



# Mapping Lebanon's Civic Space

Understanding The Challenges Faced  
by CSOs Working in SRHR







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# I. INTRODUCTION

## Rationale

In Lebanon, Oxfam is currently implementing the “Masarouna” project that aims to revitalize the country’s civic space by promoting the political activation and participation of young people (YP) and creating and strengthening alternative civic spaces. It also aims to strengthen connections between traditional Civil Society Organizations’ (CSOs) and YP, viewing the generational gap as an opportunity rather than a challenge. Masarouna identifies two main interlinked pathways to achieve this change.

Pathway 1 is focused on the direct influencing of decision-makers and society to address inadequate legislation and harmful traditional social and cultural norms through strengthened youth engagement.

Pathway 2 is focused on strengthening civil society, reclaiming civic space and the formation of new partnerships and alliances.

To achieve its objectives, Masarouna requires a national-level actor mapping exercise that involves a comprehensive assessment of the political, economic, social, legal and other roles played by the state, business and civil society actors, international actors and the roles played, or not, by other key indirect influencers to advance or limit the civic space in Lebanon.

The completion of this task entails gathering data in large quantities and of suitable quality concerning, though not exclusively:

- The current state of the Lebanese civic space i.e., the restrictions on freedoms and fundamental rights and the obstacles to the enlargement of that civic space,
- The performance of state institutions in protecting those rights, or their role in limiting access to them,
- The degree of involvement of all actors concerned (private sector entities, CSOs, activists, human rights defenders...) with Lebanese civic space, and the level of efficiency of that involvement.

## Research design and methodology

The study used a mono-method approach consisting of two main stages: A thorough review of existing literature and the collection of qualitative data.

The literature review was conducted from the end of July until the end of August, 2023. It focused on nine dimensions derived from the “Oxfam Civic Space Monitoring Tool,” with an emphasis on areas such as Sexual and Reproductive Health and Rights (SRHR) and youth-related topics. This approach yielded a comprehensive understanding of the factors that influence the civic space in Lebanon, taking into account various aspects of civic engagement, from legal frameworks to social dynamics. The review assessed the legal frameworks in each dimension to determine how they either support or hinder civic actors. It examined elements such as freedom of expression and assembly to determine whether the laws protect or restrict these rights, and how this then affects the extent to which actors can operate within the boundaries of the law. It also looked at other factors or risks that currently hinder their activities, such as gender-based social and political discrimination as well as other forms of discrimination based on cultural and religious norms.

By analyzing these legal frameworks within each dimension, the study evaluated the positive or negative impact of civic space actors on the civic space itself. It also explored how regulations pertaining to civil society organizations can either facilitate advocacy, or impose burdensome restrictions, providing insights into how legal frameworks shape the civic space.

This analysis is essential for identifying areas in need of reform and developing informed policies that can create a more supportive environment for civic engagement in the country.

The data collection was conducted between September 15 and October 6, 2023 and unfolded over a period of 21 days. The data was collected using two different tools: Semi-structured Key Informant Interviews (KIIs) were conducted with a carefully selected group of 17 individuals representing diverse categories of actors within the Lebanese civic space; alongside the KIIs, the Focus Group Discussion (FGD) was undertaken with four strategic partners from Masarouna in Lebanon, namely Helem, Raseef22, SMEX, and Fe-Male.

Our approach to this stage of the study was influenced by feminist, intersectional, and participatory frameworks as we acknowledge that each person and organization within the Lebanese civic space has unique experiences, shaped by their representation within specific communities. By adopting an intersectional lens, we were able to explore the specific nuances and complexities of these experiences.

#### *Participants*

The sampling methodology was designed to identify a qualitative, representative sample of stakeholders that can and do affect the Lebanese civic space, either positively or negatively, through their work and activities. Consisting of four main types of actors, the breakdown is classified as follows:

**Category 1:** State and public institutions.

**Category 2:** Private sector entities. This includes companies and businesses from the private sector. The criterion to distinguish them from the others is that their main aim is to make financial profit.

