

Lebanon

| | 2015 | 2016 | | |
|----------------------------------|-------------|-------------|--|-------------|
| Internet Freedom Status | Partly Free | Partly Free | Population: | 5.6 million |
| Obstacles to Access (0-25) | 13 | 13 | Internet Penetration 2015 (ITU): | 74 percent |
| Limits on Content (0-35) | 12 | 12 | Social Media/ICT Apps Blocked: | No |
| Violations of User Rights (0-40) | 20 | 20 | Political/Social Content Blocked: | No |
| TOTAL* (0-100) | 45 | 45 | Bloggers/ICT Users Arrested: | Yes |
| | | | Press Freedom 2016 Status: | Partly Free |

* 0=most free, 100=least free

Key Developments: June 2015 – May 2016

- The Ministry of Telecommunications launched a major plan to expand fiber-optic infrastructure to bring greater internet access and higher speeds throughout the country (see **Availability and Ease of Access**).
- Activists used social media to reclaim public space from corporations, document harassment against women, and rally thousands of people in the “You Stink” protests against the country’s garbage crisis (see **Digital Activism**).
- Human rights activist Nabil al-Halabi was arrested on May 30 for Facebook posts that called for the Interior Ministry to “cleanse itself up” after a corruption scandal. Police detained al-Halabi for four days and pressured him into signing a pledge to refrain from further criticism (see **Prosecutions and Detentions for Online Activities**).
- Three individuals were arrested in the city of Sidon for defaming the city and its religious figures through Facebook posts. Numerous individuals were briefly detained or interrogated by the Cybercrime Bureau for criticizing public figures online (see **Prosecutions and Detentions for Online Activities**).

Introduction

The internet freedom environment in Lebanon remained static over the past year with the Cyber-crimes Bureau continuing to interrogate users for criticizing public figures online.

One of the main events over the coverage period was Lebanon's "You Stink" protests against the country's garbage crisis, which escalated into widespread contempt for public mismanagement and the political class. Civil society activists took to social media and rallied thousands of followers to several demonstrations, principally in the capital Beirut. However, the authorities often responded with excessive force, and in one case in August 2015, live rounds were shot at protestors.¹

Generally speaking, activists and journalists face potential arrest, interrogation, and threats of bodily harm for online posts that criticize the government, religious officials, or the army. The Bureau of Cybercrime and Intellectual Property Rights (Cybercrime Bureau) remains highly active in targeting activists, often in a manner that demonstrates little respect for the rule of law. Police have conducted early morning house raids to arrest activists and journalists for nonviolent defamation charges. Numerous attempts to reform the country's media laws have failed over the years and strict defamation laws remain a significant impediment to free speech and citizen journalism online.

Lebanese citizens have historically boasted a strong tradition of freedom of the press and media pluralism. With respect to information and communication technologies (ICTs), however, the country has struggled to keep up with its more technologically advanced neighbors in the Arab world. Although the government introduced a plan to expand fiber-optic cables in mid-2015, a lack of competition in the ICT market has plagued innovation and development. Online censorship is rare, but websites owners, particularly news sites, often receive informal requests to remove content that may be seen as defamatory. In total, 50 websites were blocked over the coverage period, mainly for content related to escort services, Israel, gambling, or alleged child pornography. Surveillance remains a strong concern in the country, particularly given the impunity of the security forces and a perceived lack of transparency and accountability in all areas of government.

Obstacles to Access

Lebanon continues to struggle with poor telecommunications infrastructure, slow speeds, an urban-rural divide, and a lack of competition in the ICT sector. The state company Ogero maintains a monopoly over internet services in the country, while two state-owned mobile phone companies essentially split the mobile market between themselves. The country's ICT development has been consistently stalled by mismanagement and political tensions, although there were some signs of improvement over the past year, notably the "Digital Telecom Vision 2020" plan to replace old copper cables with fiber-optics across the country.

