

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls**

Ref.: AL LBN 6/2023  
(Please use this reference in your reply)

13 November 2023

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 50/17, 52/9, 52/4, 50/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning reported failures of the Government to adequately protect protesters from physical attacks by violent counter-protesters and the alleged incidents of harassment of protesters and journalists by State officials, including by police officers, during the peaceful protest "Freedom March", which took place in Beirut on 30 September 2023.

Among the alleged victims are human rights defenders, activists and journalists **Mr. Alexy El Hage, Ms. Enas Sherri, Mr. Hassan Sendian, Ms. Hayat Mirshad, Mr. Mohammad Mogharbel, Ms. Lamia As-Sahili and Mr. Wael Hussein.**

According to the information received:

In mid-September 2023, a number of human rights defenders and civil society organisations (CSOs), who work in the area of advocacy for the protection of women's rights, the elimination of domestic abuse and political accountability, including the CSO "FEMALE", allegedly notified the Lebanese authorities of their plans to organize a walking assembly on 30 September 2023 under the name of "Freedom March". The declared purpose of the march was to raise awareness around the suppression of personal freedoms in Lebanon, silencing of journalists, unpunished abuse and murder of women and children, state censorship of films and books, and the repetitive bans on protests imposed by the Government. A notification about the protest was sent to the Government as per Article 3 of the Public Assemblies Law, which requires organizers to notify the Ministry of Interior of their intentions to hold public assemblies at least 48 hours in advance of the event. Reportedly, the Ministry of Interior did not register this notification. However, following some informal communication after its submission, the Internal Security Forces (ISF) of Lebanon communicated to the organizers their decision to protect the protesters during the march under the condition that the protesters would limit themselves to a sit-in protest at Riad Al-Solh Square instead of the initially

proposed march. The organizers, reportedly, agreed to this condition.

On 29 September, one day prior to the sit-in assembly, a number of public, religious and political figures allegedly started a smear campaign against the sit-in assembly. The campaign reportedly vilified the organizers and participants of the protest and falsely claimed that the protest aimed to “promote deviancy”, referring to the promotion of LGBTQI+ ideas, while calling for the men of Lebanon to unite in a counter-protest to “protect family values”. In addition, a few women human rights defenders organizing the protest allegedly received some threatening voice notes. Media reports later identified that the individuals spreading the disinformation and subsequent violence during the protest were, allegedly, members of extremist groups from Tariq al-Jedideh in Beirut and a Christian group known as the “Soldiers of God”. The actions of the extremist groups were reportedly in support of directives issued by Lebanon’s Caretaker Interior Minister in June and November 2022 instructing security forces to “ban pro-LGBTQI+ events”. The extremist groups allegedly cited the directives to equate the use of certain terms, such as “freedoms” and “rights” with the label and meaning of “LGBTQI+ propaganda”.

On 30 September 2023, the protest was supposed to commence at 16.00 with a statement delivered by one of the organizers. The venue of the protest was allegedly secured by the ISF anti-riot police, the Parliament police and the army, which arrived at a later stage of the protest. Human rights activists **Mr. Alexy El Hage**, **Mr. Wael Hussein** and **Mr. Mohammad Mogharbel** were allegedly walking towards the protest meeting point at the square when they decided to turn around, as they feared for their safety when they saw a group of counter-protesters attacking some of the protesters. At that point, they were noticed by some members of the counter-protest, who started following and verbally harassing them, accusing them of sexual deviancy. Reportedly, all three men were then surrounded by this group of people and physically attacked. As a result of this attack, Mr. El Hage and Mr. Wael were immediately taken to the emergency room, where they received emergency care. Following Mr. El Hage’s release from treatment on 2 October, his medical examiner allegedly confirmed that he had suffered from severe injuries, including a broken nose, broken eye socket, three broken teeth, wounds on the nose and forehead that required stitches, and bruising around the face, hip and back consistent with the use of a stick. The medical examiner also reportedly confirmed that Mr. Wael sustained several bruises all over his face and body, consistent with the use of sticks and solid boots.