**Category 3:** Non-profit organizations. This includes non-governmental organizations (NGOs) or CSOs, registered or informal, that do not aim to make a financial profit. It also includes religious institutions, as their primary goal is not to make profit.

**Category 4:** Private citizens. This includes individuals involved in the expansion of civic space on a personal level such as activists, human rights defenders, journalists, etc.

Many of the selected actors' activities are related to Sexual and Reproductive Health and Rights (SRHR), either directly and explicitly, or indirectly, which means their activity could be linked to SRHR, or SRHR-adjacent or may affect SRHR in some way in the civic space, as a result this can include organizations working on freedom of expression or other adjacent topics.

#### The selection of actors was based on the following guidelines:

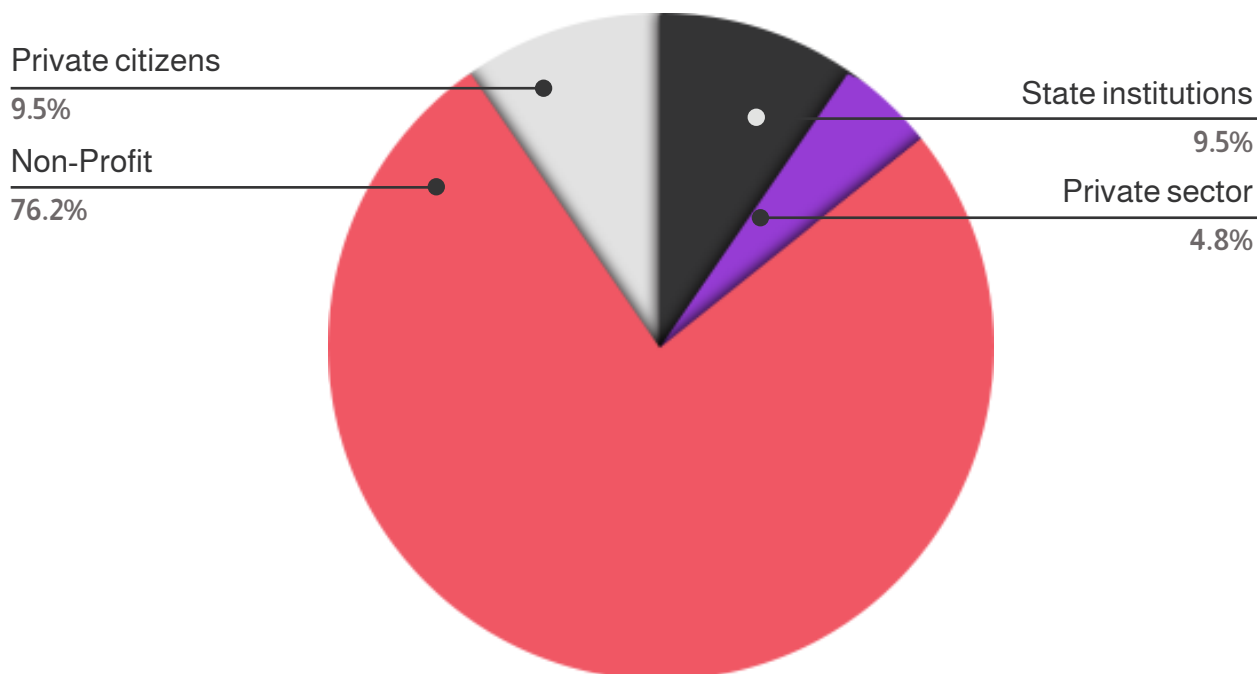
- Representation should be sought across all four categories of actors.
- Youth representation is a criterion in the selection of actors.
- Religious representatives should be included as they have a significant influence on the civic space and freedoms, particularly concerning SRHR.
- The selected actors must have a presence and be active across multiple regions of Lebanon, rather than being focused solely on Beirut.
- The selected actors should encompass both well-established CSOs as well as small, emerging movements or informal groups. This was needed in order to gain insights into the varying challenges that civil society encounters based on the status of the organization.
- The actors' activity should either have an impact on, or be impacted by, the civic space and the nine dimensions described below.