Availability and Ease of Access

According to the International Telecommunication Union (ITU), an estimated 74 percent of individu-

1 See "You Stink Protests fire up Beirut" *Alyawm Alsabeh*, August, 22, 2015, <http://bit.ly/2e5rQcs>. and "Beirut Riot Police Fire Live Ammo and Blast Protestors with Water Cannons" *Vice News*, August 22, 2015, <https://news.vice.com/article/beirut-riot-police-fire-live-ammo-and-blast-protesters-with-water-cannons>.

als use the internet in Lebanon as of 2015, a marked increase from 44 percent five years ago.² There are an estimated 22.76 fixed broadband subscriptions per 100 inhabitants, up from 7.63 in 2010. The figure rises to 53.5 for mobile broadband subscriptions, ranking Lebanon 57th worldwide, above the likes of Israel (58th), Tunisia (67th) and Jordan (114th), although well behind the Gulf Arab countries.³

Prices for internet access are set by the government. A decree by the Ministry of Telecommunications lowered fees on broadband by 44 to 68 percent as of July 2014, depending on bandwidth rates.⁴ That same month, mobile phone providers expanded the capacity of broadband bundles between 55 percent and 300 percent without changing the initial prices. Therefore, the 500 megabyte bundle was offered for a fixed price of \$10 (excluding value-added tax) for both fixed and prepaid mobile users.⁵ ISPs cannot lower prices unless a decree is issued by the Ministry of Telecommunications.⁶ Tariff decree number 6297, adopted on November 9, 2011, allowed for 20 percent discounts on DSL prices in educational institutions, and decree number 8058, issued on April 25, 2012, made internet access free between midnight and 7a.m., and free all day in public parks.⁷

Despite the ministry's slow response to much-needed repairs and upgrades outside of major urban areas, some progress has been achieved. For instance, in an attempt to curb the internet penetration disparity between urban and rural areas, a recent initiative called "the Dari bundle" allows some 200,000 citizens living in 210 remote towns with no access to DSL to get free phone sets and monthly mobile internet pricing equal to the fixed DSL price.⁸ Nevertheless, some 300 villages in the rural regions of Keserwan, Batroun, Nabatiyeh, and Bekaa still lacked access, mainly due to a lack of a fixed telephone network in the area.⁹ Many in Lebanon, particularly in rural areas, experienced constant cuts to telecommunications services due to harsh weather conditions and energy cuts.

On July 2, 2015, Minister of Telecommunications Boutros Harb launched the "Digital Telecom Vision 2020" plan to renovate telecommunications infrastructure. This plan aims to bring fiber-optic connections to nearly 15,000 economic enterprises as well as government institutions.¹⁰ The plan also includes progressively expanding the fiber-optic network, from neighborhoods with high population density to more rural areas throughout the country. Harb estimated the initial cost of the plan at more than US\$ 600 million.¹¹ Nonetheless, beyond the launch of the initiative, there have been few noticeable steps taken to improve connectivity and the ministry continues to lack transparency.¹²

Restrictions on Connectivity

2 International Telecommunication Union, "Statistics," June 2016, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

3 International Telecommunication Union, "The State of Broadband," September 2015, <http://www.broadbandcommission.org/Documents/reports/bb-annualreport2015.pdf>.

4 Telecommunications Regulatory Authority, *Annual Report 2014*, [in Arabic] <http://www.tra.gov.lb/Annual-reports>.

5 Telecommunications Regulatory Authority, *Annual Report 2014*, [in Arabic] <http://www.tra.gov.lb/Annual-reports>.

6 Livia Murray, "Four reasons Lebanon's internet is so slow," *Executive Magazine*, April, 8, 2015, <http://bit.ly/1aufiXc>.

7 Ministry of Telecommunications, *Progress Report 2013*, http://www.mpt.gov.lb/documents/AnnualReports/MOT_brochure_en-corr.pdf.

8 Caretaker Telecoms Minister Nicolas Sehnaoui, Facebook page, January 20, 2014, <http://on.fb.me/1bEu47U>.

9 «رُخاً راعاشا كتح تدرت نالنا نم قومو رجم ةين ان بل للا قطن لملأ هذه» [These Lebanese Regions have no access to internet till Further Notice], *An-Nahar*, April, 9, 2015, <http://bit.ly/1UC5O1o>.