According to the information received, the venue of the protest was secured by the ISF with security barriers letting only the protesters in. The square itself was allegedly surrounded by dozens of young men on motorbikes armed with sticks, who threatened, insulted, and, whenever possible, physically assaulted the protesters, especially when they tried to reach or leave the protest. Among the targets of this group of counter-protesters were reportedly journalists and media representatives. **Ms. Lamia As-Sahili**, a journalist and editor at The Legal Agenda, and **Mr. Hassan Sendian**, a journalist with the online platform Raseef 22, who were covering the protest, were attacked by counter-protesters while attempting to leave. One of the counter-protesters allegedly held a knife, while another one hit Ms. Sendian with a stick and injured Ms. As-Sahili who

was trying to defend Ms. Sendian. Reportedly, ISF witnessed the assault from less than three meters away without intervening. The two journalists ran to the ISF security officers seeking their protection, who, in turn, advised them to follow the leader of the counter-protest who was supposed to safely take them to their car. As soon as they reached Ms. As-Sahili's car, the counter-protester who had allegedly hit Ms. Sendian with a stick attacked them again and, allegedly, hit the car with the help of other members of the group. The security officers allegedly witnessed the assault without intervening again. While Ms. As-Sahili and Ms. Sendian tried to drive away from the protest, four counter-protesters on motorbikes followed them and continued to hit the car, allegedly breaking the rear and side windows and causing other damages. The motorcyclists allegedly continued to follow the two journalists for around five kilometres before eventually losing them.

Among the alleged affected journalists was also Ms. **Enas Sherri**, a journalist with The Legal Agenda, who was verbally assaulted and spat in the face by a counter-protester who demanded to see her Press ID when she tried to leave the march. The journalist was then stuck with other human rights activists and media workers in the square with no possibility to escape. The counter-protesters then allegedly breached the police perimeter around the venue area, whereby Ms. Sherri had to run and find shelter inside one of the ISF vehicles that had been brought by security officers to evacuate the protesters and journalists. Ms. Sherri allegedly found herself inside the vehicle with several other journalists and activists, while being surrounded by aggressive counter-protesters who tried to break into the car. By order of the security officers, people in the ISF vehicle had to remain on the ground of the vehicle with their heads down so as not to antagonize the counter-protesters. Reportedly, around 20 people (mostly women) were kept in that vehicle for more than three hours, where they were hot and some of whom allegedly had a hard time breathing. During that time, some ISF officers reportedly expressed their disapproval of the march and its demands, by indicating their unwillingness to protect such a protest and their approval of the counter-protesters' violence. After three hours, representatives of the army arrived and allowed for the evacuation of the protesters in the ISF vehicles. The counter-protesters on motorbikes allegedly followed the ISF vehicles for some time before losing them. The ISF dropped Ms. Sherri, together with other journalists and activists, in several small groups around ten kilometres outside of Beirut and left them alone to find their way back to the city. As a result of the intimidation during the protest, Ms. Sherri suffered from strong emotional trauma.

Several journalists also allegedly reported being verbally and physically harassed by ISF officers, who demanded they stop filming the attacks. One of the recorded videos also allegedly depicts three ISF members beating a protester who was urging the officers to stop the counter-protesters from committing violence.

Among the victims was also allegedly the woman human rights defender Ms. **Hayat Mirshad**, founder and executive director of the CSO "FEMALE", which was one of the organizers of the Freedom March. Ms. Mirshad delivered her statement at the march, emphasising the importance of freedom of expression regardless of differences in ideology, culture or social background. Following her statement, Ms. Mirshad tried to explain to the

counter-protesters behind the security barriers that the protesters would not move from the square and would remain peaceful. At that point, one of the counter-protesters allegedly jumped over the iron barriers and slapped Ms. Mirshad on the head, while trying to pull her towards the side of the counter-protest. Ms. Mirshad and other protesters then found themselves surrounded in the square by counter-protesters with hostile intentions, which were mostly addressed at Ms. Mirshad at that point. The intimidation included the throwing of glass bottles at the protesters, together with verbal assaults addressed at Ms. Mirshad including threats to kill and rape her, as well as to attack her family. When Ms. Mirshad decided to leave the square, ISF officers allegedly oriented her towards one of the exit streets and assured her several times that it was a safe way out. Reportedly, as soon as she took the designated street, she found herself alone facing two counter-protesters on motorbikes who recognized her and started following her while she was running back to the protest venue. Ms. Mirshad was eventually evacuated from the protest together with the others in the ISF security vehicle.