Below is the list of actors that were interviewed:

Category	Type	Stakeholder
State institutions	State institutions	Bahia Sleiman - Manager of the Program on Reproductive Health at the Ministry of Social Affairs
		Pamela Zgheib - Head of Department "Mother and Child Health" & Gender Focal Point - Ministry of Health
Non-profit	Registered CSOs	Christian religious representative, Father Agapios Kfoury
		Judge in the Sunni Court in Saida, Sheikh Mohammad Abdallah Abou Zeid
		Druze religious representative, Sheikh Wissam Slika
	Registered CSOs	Undisclosed – A CSO working on SRHR
		Undisclosed – A CSO working on trans rights
		Kulluna Irada
		Adyan Foundation – A CSO with a focus on religious freedoms
		OMC – A CSO working on LGBTQ rights
	Clubs and institutes	The Arab Institute for Women at the Lebanese American University
		Université Saint-Joseph Gender and Sexuality Club and Feminist Club
		Notre Dame University Human Rights Club
	Focus Group with Registered CSOs	Helem – A CSO working on LGBTQ rights
		SMEX – A CSO working on Digital rights
		Undisclosed – A CSO promoting feminist principles
		Raseef22 – An Independent media organization
A non-registered/informal group	Koudwa – An initiative focusing on women’s empowerment	
Private sector representative	A representative of private sector hospitals	Nuhad Dumit – Former President of the Order of Nurses, a scholar & activist
Private citizens	Development Economist & Researcher	Hussein Cheaito
	Journalist focusing on political & social issues	Undisclosed – Freelance Journalist

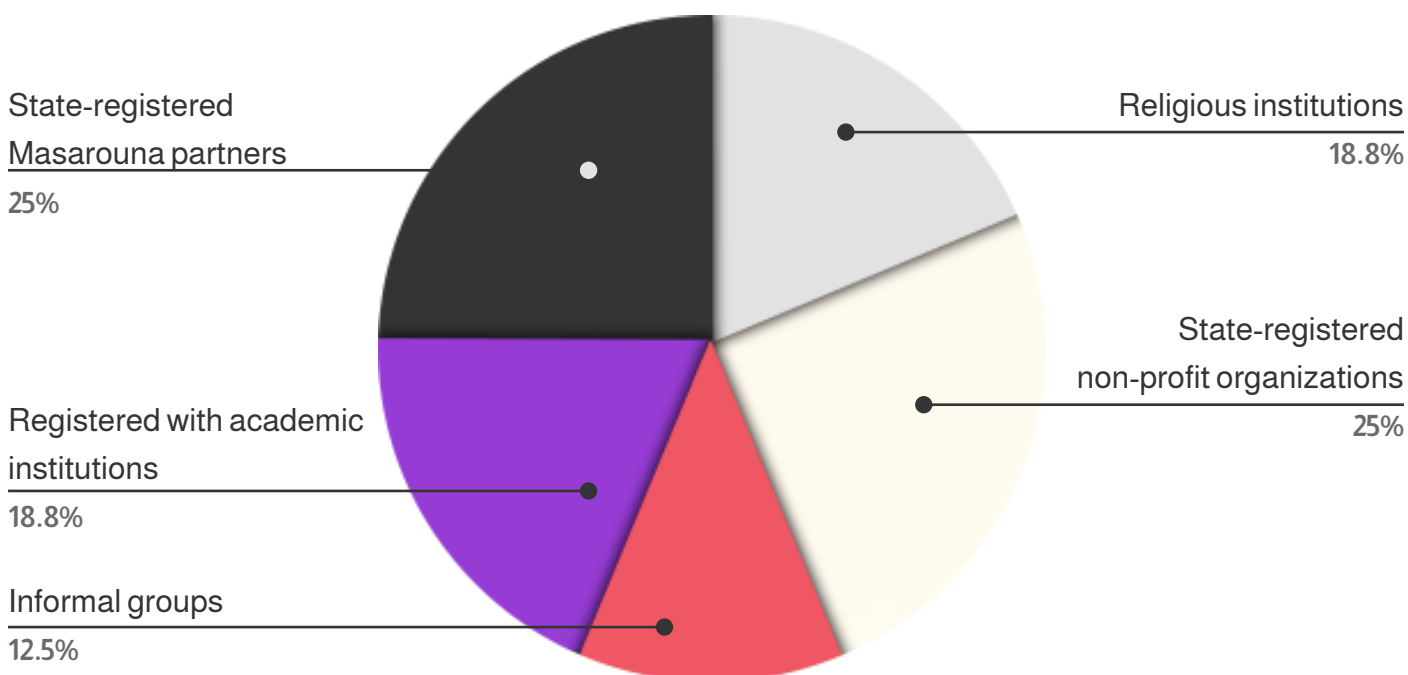
All categories of actors are well represented, apart from the private sector because, as described in the limitations section, every entity contacted declined to participate in the study.

