests begin	Protests begin as thousands take to the streets from Tripoli to Tyre and Baalbek to Beirut in opposition to a government-approved WhatsApp tax
October 18, 2019	Second day of protests	Protests continue - police fired rubber bullets and tear gas at protesters downtown and Lebanese Army soldiers were seen aiming their weapons at protesters and journalists. 70 arrested and held overnight
October 19, 2019	Release of protesters shows injuries	The 70 arrested were released and shown covered with bruises from beatings before and during arrests
October 19, 2019	Death of Hussein Al-Attar	Hussein Al-Attar becomes the revolution's first Martyr, although a regular citizen killed him
October 20, 2019	Protests continue	Protests continue with hundreds of thousands protesting
October 22, 2019	Armed political groups harm protesters	Armed gangs claiming to be affiliated with Speaker of Parliament, Nabih Berri, attacked protesters, Amal Movement supporters threatened protesters and media, and armed men fired into a crowd, wounding protesters
October 23, 2019	Protesters injured by police in South Lebanon	In South Lebanon, at least 15 protestors injured by Nabatieh Municipality police
October 26, 2019	People wounded and shots fired in Beddawi	In Beddawi, North Lebanon, several people wounded and shots were fired (possibly by Army).
October 28, 2019	Security forces harm protesters in Saida and Sidon	In Sidon, security forces violently clash with protesters, leaving them injured. Images of security forces violently hitting protestors in Saida are released
October 29, 2019	Political supporters harm protesters but no arrests made	Hezbollah and Amal Movement supporters beat protestors and burned tents belonging to protestors in Martyrs' Square while riot police stood by and watched. Riot police and the Lebanese Army later cleared the groups but made no arrests.

November 1, 2019	Protesters outside of bank beaten by police	In Beirut, police arrested four protesters who had occupied the entrance of the Association of Banks and beat and arrested another protester outside moments later. A fifth protester who got close to the vehicle was violently beaten. Police attempt to block cameras from filming the incident.
November 5, 2019	Army soldiers harm and detain protesters	Army soldiers detained more than a dozen protestors who refused to open the highways in Zouk Mosbeh. Two older men fainted. Protesters said they were beaten by soldiers.
November 12, 2019	Alaa Abou Fakher killed in Khaldeh by soldier	In Khaldeh, Alaa Abou Fakher was shot and killed when a soldier shot into a crowd of protesters in order to disburse them.
November 13, 2019	Khaldoun Jaber kidnapped by ISF	Protester Khaldoun Jaber was kidnapped by ISF and he was violently arrested without any clarification on his whereabouts to lawyers or even his family. He could not be found for more than 12 hours.
November 14, 2019	More Army arrests	The Army takes several people into custody including Paul Abou Hamad, Raymond Takla, Joseph Saab, Ralph Khawand, Julian Rouhana, Joseph Rouhana, Mario Bou Ghosn, and Anthony Mhanna (reportedly arrested in Jal el-Dib)
November 13, 2019	Khaldoun Jaber alleges torture by security forces	In Baabda, Khaldoun Jaber was released and showed the local press that he was wounded in several places of his body. He said that security forces asked where are protesters gathering money from and hit him hard to extract answers.
November 13, 2019	Samer Mazeh and Ali Basal victims of enforced disappearance	Samer Mazeh and Ali Basal were taken into custody and lawyers couldn't locate them or find proof of the arrest. They were released after 24 hours.
November 19, 2019	Security forces leave protesters bloodied	Protesters in Beirut blocked roads leading to the Parliament building. Security forces left protesters bloodied.
November 21, 2019	Army opens investigation into death of Alaa About Fakher	The Army opened an investigation and a military prosecutor charged a Lebanese soldier and colonel for the killing of Alaa Abou Fakher.
November 23, 2019	Five people arrested for tearing down an FPM banner	Five people - including three minors - were arrested by the intelligence branch and then handed over to military police for tearing down a Free Patriotic Movement banner. They were released overnight.
November 24, 2019	Political party supporters harm protesters and security forces use teargas	Hezbollah/Amal supporters were aggressive against protesters around 10:30 pm on the Beirut Ring Bridge. Security forces used tear gas in the crowd of protestors in the night. Protesters then rioted downtown so security forces deployed teargas around 4:30 am on the 25th.
November 26, 2019	Army intervenes in political group fight. 130 people injured during a protest in Tripoli.	Injuries reported in Beirut after a scuffle between FPM supporters and Kataeb supporters near the residence of former President Amine Gemayel - the Army intervened causing injuries. In Tripoli, 130 people