10 "Minister Boutros Harb Launches the 2020 Plan," Republic of Lebanon Ministry of Telecommunications, July 2015, <http://www.mpt.gov.lb/index.php/ar/2013-02-17-13-15-34/mpt-news-ar/50-latest/373-2015-07-01-15-17-30>.

11 Launching a vision for Digital Media, *AlMustakbal*, July 2, 2015, <http://www.almustaqbal.com/v4/article.aspx?Type=NP&ArticleID=667004>.

12 "Plan of (In) Action," *Executive*, January 11, 2016, <http://www.executive-magazine.com/opinion/plan-of-inaction>.

The Lebanese government maintains a monopoly over the internet backbone, as well as over the fixed and mobile telephone industry in general, allowing it to exercise tight control over internet service providers (ISPs). Lebanon has three international border gateways—in Beirut, Jdeideh, and Tripoli—where three underwater fiber-optic cables connect the country via the IMEWE, Cadmos, and Berytar cables.¹³ The gateways are operated by Ogero, a state company headed by Abdulmenaim Youssef who, in an apparent conflict of interest, also occupies a position within the Ministry of Telecommunications that oversees the operations of Ogero.

ICT Market

The Lebanese telecommunications industry is government-owned and tightly regulated. In addition to running the backbone, Ogero sets internet prices and shares in the management of online subscriptions, together with two dozen private ISPs.¹⁴ Lebanon has two government-owned mobile phone companies, Alfa and Touch, which are run by the private companies Orascom Telecom Holdings and Zain, respectively.¹⁵ Because the government sets prices and issues permits for the number of subscriptions allowed, there is little competition in the industry, and the two companies split the market evenly between themselves.¹⁶ The fixed-line telephone and internet network is owned and operated by Ogero, from whom all companies must purchase services.

Since no law regulates their licensing, private ISPs currently obtain a permit by decree from the Ministry of Telecommunications.¹⁷ Crucially, political influence can significantly interfere with the allocation of contracts to private ISPs and mobile phone operators.¹⁸ Lebanese authorities discovered that some companies had installed large amounts of equipment in several areas in order to provide illegal internet services from foreign-based connections. Telecommunications Minister Harb issued several complaints to the public prosecutor in an effort to put an end to “people extending internet services through illegal means.”¹⁹

Regulatory Bodies

Lebanese media and telecommunications laws are regulated by three semi-independent advisory bodies that report to the Council of Ministers. The National Council for Audiovisual Media and the Committee for Establishing Model Bylaws and Practices deal mainly with audiovisual media (TV, radio, and satellite), while the Telecommunications Regulatory Authority (TRA) is responsible for liberalizing, regulating, and developing the telecommunications sector. Overall, the three bodies remain largely powerless and fail to live up to their expectations as independent regulators in a modern state. While in theory the TRA is independent from the government, in reality, dominant Lebanese

13 Livia Murray, “Four reasons Lebanon’s internet is so slow,” *Executive Magazine*, April, 8, 2015, <http://bit.ly/1aufiXc>.

14 Telecommunications Regulatory Authority, “Facts and Figures,” December 2011, <http://www.tra.gov.lb/Market-Data-Facts-and-figures>.

15 Touch, “About Us,” <http://bit.ly/1MhupRM>; and Alfa, “About Alfa,” <https://www.alfa.com.lb/aboutus/companyinfo.aspx>.

16 “The Next Step,” *The Business Year*, <http://www.thebusinessyear.com/publication/article/2/48/lebanon-2012/the-next-step>.

17 According to the Telecommunications Regulatory Authority (TRA), it is TRA’s prerogative to assess and grant license to ISPs, but the past three ministers of telecommunication have considered that the TRA has no legal authority to do so, and the ministry has used an old law as a basis for their right to grant such license. See below for conflicts between the TRA and the Telecommunications Ministry.

18 Jad Melki, et. al., *Mapping Digital Media: Lebanon*, Open Society Foundations, May 2012, 89, <http://osf.to/1EOX3Kt>.