Following the incident on 30 September, activists, human rights defenders and social media workers circulated videos and photos from the protest where Ms. Mirshad and some other female protesters were clearly visible. The videos were then, allegedly, used by the counter-protesters to launch an online hate campaign against both Ms. Mirshad and the CSO “FEMALE,” which resulted in rape and death threats targeting Ms. Mirshad and her co-workers. Many also had their identity and addresses shared online. Following this campaign, on 3 October, a team member of “FEMALE” was chased by a man on a motorbike shouting “lesbian” at her, while she was trying to escape from him and a gathering crowd. She allegedly had to be evacuated to a safe location outside of Beirut. On 4 October, a motorbike driver allegedly purposefully hit Ms. Mirshad's car when she was driving in the city centre while yelling “lesbian” at her. Ms. Mirshad also had to close all her social media accounts due to constant threats. In the meantime, it was reported that the office of “FEMALE” in Beirut was surveilled by a number of men on motorbikes throughout certain times of the day. As a result of this intimidation, the board members of “FEMALE” decided to shut down its centres and to temporarily suspend its activities, which were aimed at the promotion of gender equality, provision of vital resources to women in need, and creation of safe spaces for women and girls in Lebanon.

Without prejudging the veracity of the above allegations, we wish to express our concern about the alleged acts of police harassment of the protesters and journalists on 30 September 2023. We are additionally concerned by the reports of attacks on and subsequent intimidation of the protesters, human rights defenders, activists and journalists by the counter-protesters during and after the Freedom March, and the inadequate response from the police, failing to ensure the safety of all protesters. We, therefore, remind your Excellency's Government that the State has a responsibility to protect peaceful protesters, to ensure that there is an enabling environment for protesters to assemble safely, and to take action against those who instigate violence, regardless of their political and ideological sympathies.

We are worried about the “chilling effect” that the alleged lack of due diligence to prevent, counter, investigate, and punish such actions of both counter-protesters and governmental officials has on civil society actors, including women

human rights defenders and journalists, wishing to organize or participate in peaceful public protests and to freely express themselves.

We are particularly concerned about the physical assaults and harassment of the human rights defenders, activists and journalists covering the protest on 30 September, including Mr. **Alexy El Hage**, Ms. **Enas Sherri**, Mr. **Hassan Sendian**, Mr. **Mohammad Mogharbel**, Ms. **Lamia As-Sahili**, and Mr. **Wael Husseinm**, and the failure of the state authorities to take adequate measures to protect them. We are also concerned about the continuous physical and verbal intimidation of the woman human rights defender Ms. **Hayat Mirshad** and other female representatives of the CSO “FEMALE,” which could pose danger to their lives and prevent the organization from carrying out its legitimate advocacy and human rights work in the area of gender equality. We are worried about the broader significance and negative implications that the lack of protections could have for the overall freedoms of expression, peaceful assembly, and association in Lebanon.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

We are issuing this appeal in order to safeguard the rights of the abovementioned individuals from irreparable harm and without prejudicing any eventual legal determination.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on measures taken by your Excellency’s Government to carry out a prompt, impartial, independent, and effective investigation into the alleged ill-treatment of protesters and journalists - including, among others, Mr. Alexy El Hage, Ms. Enas Sherri, Mr. Hassan Sendian, Ms. Hayat Mirshad, Mr. Mohammad Mogharbel, Ms. Lamia As-Sahili and Mr. Wael Hussein- and any efforts taken to hold any perpetrators accountable. If no investigations have yet been undertaken, or if they have been inconclusive, please provide information for the reasons thereof.
3. Please indicate what measures have been taken to ensure that civil society organizations, human rights defenders, activists, and journalists can operate in an enabling environment and can carry out their legitimate activities without fear of harassment, intimidation or stigmatization of any kind.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human

Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Clement Nyaletsossi Voule  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Reem Alsalem  
Special Rapporteur on violence against women and girls, its causes and consequences

Dorothy Estrada-Tanck  
Chair-Rapporteur of the Working Group on discrimination against women and girls

## Annex

### Reference to international human rights law

In connection with the above-alleged facts and concerns, we would like to refer your Excellency's Government to articles 9, 17, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Lebanon on 3 November 1972, which protect the rights of persons to liberty and security, privacy, freedom of opinion and expression, freedom of peaceful assembly and of association respectively.

We would like to refer your Excellency's Government to article 9 of ICCPR, which guarantees the right to liberty and security of persons, highlighting that the States parties should take appropriate measures in response to death threats against persons in the public sphere and protect individuals from foreseeable threats to life or bodily integrity proceedings from any governmental or private actors. This right concerns freedom from injury to the body and the mind, or bodily and mental integrity regardless of whether the victim is detained or non-detained (CCPR/C/GC/35, para. 3 and 9). As interpreted by the Committee, "*States parties must take both measures to prevent future injury and retrospective measures, such as enforcement of criminal laws, in response to past injury*". Furthermore, we would like to recall that "*States have a duty to prevent and redress unjustifiable use of force in law enforcement*" (CCPR/C/GC/35, para. 9).