## Categories of actors



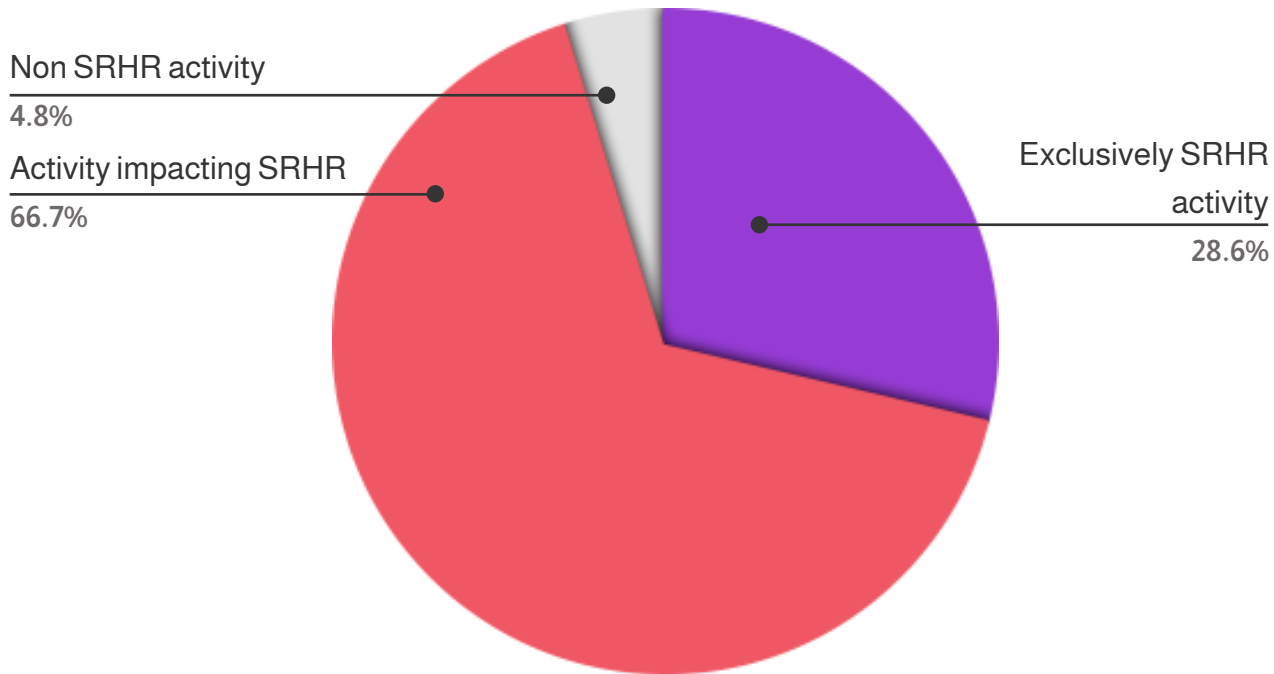
Perhaps as expected, non-profit institutions are over represented compared to other entities as they are the most active and involved in civic space, and they include a variety of different subtypes of actors, including registered CSOs, informal groups, religious institutions, academic institutions, and youth clubs.