19 “Lebanon telecoms minister launches crackdown on illegal internet providers,” *The Daily Star*, March 8, 2016, <http://www.dailystar.com.lb/News/Lebanon-News/2016/Mar-08/341143-lebanon-telecoms-minister-launches-crackdown-on-illegal-internet-providers.ashx#Vt6-A2MyoAM.twitter>.

political groups possess a great deal of influence over the institution, often rendering it powerless.²⁰ For this reason, the Ministry of Telecommunications remains the strongest player in the ICT domain. In fact, the past three telecommunications ministers have gone so far as to claim that the TRA has no real authority, given that the law establishing its powers has not yet been implemented.²¹ Tellingly, since its launch in 2007, many of the TRA's objectives have not been met, namely the transition from analog to digital networks and the privatization of the telecommunications sector.

Limits on Content

Lebanon does not engage in significant filtering of internet content. Fifty websites were reportedly blocked over the coverage period, mainly for content related to escort services, Israel, gambling, and alleged child pornography. Websites owners, particularly news sites, often receive informal removal requests from public officials or powerful figures. Despite these limitations, Lebanon retains one of the most diverse digital landscapes in the Arab world, and several nongovernmental organizations engage in digital activism on political and social issues.

Blocking and Filtering

Over the past year, 50 websites remained blocked in Lebanon, the same figure as last year.²² Among the remaining websites blocked were:

- 23 websites related to escort services, blocked in accordance with articles 523 and 524 of the penal code;
- 11 Israeli sites, in accordance with Decree 12562 of April, 19, 1963, which called for the boycotting of Israel;
- 8 gambling websites, according to Law 417 of 1995, which gives the "Casino Du Liban" exclusive rights to the gambling industry;
- 5 pornographic websites for allegedly promoted child pornography;
- 2 websites for breaching copyright, following a request from the U.S. government;
- 1 website, identified as being a forum for Lesbians in the Arab region, was blocked. Article 534 of the penal code criminalizes "sexual intercourse contrary to the order of nature" with up to one year in prison, and has been used to prosecute LGBTI (lesbian, gay, bisexual, transgender, and intersex) individuals.²³

While many of these blocking orders are rooted in the law, the move to block six pornographic websites for alleged child pornography drew the ire of some digital rights activists for the way that they

20 Jad Melki, et. al., *Mapping Digital Media: Lebanon*, Open Society Foundations, May 2012, 34 and 82.

21 Sami Halabi, "Redialing discord?" *Executive Magazine*, July 3, 2011, <http://bit.ly/1JUw5xC>.

22 Social Media Exchange, "Mapping Blocked Websites in Lebanon 2015," March, 26, 2015, <http://bit.ly/1NiBh2Z>.

23 Sophie Chamas, "The fight goes on for Lebanon's LGBT community," *Al Monitor*, June 15, 2015, <http://www.al-monitor.com/pulse/originals/2015/06/lebanon-lgbt-gay-rights-article-534-helem-legal-agenda.html>.

were chosen.²⁴ According to reports, the order came after an alleged child molester in Lebanon was reported to the Bureau of Cybercrimes from a police station in Manchester, UK. Sources from the Bureau of Cybercrimes who were present during the interrogation of the accused individual revealed that the websites were chosen because they appeared in the browser history of his personal laptop, and not necessarily because they published child pornography.²⁵ A prominent Lebanese blogger and social media expert wrote that the websites were among the most famous pornographic websites worldwide and were unlikely to feature child pornography, given that they are not censored in other countries that ban child pornography.²⁶

Websites are blocked through court order. Commonly, the court receives a complaint and files it with the Cybercrimes Bureau for further investigation, later issuing a final order to the Ministry of Telecommunications, which then blocks the websites through Ogero. Website owners are not notified that their websites have been blocked but must appeal the blocking within 48 hours in order to have it overturned. In November 2014, the head of the Cybercrimes Bureau stated that terrorist content was being monitored and that the bureau had the ability to filter it.²⁷ Digital media specialists in Lebanon have expressed doubt over the bureau's abilities in this regard, though the overreaching intention to filter the web remains a cause for concern for some.