In a Joint report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies found that: "*lack of accountability for violations of the rights to bodily integrity may itself constitute a violation of those rights. Effective investigation includes the following factors: an official investigation initiated by the State; independence from those implicated; capability of determining whether the act was justified in the circumstances; a level of promptness and reasonable expedition; and a level of public scrutiny.*" (A/HRC/31/66, 4 February 2016, para. 90)

We wish to recall article 17 of ICCPR that provides for the right of every person to be protected against arbitrary or unlawful interference with his privacy, family, home or correspondence, as well as against unlawful attacks on his honour and reputation.

We would like to draw your Excellency's Government's attention to article 19 of ICCPR which guarantees the right to freedom of opinion and expression and states that any restriction on the right to freedom of expression must be: (i) provided by law; (ii) serve a legitimate purpose; and (iii) be necessary and proportional to meet the ends it seeks to serve. The Human Rights Committee has affirmed that "*States parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression.*" (GC no 34 of CCPR, para. 23) The penalisation of individuals solely for expressing critical opinions about the government or the social system espoused by the government is incompatible with article 19. (GC No 34 of CCPR, para. 42) Moreover, attacks on a person done because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, are

incompatible with article 19. (GC no 34 of CCPR, para. 23) The Committee has urged States parties to protect against attacks aimed at silencing those exercising their right to freedom of expression.

We would like to refer to article 21 of the ICCPR which guarantees the right to freedom of peaceful assembly and stipulates that no restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others. We would further like to recall that the Special Rapporteur on the right to freedom of peaceful assembly and of association has stressed in a report (A/HRC/20/27) that States have a positive obligation under international human rights law not only to actively protect peaceful assemblies but also to facilitate the exercise of the right to freedom of peaceful assembly. The law only protects assemblies that are not violent and where participants have peaceful intentions, and that shall be presumed. Therefore, acts of sporadic violence or other punishable acts committed by others do not deprive peaceful individuals of their right to freedom of peaceful assembly. (A/HRC/23/39, para. 49)

We would further like to recall that in its General Comment n. 37, the Human Rights Committee emphasized the importance of the role of journalists, human rights defenders and others involved in monitoring, including the documenting of or reporting on assemblies, and that they may not be prohibited from exercising these functions, also in respect of the actions of law enforcement officials (A/HRC/31/66, para. 34).

We would also like to draw the attention of Your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

Specifically, we would like to draw your attention to the General Assembly Resolution 68/181, which urges States to acknowledge publicly the important and legitimate role of women human rights defenders in the promotion and protection of human rights, democracy, the rule of law and development as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against them. We invite you to refer to the Human Rights Council resolution 31/32 as well, in which States expressed particular concern about systemic and structural discrimination and violence faced by women human rights defenders. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights.

Furthermore, we would like to remind your Government of article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), acceded by Lebanon on 9 August 1997, which provides that States parties

will take all appropriate measures to eliminate discrimination against women in political and public life.

In addition, the report (A/HRC/41/33) by the Working Group on discrimination against women and girls, stressed that women human rights defenders, perceived as challenging traditional notions of family and gender roles in society, (A/HRC/40/60, para. 28), are increasingly at risk of facing criminalization and detention as a result of their legitimate public activism (see A/HRC/16/44 and Corr.1). This is because stereotypes about a woman's "proper" role dictate not only how she should (not) behave within the home but also in public, and defying those standards in public may put women at risk of deprivation of liberty. Women who seek to participate in political, economic, social or cultural leadership in their communities or nations may be acting in defiance of stereotypes obliging women to stay quiet and invisible and defer to male governance. They may thus be stigmatized, or even criminalized or confined, to prevent them from speaking out or taking action. (A/73/301)

We would like to refer you to the report of the Special Rapporteur on violence against women, its causes and consequences on combating violence against women journalists, in which the Special Rapporteur reiterated the obligation of States to include a gender perspective in all initiatives aimed at creating and maintaining a safe and favourable environment for free and independent journalism (A/HRC/44/52). In the same report, the Special Rapporteur emphasized that sexual harassment and other forms of gender-based violence against women journalists, including online violence and threats, should be prohibited and criminalized.

We would also like to remind your Excellency's Government of the concerns noted by the Human Rights Committee in its Concluding Observations in 2017 on Lebanon, which condemns "reports of the prevalence in society of discrimination, hate speech and homophobic attitudes; harassment, violence and extortion directed at lesbian, gay, bisexual, transgender and intersex individuals; violations of their freedom of expression and of peaceful assembly." (CCPR/C/LBN/CO/3, para. 13)