		were injured during a protest. The Red Cross treated 17 cases on-site and transferred 7 to local hospitals.
November 29, 2019 -	Dana Hammoud arrested and forced to sign pledge of respect for security forces	Dana Hammoud was arrested and held overnight for blocking the car of and fighting with an ISF member at a gas station. She was released and signed a pledge to respect the security forces but said that she didn't attack but was instead defending herself.
December 1, 2019	Lebanese Army intervenes in fight between protesters and Aoun supporters	Lebanese Army intervened to de-escalate tensions between protestors and supporters of President Michael Aoun near the presidential palace in Baabda. One person was injured in the head.
December 4, 2019	Protesters and Army fight in Zahle	Clashes between army and protesters on the road in Saadnayel, Zahle
December 9, 2019	Lebanese Army uses teargas against protesters in Tripoli	One person detained after scuffles between police and demonstrators who were blocking the Ring Bridge in Beirut. In Tripoli, the Lebanese Army deployed and used teargas against trash-throwing protesters.
December 10, 2019	Demonstrators and their cars harmed by group in security uniforms	After protesting in front of officials' homes in Ain-El Tineh, demonstrators and their cars were attacked by people wearing security uniforms. Videos of demonstrators injured and smashed cars circulated all over social media.
December 11, 2019	Riot police used tear gas against Amal supporters	Riot police fired tear gas downtown against Amal supporters who were burning tents of protesters and throwing stones.
December 14, 2019	Police fired teargas and rubber bullets against protesters	In Riad Soleh, a Group of Amal and Hezbollah supporters threw rocks, fireworks, and tires at the police. Police fired tear gas and rubber bullets to disperse all protesters, including peaceful ones, and violently attacked and chased them. The riot continued until 5 am on December 15th. 14 people injured according to the LRC
December 15, 2019	Security forces use tear gas and water cannons against protesters in Riad Soleh square	In Riad Soleh square, Security forces threw tear gas at and used water cannons, beat and pushed male and female protestors. Men in black were also beating up protestors. LRC 10 people taken to hospital and 33 treated for injuries on site. Civil Defense said 36 people were taken to the hospital and another 54 were treated by teams. Allegations that infiltrators started the violence against police
December 16, 2019	Police used teargas against pro-Shiite protesters	Police used teargas against pro-Shiite political protesters who first threw rocks at security.
December 17, 2019	Forces detain protesters in Jal el Dib. Pro-government groups attack protesters.	Lebanese forces detained at least seven protestors in Jal El Dib. Attacks on protestors by pro-govt groups in south Lebanon and in Zeytoun, Bekaa.
January 2, 2020	Protesters injured by security forces during bank sit-in	Several protesters injured during scuffles with security forces Thursday as they held a sit-in at the Sidon branch of Credit Libanais bank. One person was taken to the hospital for treatment.