YouTube, Facebook, Twitter and international blog-hosting services such as WordPress and Blogger are freely available. In fact, Facebook, Google, YouTube, Microsoft's Live.com, and Wikipedia rank among the top 10 most visited websites in Lebanon.²⁸ In 2010, the government-owned phone company Ogero installed equipment to block VoIP throughout the network, but subsequently backed down under pressure from businesses, civil society, and politicians. Furthermore, the VoIP service Vonage was blocked, although other VoIP services such as Skype and WhatsApp are available.²⁹ VoIP services are restricted by law under the 2002 Telecom Act³⁰ and the government has been somewhat vague as to its enforcement.³¹

Content Removal

While filtering remains rare, there have been limited incidents in which government security officials pressured individuals and ISPs to remove certain comments—mainly criticism of government officials or the army—from social media pages, blogs, or websites. For example, in November 2014 Judge Nadim Zwein issued a decree obliging the newspaper *Al-Akhbar* to remove a report from its website discussing corruption at the American University of Beirut (AUB) in response to a request

24 Samir Kassir Eyes, «الافطالاب شرحتالاحفالكماطاييفتحيابالعقواقتسبحرحبماتقاعالاباينال», [General Prosecutor Orders the blocking of Six Porn sites], Skeyes Center for Media and Cultural Freedom, September, 2, 2014, <http://www.skeyesmedia.org/ar/News/Lebanon/4728>.

25 Eyes, «الافطالاب شرحتالاحفالكماطاييفتحيابالعقواقتسبحرحبماتقاعالاباينال», [General Prosecutor Orders the blocking of Six Porn sites].

26 Imad Bazzi, «كنا نبل يفتحيابالعقواقتسبحرحبماتقاعالاباينال وفيك», [How and Why Six Porn Websites were Banned in Lebanon], September, 3, 2014, <http://trella.org/4234>.

27 Dhouha Ben Youssef, "Arab IGF III: What we will remember," Nawaat, December 3, 2014, <http://nawaat.org/portail/2014/12/03/arab-igf-iii-what-we-will-remember/>.

28 Alexa, "Top Sites in Lebanon," accessed October 16, 2016, <http://www.alexa.com/topsites/countries/LB>.

29 Telecoms 2013 Progress Report, January 3, 2014, <http://bit.ly/1oa28kP>.

30 Imad Atalla, "Lebanon is stifling your digital freedom," *The Daily Star*, June 8, 2010, <http://bit.ly/1QoURu9>.

31 Telecoms 2013 Progress Report, January 3, 2014, <http://bit.ly/1oa28kP>.

from the university.³² Meanwhile, online media outlets and blogs usually have a disclaimer on their comments section making clear that they may remove any comments that include foul language or fall outside of the ethical codes. According to one expert, there is no law that clarifies who can be held liable for user generated content, such as comments. Nonetheless, there have been no recent cases of intermediaries being prosecuted.³³

Media, Diversity, and Content Manipulation

Despite evidence of some filtering, taboo subjects that would normally be banned from mainstream media outlets, such as pornography, content supportive of Israel, and sectarian hate speech, are generally available online. However, self-censorship is prominent in the blogosphere and in the country's top media outlets, which are owned by powerful figures from all sides of the political spectrum. Users often fear repercussions from the government or certain political and sectarian groups. Due to the fact that promoting or supporting LGBTI issues is a crime under the penal code, content about the LGBTI community operates in a legal gray zone and may result in censorship.

Lebanese users have access to a wide variety of local and international information sources. Reflecting Lebanon's pluralistic society, Lebanese media is highly partisan and controlled by the dominant political-sectarian actors, mainly through direct ownership of prominent media outlets.³⁴ For example, former prime minister Saad Hariri owns Future TV, *al-Mustaqbal*, *the Daily Star*, and a host of other online and offline media outlets. Similarly, Speaker of Parliament Nabih Berri owns National Broadcasting Network and its affiliates, while Hezbollah controls a vast network of media outlets, including al-Manar TV and al-Nour radio. The heads of these media outlets are chosen by these dominant political figures, and their news content clearly advances a particular partisan message.