## Types of non-profit organizations

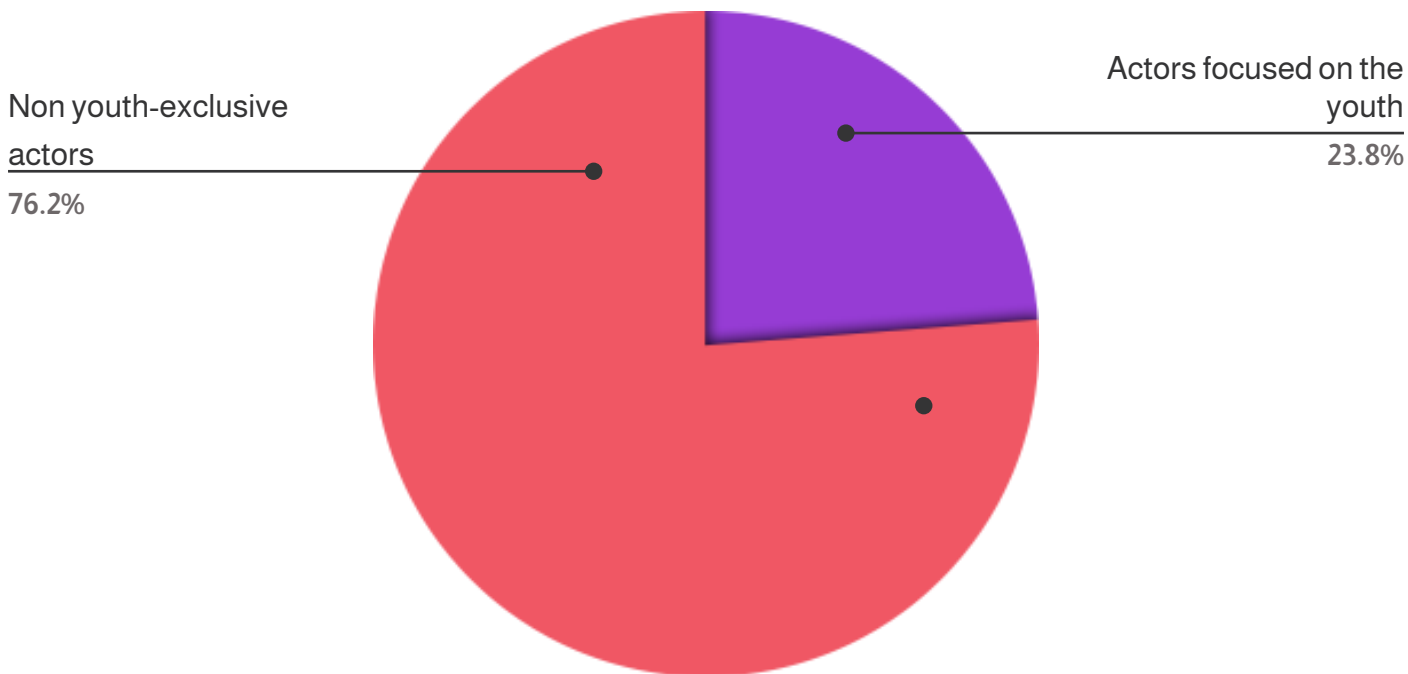


Additionally, as SRHR and the situation of the youth constitute two critical aspects of the civic space for the Masarouna program, many actors were selected as they were particularly involved in these areas.