January 14, 2020	Police used tear gas against protesters. Protesters and security forces were injured.	Clashes between protesters and security forces in Beirut's Hamra broke out Tuesday evening, after a protest outside the Central Bank. Riot police tried to disperse those demonstrating from the area. The police proceeded to chase the protesters away and fired multiple rounds of tear gas at the protesters. More than 20 protesters and members of the security forces were injured, according to the LRC, and many were detained.
January 18, 2020	220 people were injured after riot police fired hundreds of rounds of tear gas and rubber bullets at crowds in Beirut	More than 220 people were injured according to the LRC after riot police fired hundreds of rounds of tear gas at crowds, who spread from Saifi to the Ring Bridge, launching fireworks and throwing rocks. Rubber bullets were later used by the police leading to the hospitalization of many protesters.
January 19, 2020	Teargas and rubber bullets by security forces cause facial and other severe injuries	Tear-gas and potentially lethal rubber bullets were also deployed by security forces leaving many protesters and journalists with facial and other severe wounds.
January 21, 2020	Security forces use teargas against protesters.	Security forces threw tear gas on protesters who threw rocks at them during protests in Beirut.
January 22, 2020	Security and protesters fight outside of Parliament.	Clashes between security and protesters outside of Parliament in Beirut left twelve people in hospital and 40 to be treated at the scene, according to the LRC.
January 22, 2020	Hassan Yassin charged by military prosecutor. Doctor states that he was abused in detention.	Activist Hassan Yassin was arrested by the ISF during a protest. He was charged by a military prosecutor for "forcefully resisting security forces." The forensic doctor who examined him in detention said that he had marks of abuse on his body.
January 24, 2020		Amal Movement supporters brought sticks and baseball bats to attack protesters in Jnah, Nabatieh.
January 25, 2020	Security forces use teargas and water cannons against protesters.	Protesters trying to tear down metal barriers and remove wires to enter the Grand Serial Bank were harmed by Security forces firing tear gas and attacking them with water cannons. Video circulated of a water cannon striking a man holding a small child.
January 30, 2020	Arrest warrant issued for colonel involved in the killing of Alaa Abou Fakher	
February 4, 2020	Prosecutor rules to hold protester Rabih el-Zein in detention.	Mount Lebanon Public Prosecutor Ghada Aoun ruled Tuesday to keep protester Rabih el-Zein in detention, despite a decision for his release having been issued by another judge a day earlier.
February 11, 2020	45 taken to the hospital and 328 treated on site after violence between security forces and protesters	During the vote of confidence in the new Cabinet, protestors attempted to block MPs from attending the vote and also threw rocks at Security Forces and Army Personnel. Security forces fired water cannons and tear gas. LRC reported 45 injured taken to the hospital and 328 treated on site.

February 29, 2020	Law enforcement uses teargas against protesters throwing projectiles	At Weygand Street, protestors threw projectiles, while the enforcement officers responded with tear gas.
April 23, 2020	A number of protesters in Saida were arrested. Clashes with ISF in front of the Central Bank in Saida.	
April 27, 2020	Fawaz Fouad al-Samman was shot and killed during a protest in Tripoli.	Fawaz Fouad al-Samman was shot with a live bullet and subsequently died from his wounds on April 28. At least 20 other protesters were injured during the confrontation in Tripoli's Abdel-Hamid Square.
May 5, 2020	Investigation opened into torture of detainees from protests.	Military Prosecutor Peter Germanos has ordered Army Intelligence's Investigation Branch to conduct an internal probe into the alleged torture of detainees in detention facilities in Sidon and elsewhere last week following heated nationwide demonstrations.
June 17, 2020	Government releases an activist who was detained longer than permitted by domestic law	The Appeal Public Prosecution in Nabatieh released the activist Sultan Yaacoub after being arrested by the military prosecution and investigating him for 5 days against the background of his participation in last Thursday's demonstration in Nabatieh aimed at objecting to bank policies, which exceeds the maximum period permitted by law to detain suspects in the custody of investigation.
June 28, 2020	Photographers attacked by Army	Two photographers were attacked by the Lebanese Army resulting in their cameras being destroyed as they attempted to conduct live coverage of the protestors blocking the main highway.
August 4	Explosion at the Port of Beirut	An explosion at the Port of Beirut from improperly stored chemicals kills hundreds, injures thousands, and leaves hundreds of thousands homeless.
August 8	728 people injured in post-explosion protests	Security forces using tear gas, live and rubber bullets, and excessive force to suppress peaceful protesters. 14 journalists assaulted or shot. Rita Kabalan hit in the back with the butt of a Lebanese army soldier's M16 assault rifle, knocking her out cold. 728 people were injured in total and 153 taken to hospital according to LRC.
August 10	Abduction and Enforced Disappearance.	Picture shared of citizen M.S arrested in the form of abduction by army intelligence after being accused of breaking a picture of the President in the Ministry of Foreign Affairs