While ensuring plurality, this also creates a climate in which the public sphere is dominated by the agendas of powerful political-sectarian leaders and their allies, suffocating the voices of those who fall outside the main groups.³⁵ At the same time, politicians are known to bribe the few independent news outlets and journalists that do exist, particularly during election periods. Independent digital media outlets struggle for sustainability due to Lebanon's relatively weak digital advertising market. The majority of advertising revenue continues to go to television and other traditional media, while digital sources make up around 13 percent of total advertising spending as of 2015.³⁶ One of the main obstacles to boosting the digital advertising market is Lebanon's slow and unreliable internet.³⁷

Digital Activism

Lebanese users employed digital tools during the "YouStink" protests against the government's failing waste management policies in the capital Beirut. As Mohamad Najem, co-founder of Social Me-

32 «يُنْزَعُ كَلِمَاتُ الْإِثْمِ مِنْ رِيقَتِ الْبَلَدِ»، [Judge forces Al Akhbar Newspaper to remove a Report from its Website], Samir Kassir Foundation, November 21, 2014, <http://www.skeyesmedia.org/ar/News/Jordan/4874>.

33 Interview with President of ICT committee in the Beirut BAR association and Dr. Charbel Kareh, Head of communication committee in Internet Society - Lebanon chapter, April, 8, 2015.

34 Melki et. Al., *Mapping Digital Media: Lebanon*, 21-22.

35 Melki et. Al., *Mapping Digital Media: Lebanon*, 56-58.

36 Marwan Mikhael and Lana Saadeh, "Digital Advertising in Lebanon," Blominvest Bank, October 23, 2015, <http://blog.blominvestbank.com/wp-content/uploads/2015/10/Digital-Advertising-in-Lebanon.pdf>

37 Elias Sakr, "Online advertising untapped in Lebanon," *The Daily Star*, April 20, 2012, <http://bit.ly/1Q1IH9T>.

dia Exchange (SMEX), stated, "Social media has been by default the space activists and communities go to disseminate their messages."³⁸ Najem and other activists drafted a successful online petition pressuring service providers Alfa and Touch to address network congestion during the protests.³⁹ YouStink's official Facebook page had almost 200,000 followers by mid-2016 and continues to rally Lebanese to protest, to disseminate information about the garbage crisis, and to shame Lebanese officials into taking action.⁴⁰

Over the past year, another online campaign successfully lobbied to reclaim a public space through a mix of petitions and organizing. The al-Dalia campaign relates to a public space next to the iconic Raouchi Rock in Beirut where many families gathered to fish and enjoy sunset views.⁴¹ The space was bought by a powerful Lebanese political and business family who wanted to build on the site. Instead, the site was officially protected by the Global Heritage Fund.⁴² Al-Dalia was awarded the Wajih Ajouz Award for best online campaign in Lebanon given by the Samir Kassir Foundation.⁴³

A group of female activists launched an online forum where victims or witnesses of sexual harassment can report incidents and pin the location on a map for later use as evidence.⁴⁴ The Samir Kassir Foundation also launched a smart phone application by the name LOG&Learn with the aim of fact-checking misinformation often propagated about the little-known oil and gas sector in Lebanon.⁴⁵

Violations of User Rights

Lebanon's weak legal environment, overzealous interrogations by the Cybercrime Bureau, and ongoing surveillance remained a grave threat to user rights over the past year. The country continues to lack a legal framework for online media, instead applying harsh defamation laws have been used to curtail investigative reporting and criticism of public authorities. While no users were reportedly sentenced to jail time over the coverage period, the Cybercrime Bureau continued to interrogate and detain individuals for their online speech, largely as an intimidation tactic.

Legal Environment

The Lebanese constitution guarantees freedom of expression as well as freedom of the press, although those rights have not always been respected in practice. No legal provisions relate specifically to online speech, although many activists have been anticipating a new law for over a decade. Meanwhile, courts apply these and other traditional media laws to the online sphere in an inconsistent and often contradictory fashion.⁴⁶ This has produced a confusing legal environment with overlapping jurisdictions and contradictory laws governing online content, including the civil laws, penal

38 Interview with Mohamad Naajem, co-founder of Social Media Exchange (SMEX)

39 "Alfa and Touch Boost Coverage at August 29 Protest," SMEX, <http://www.smex.org/petition-to-alfa-touch/>.