### SRHR: involvement of actors



### Youth representation



For the purpose of this study, Lebanese civic space will encompass the following nine dimensions as laid out by the “Oxfam civic space monitoring tool”:

**1. The regulatory frameworks:** The set of laws and regulations that defines the size and nature of civic space.

**2. Access to funding and resources:** The theoretical ability of CSOs, academia, and philanthropy to make use of different potential sources of funding and the ways in which this is open or controlled.

**3. Administration and bureaucracy:** The ways in which the operation of CSOs is enabled, constrained, or suspended by practical administrative practices.

**4. The safety and well-being of people:** This includes the use of legal and illegal mechanisms to protect or threaten organizations, staff members and activists. This can refer to verbal or physical abuse, including sexual assault, kidnapping, intimidation, extortion, and murder by both state and non-state actors.

**5. Access to information:** Access to objective and reliable information and freedom of expression, through different forms of media and other advocacy actors with informative functions (NGOs, CSOs, think tanks, researchers etc.).

**6. Freedom of assembly:** Whether individuals and groups can gather and organize themselves freely, exercise freedom to protest or publicly express disagreement.

**7. Dialogue and consultation:** How governmental organizations engage with citizens in the development of policy and the extent to which civil society can shape government decision making.

**8. Access to justice and legal services:** The ability of those affected by restrictions on civic space to seek redress and access justice.

**9. Legitimacy and accountability of civil society:** The manner in which civil society is organized, who is included and excluded, and the CSO’s legitimacy and accountability to its constituencies.

These dimensions offer a comprehensive structure for the data collection process while ensuring a complete assessment of all aspects of the Lebanese civic space. To each of these dimensions, can be linked a series of challenges to the development of civic space. They were developed as such in line with Oxfam’s civic space monitoring tool, which “provides a monitoring framework to understand what is happening in civic space, track trends and highlight priority areas that need addressing”, as described in the tool’s documentation. Taking this approach brings structure to the collection of qualitative and perception-based assessments by defining the different areas of civic space that must be analyzed to obtain a deeper understanding of society and how different groups are affected by the findings in each dimension. The dimensions were used to develop the interview guides presented below.

#### *Data collection, management and analysis*

Specific, semi-structured interview guides were created for each set of stakeholders. These guides were continually updated and reviewed based on the interviews conducted, incorporating new discussions and areas of analysis that emerged during the fieldwork process (these can be seen in Annex 1).

Prospective participants were invited to take part in the study via e-mail. Most participants agreed to a semi-structured interview that was conducted over Zoom and generally lasted around 60-90 minutes. However, some sent some of their answers via email. Each participant was asked to sign an informed consent form that explained the purpose of the study, ensured the confidentiality of the shared information unless and until they agreed to its publication, and guaranteed their right to withdraw from the research at any time (these can be seen in Annex 2).

The interviews were then transcribed. The transcripts, together with the written responses sent by email, were analyzed using qualitative methods.

### *Limitations*

While conducting this research study we encountered various challenges related to the response to, and interaction with, the KIIs, time constraints and some logistical issues. These challenges were addressed and managed in a way that did not necessarily impact the outcome of the study.

**Time constraints:** The KIIs were limited to 21 due to the tight schedule, as we had only 21 days to conduct the interviews and write the analysis. Moreover, the duration of the interviews ranged between 60 and 90 minutes long in order to cover the nine dimensions. This resulting in a very long transcribing process (each interview required six to eight hours of transcription).

**The state institutions' response:** The ministries represented one of the main categories of actors influencing the civic space. Based on the inception report, we planned to initiate contact with the Ministry of Interior, Ministry of Public Health and Ministry of Social affairs. The process of reaching out to these institutions was long and characterized by a certain level of bureaucracy and a slow referral process. