

**Flygtningenævnets baggrundsmateriale**

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## It's Time For Lebanon to Reform its Abusive Libel Laws

Laws that Criminalize Legitimate Criticism of the Government Undermine Freedom of Expression

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People wave a Lebanese national flag during a protest in Central Beirut December 11, 2006.

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Lebanon joined dozens of other countries in September co-sponsoring a UN Human Rights Council resolution on the safety of journalists. That resolution called on states not to misuse defamation and libel laws to “arbitrarily censor journalists and interfere with their mission of informing the public.”

Today, on International Day to End Impunity for Crimes against Journalists, Lebanon should commit to translating that pledge into reality by reforming its criminal defamation laws.

Lebanon's constitution guarantees freedom of expression “within the limits established by law.”

But the Lebanese penal code criminalizes libel and defamation against public officials and authorizes imprisonment of up to one year if convicted. Article 384 of the penal code authorizes imprisonment of six months to two years for insulting the president, the flag, or the national emblem. Article 157 of the military code of justice criminalizes insulting the flag or army, punishable by three months to three years in prison.

An intensification in prosecutions for criticizing officials threatens freedom of speech in Lebanon. Authorities continue to detain and charge individuals for criticizing government officials. Local and international human rights organizations have long documented Lebanon's use of defamation laws to penalize journalists and others in violation of international human rights law.

Laws that allow imprisonment in response to criticism of individuals or government officials are incompatible with Lebanon's international obligations to protect freedom of expression. Such laws are a disproportionate and unnecessary response to the need to protect reputations, and chill freedom of expression. In addition, “libel,” “defamation,” and “insult” are not well-defined in Lebanese law, and such vague and broadly-worded provisions can be used to quell criticism of the actions or policies of government officials.

The proliferation of such prosecutions and the threat of arrest reflect an urgent need for Lebanon's parliament to remove criminal sanctions for libel, defamation, and criticism of public officials and symbols. This International Day to End Impunity for Crimes against Journalists is an opportunity for Lebanon to commit to doing just that.

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[2] <https://www.article19.org/resources/un-resolution-condemns-political-leaders-denigration-of-journalists-and-calls-for-action-to-prevent-attacks/>

[3] [http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/RES/39/6](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/39/6)

[4] <https://www.lp.gov.lb/backoffice/uploads/files/Lebanese%20%20Constitution-%20En.pdf>

[5] <https://www.hrw.org/news/2018/01/31/lebanon-pattern-prosecutions-free-speech>

[6] <https://www.hrw.org/news/2016/05/31/lebanon-lawyer-held-facebook-posts>

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