40 YouStink official Facebook page, <https://www.facebook.com/tol3etre7etkom/?fref=ts>.

41 Aldalia Campaign official Facebook page, <https://www.facebook.com/dalieh.org/>.

42 "Dalia Raouchi placed on Global Heritage Fund 'Watch List,'" *Al-Akhbar*, Oct 21, 2015, <http://al-akhbar.com/node/244265>.

43 "AlDalia campaign wins the Wajih Ajouz Award for best online campaign in 2015," Samir Kassir Foundation, December 13, 2015, <http://www.skeyesmedia.org/ar/News/Lebanon/5543>.

44 Harass Tracker Addresses Sexual Harrasment, *SMEX*, March 4, 2016, <http://bit.ly/2eVINFo>.

45 "As subject of oil and gas heats up, app helps get facts straight," *The Daily Star*, March 2, 2016, <http://www.dailystar.com.lb/News/Lebanon-News/2016/Mar-02/340100-as-subject-of-oil-and-gas-heats-up-app-helps-get-facts-straight.ashx>.

46 Melki, et. al., *Mapping Digital Media: Lebanon*, 86.

code, publications law, audiovisual law, elections law, and military code of justice.⁴⁷ Three serious attempts to develop new media laws have generated heated national debates in the past six years, although none so far have led to any concrete results.⁴⁸

From a legal perspective, the most serious threat to internet users and online journalists remains the country's slander and libel laws. Under Article 588 of the Lebanese penal code, defaming the president carries a sentence of 3 to 12 months in prison, while defaming the army or other public figures carries a sentence of up to 6 months.⁴⁹ The appeals process is often drawn out and highly politicized. In practice, however, most online users targeted with such accusations are quickly released, or cases are dropped under public or political pressure. Violations of press freedom typically receive an immediate and passionate reaction from the public, serving as a powerful check against the government's actions.

Prosecutions and Detentions for Online Activities

Court trials and prison sentences against individuals for online posts were not common over the coverage period. Instead, security forces often detained users or called them in for interrogations, particularly at the Bureau for Cybercrimes. The bureau was created in 2006 without a formal legislative decree setting out its activities or defining a "cybercrime."⁵⁰ In fact, the bureau often acts with little regard to the law. The bureau often pressures users to apologize, delete the controversial content, and sign a letter promising not to harm the person or group in the future. While some cases have reached the court, they are not publically known.⁵¹

Prominent activist Nabil al-Halabi was arrested on May 30, 2016 over Facebook posts in which he accused the interior ministry of corruption and potential collusion with sex traffickers. Al-Halabi is a lawyer and director of the Lebanese Institute for Democracy and Human Rights. In April, Interior Minister Nohad Machnouk had accused him of libel and defamation, filing a suit with the public prosecutor's office in Beirut. Internal Security Forces arrested al-Halabi during an early morning house raid for failing to appear in court to respond to defamation charges brought on by a senior advisor to Machnouk. Al-Halabi's lawyer claimed his client had not been officially informed of the latter charges.⁵² He was detained for four days and not released until after he was pressured into signing a pledge not to criticize Machnouk in the future.⁵³

Ali Jomaa, Youssef Kleib, and Youssef Fnas were all arrested together outside of a mosque in the city of Sidon, in southern Lebanon for writing Facebook posts that were considered "defaming to citizens of Sidon and its Mufti Sheikh Salim Sousan."⁵⁴ The three individuals were released the next day.

47 Melki, et. al., *Mapping Digital Media: Lebanon*, 89.

48 International Research and Exchange Board, "Development of Sustainable Independent Media in Lebanon," in *Media Sustainability Index 2010/2011*, (Washington D.C.: IREX, 2012) <http://bit.ly/1NqhOyU>.

49 Lebanese Army, "Slander and libel and sanctions in Lebanese law crimes," [in Arabic], 2010, <http://bit.ly/11YP0Wp>.

50 Legal Agenda, "Bureau of Cybercrimes: An Unorganized Online Censorship," [in Arabic] <http://bit.ly/1KavsU6>.

51 Interview with Mohamad Naajem, co-founder of Social Media Exchange (SMEX)

52 "Lebanon: Lawyer Held for Facebook posts," Human Rights Watch, May 31, 2016, <https://www.hrw.org/news/2016/05/31/lebanon-lawyer-held-facebook-posts>.