## Appendix 2: Research Questions

The goal of the report was to answer the following questions:

1. What are the human rights violations that occurred during the uprising and by who?
  - a. If the actors were from the government, what specific government entity?
  - b. Was there a legal basis for calls to investigate activists on the basis of social media posts?
  - c. Was there a legal basis for the arrest of protesters?
2. Were there major political factors that triggered violent acts during demonstrations?
  - a. Is there a link between political speeches in violence?
  - b. What distinguishing factors are there between days of peaceful protest and days of violence?
3. What is the responsibility of the police forces during demonstrations to protect the public and protect property and to what extent did they fulfill those responsibilities?
4. What is the general public's understanding of their human rights?
  - a. Do citizens know their rights when they are arrested?

- b. Do citizens know their rights during protest?
  - c. Do citizens know their rights when it comes to freedom of expression?
- 5. What should be done by the public and CSOs to prevent acts of violence during demonstrations?
  - a. Did CSOs play a role in preventing acts of violence from happening? What were the roles?
- 6. Are protests a catalyst for sustainable political reformation?
  - a. What was the effect of the uprising on Lebanese governmental reform?
  - b. What are past incidences where uprisings created political reform?
  - c. In past incidences, did it improve the system?
  - d. How can protest be used to improve government policies and application of government policies?
- 7. Were there human rights violations during the Beirut Blast emergency response?
  - a. Does the general public think their human rights were violated post-explosion? If so, how?
  - b. What rights violations did the public experience due to the government-declared state of emergency?

### Appendix 3: Population Survey Questionnaire

#### Introduction:

This survey aims to gather information and opinions regarding the protests in Lebanon which began taking place on October 17, 2019. The survey is being implemented on behalf of the Lebanese Center for Human Rights (CLDH). Your contribution will be used in a report regarding human rights abuses during the protests. Your responses will remain anonymous and you will not be identifiable in the written report resulting from this survey. The survey should take between 10-15 minutes to complete, and your contribution is important to understand Lebanon's human rights situation.

#### General:

1. Name of municipality where you primarily reside:
2. Your gender:

- ☐ Female
- ☐ Male
- ☐ Other

3. Your political affiliations/views:

4. Are you active in politics at the moment?

- ☐ Yes
  - ☐ No
  - ☐ Sometimes
- If yes, how are you active in politics? Check all that apply:
    - ☐ Engaged in/have a membership in a political party
    - ☐ Active supporter of a political party
    - ☐ Have participated as candidate in past elections
    - ☐ Are an elected official
    - ☐ Other
  - Please state your position if you are an elected official (if not, please dismiss this question):

Demographics:

5. What is your age?

- ☐ 12-17
- ☐ 18-25
- ☐ 26-35
- ☐ 36-45
- ☐ 46-60
- ☐ above 60

6. What is your marital status? Please select one option.

- ☐ Married
- ☐ Engaged
- ☐ Single
- ☐ Divorced
- ☐ Widow(er)

7. What is your educational level?

- ☐ No degree
- ☐ High school graduate, diploma or the equivalent

- ☐ Technical degree
- ☐ Bachelor's degree
- ☐ Master's degree
- ☐ PhD
- ☐ Other

8. What is your current employment status? (Select one option)

- ☐ Employed full time
- ☐ Employed part time
- ☐ Unemployed and looking for work
- ☐ Unemployed and not looking for work
- ☐ Student
- ☐ Homemaker (manages the home without pay)
- ☐ Retired

9. What is the nature of your job?

Protest Participation:

10. Did you participate in any protests in Lebanon between October 17, 2019 and now?

- ☐ Yes
- ☐ No

11. If yes, which protests?

12. Do you believe the protests had a positive or negative impact on Lebanese society?

- ☐ Positive
- ☐ Negative
- ☐ Neither
- ☐ Both

13. Do you believe the protests before the explosion were justified/rightful?

- ☐ Yes
- ☐ No

14. Please explain your answer to the previous question

15. Do you believe the protests post-explosion were justified/rightful?

- ☐ Yes
- ☐ Sometimes
- ☐ No

16. Do you believe that the explosion was a violation of your human rights?

- ☐ Yes
- ☐ No
- ☐ I don't know

17. Do you believe your human rights were violated after the explosion?

- ☐ Yes
- ☐ No
- ☐ I don't know

Human Rights:

18. How much, if anything, would you say you know about human rights?

- ☐ A great deal
- ☐ A fair amount
- ☐ Not very much
- ☐ Nothing at all
- ☐ I don't know

19. If you have heard about human rights before, where did you learn? Check all that apply:

- ☐ Formal education (i.e. primary school, secondary school, university)
- ☐ News media
- ☐ Social media
- ☐ Word of mouth
- ☐ Other

20. Have you heard of the Universal Declaration of Human Rights?

- ☐ Yes
- ☐ No

21. Is police brutality during demonstrations considered as torture?

- ☐ Yes
- ☐ No

22. Is torture an acceptable investigation tool?



- Yes
- No
- In some cases (e.g. Spying)
- I don't know

23. Which of the following, if any, do you think your human rights that you lack in Lebanon?

Check all that apply:

- Freedom of speech
- Freedom of thought and religion
- Right to equality
- Right to liberty (no one can take away your freedom without good reason)
- Right to equal treatment before the law
- Right to recognition of personhood before the law
- Right to a remedy by a court of law
- Right to a fair trial
- Right to life (no one can try to end your lie)
- Freedom from discrimination (for reasons of race, color, gender, language, religion, disability, nationality)
- Right to freedom from slavery or forced labor
- Freedom from arbitrary arrest
- Right to vote
- Right to security/safety
- Right not to be tortured or subject to inhuman or degrading treatment
- Right to privacy
- Right of children to education
- Right to work
- Right to presumed innocence until proven guilty
- Right to travel freely within your country
- Right to own property
- Right to a family life (including equal rights to marriage)
- Right to seek asylum from persecution
- Right to an adequate standard of living
- Freedom from State interference in your human rights
- None of the above

*Answer the following to the best of your knowledge:*

24. People in Lebanon have the right to protest and to criticize their government freely:

- Yes
- No
- Sometimes
- I don't know

25. During a protest in Lebanon, you have the right to be protected from violence.

- Yes
- No
- Depending on the perpetrator

26. Under international human rights law, government actors are allowed to:

- a. Use teargas against protesters
  - Yes
  - No
- b. Use rubber bullets against protesters
  - Yes
  - No
- c. Use water cannons against protesters
  - Yes
  - No
- d. Use physical violence (bodily violence) against protestors
  - Yes
  - No
- e. Arrest protesters
  - Yes
  - No
- f. Call protesters for investigation based on social media posts
  - Yes
  - No
- g. None of the above

27. If you are arrested during a protest in Lebanon, you have the right to (check all that apply):

- Remain silent until a lawyer comes to assist you
- Make a phone call
- Request a translator
- Call a forensic doctor if there was any kind of violence during the interrogation
- Be released if there is an absence of evidence against you
- None of the above

28. If your human rights are violated, you have the right to a remedy.

- ☐ Yes
- ☐ No
- ☐ I don't know

29. If you are arrested, you have a right to free legal aid.

- ☐ Yes
- ☐ No
- ☐ I don't know

30. Which, if any, of the following organizations have you heard of? (check all that apply)

- ☐ United Nations
- ☐ International Committee of the Red Cross/Crescent
- ☐ Amnesty International
- ☐ Human Rights Watch
- ☐ Legal Agenda
- ☐ SHIELD
- ☐ Lebanese Center for Human Rights (before today)
- ☐ Beirut/Tripoli Bar Association
- ☐ None

31. Who is responsible for protecting your human rights in Lebanon?

Lebanese Center for Human Rights - 7<sup>th</sup> Floor - Bakhos Building - St. Joseph Hospital Street -  
Dora - Lebanon - Intel #218/2008 A/D-

Tel: 0096 1 24 00 61 / 0096 1 24 00 23

<http://www.cldh-lebanon.org>

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