

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	793
Land:	Libanon
Kilde:	Amnesty International
Titel:	Joint statement denouncing the use of drug charges to repress freedoms and liberties
Udgivet:	18. september 2023
Optaget på baggrundsmaterialet:	22. marts 2024

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Date: 18 September 2023

index number: MDE 18/7210/2023

JOINT STATEMENT DENOUNCING THE USE OF DRUG CHARGES TO REPRESS FREEDOMS AND LIBERTIES

The signatories to this statement condemn the use of drug charges as a tactic to repress freedoms and liberties.

On September 6, 2023, investigative journalist Mariam Majdoline Lahham was interrogated by the Criminal Investigation Unit at the Internal Security Forces and detained for 11 hours after being summoned by the State Public Prosecutor Ghassan Khoury on the basis of a slander and defamation claim filed against her by a Sharia Court judge Sheikh Mohammad Assaf whom she had accused of violating the principle of impartiality as a judge. After refusing to delete the post in which she publicly exposed documents related to the corruption case she was investigating, the Prosecutor ordered a search of her home. Lahham's house keys were forcefully removed from her, she was physically assaulted when her lawyer left the room, her house was searched without her lawyer being allowed to enter the house during the search, and her computer was accessed to delete the post in violation of the presumption of innocence and her right to privacy.

Following the search, the media reported information about illicit substances being allegedly found in her home in violation of the confidentiality of investigations, and her case was transferred to the Central Drug Crimes Bureau. The Prosecutor requested Lahham to submit to a urine test to determine if she had been using drugs but she refused as a result of the violations she had been subject to, and as is her legal right to privacy and to refuse any medical examination or procedure.

On Wednesday 13 September, the Prosecutor issued a search and inquiry order against her on the basis of this refusal. Her lawyer had submitted a motion to annul the search procedures and subsequent charges as the search was carried out without respecting due process and as a result of other human rights violations.

In light of the above, we note the following:

First, we denounce the attempts of state authorities at weaponizing punitive drug charges to silence and punish people. The use of drugs, as per the Lebanese Law and international standards, should be treated as a matter of public health. The use of drugs should not be criminalized nor used as a means of silencing critical voices.

Second, the procedural violations committed against Lahham and the pursuit of criminal charges against her on the basis of slander and defamation claims are clear attempts at silencing her and fit into the recent resurgence of the authorities' attempts to limit the right to freedom of expression.

Third, the use of the threat of drug-related charges and the reorientation of the narrative from a corruption case towards a drug case - regardless of the veracity of these claims- is being used as a weapon to limit free speech and the exercise of other human rights that are perceived as a challenge to state authorities and the current status quo. The allegations of drug use within the narrative acts as a deflection for the unnecessary and illegal searching of her home, which is a clear violation of her right to privacy. This narrative is a clear attempt to discredit Lahham, delegitimize her work and demonize her in the eyes of the public to tame the public support she has received.

Fourth, Lahham's case is not the first of its kind: incidents of drug-related charges as a means to repress human rights have been documented before, most notably and recently in the aftermath of the Beirut Blast protests where 20 protesters were arbitrarily arrested on 8 August 2020 and forced to submit urine tests in direct violation of the right to privacy.

Fifth, we urge the authorities to uphold and protect constitutional and basic fair trial rights and refrain from using punitive drug charges to repress free speech.

Skoun, Lebanese Addictions Center

Lebanese Center for Human Rights

Legal Agenda

Amnesty International

Alternative Press Syndicate

SMEX

Center for Defense of Civil Rights and Liberties

Helem

Seeds for Legal Initiatives

Maharat Foundation

MENA Rights Group

Samir Kassir Foundation