53 "Lebanon lawyer denies wrongdoing, demands apology over house raid," *The Daily Star*, June 3, 2016, <http://www.dailystar.com.lb/News/Lebanon-News/2016/Jun-03/355191-lebanon-lawyer-denies-wrongdoing-demands-apology-over-house-raid.ashx>.

54 "Arrests in Sidon over posts that were considered defaming to Sidon and its Mufti," (Arabic) *an-Nahar*, January 10, 2016, <http://bit.ly/2eVgR4t>.

After journalist Ali Khalifeh shared satirical, altered images of the late former prime minister Rafik Hariri on Facebook, security forces stormed his house outside of Sidon. He was not home at the time and subsequently went to the police station, where he was reportedly subjugated to a three hour interrogation by Judge Rahif Ramadan at the Justice Palace of Sidon on charges of “defacing and spreading online images” of the assassinated prime minister.⁵⁵

Four other individuals were interrogated by the Cybercrimes Bureau for Facebook posts that criticized the judiciary system, the former president, and even a song by the pop star Mohamed Iskandar.⁵⁶

Surveillance, Privacy, and Anonymity

The laws regulating surveillance and the acquisition of communications data are vague and widely disputed. Attempts to develop clear privacy laws and regulations have failed, mainly because of their highly politicized nature. Currently, the typical process for acquiring user data involves a request from the Internal Security Forces (ISF) to the Ministry of Interior (or from the army to the Ministry of Defense), which is then sent to the prime minister for approval. The order is then sent to the telecommunications minister for execution—although in some instances the latter has refused to hand over the data to the ISF. This process was approved by the cabinet of ministries in 2009 as part of an agreement to share communications data with security and military officials. However, those who dispute this process, particularly the last three telecommunications ministers, cite the need to obey privacy laws, and insist that the government’s 2009 decision is limited to metadata and does not cover requests for the content of communications and other specific data. During their respective periods in office, the ministers argued that large-scale, broad requests from the ISF should be accompanied by a court order.

While ISPs and mobile phone providers are state-owned, observers noted that data is only shared with security forces if they received a court order for a limited time interval and a limited number of users. Lebanon’s first draft law on personal data protection was reportedly under discussion at the parliament over the coverage period.⁵⁷ Individuals are not usually required to show any form of ID for obtaining a prepaid SIM card, however some points of sale required it for security reasons.

Intimidation and Violence

Physical acts of violence in retaliation for online speech were rare in Lebanon. However, traditional journalists were subject to excessive violence against protestors during the “YouStink” protests, particularly on August 22 and 23, 2015. Cameramen and reporters from numerous outlets were beaten by security force, and in many cases their cameras were broken.⁵⁸

55 “Lebanese police summon man for photoshopping Rafic Hariri posters,” *The New Arab*, February 9, 2016, <https://www.alaraby.co.uk/english/news/2016/2/9/lebanese-police-arrest-man-for-photoshopping-rafik-hariri>.

56 The Museum of Censorship, <http://www.censorshiplebanon.org/Categories/Internet>, accessed July 2016.

57 Interview with President of ICT committee in the Beirut BAR association and Dr. Charbel Kareh, Head of communication committee in Internet Society - Lebanon chapter, April, 8, 2015.

58 “Numerous Attacks on Journalists during YouStink Protests,” Samir Kassir Foundation, August 24, 2015, <http://www.skeyesmedia.org/ar/News/Lebanon/5346>.

Technical Attacks

Only two incidents of website hacking were widely reported over the past year. Both the Arabic and English Facebook pages of the online media outlet “Now Lebanon” were hacked by a group calling itself “The Online Syrian Revolutionary Army.”⁵⁹ Hacker affiliated to the so-called Islamic State also hacked the website of Future TV.⁶⁰

59 “NowLebanon Facebook pages were hacked,” Samir Kassir Foundation, July 8, 2015, <http://www.skeyesmedia.org/ar/News/Lebanon/5272>.

60 “SKeyes Monthly Report,” NNA, December 8, 2016, <http://nna-leb.gov.lb/ar/show-news/195263/nna-leb.gov.lb/ar>.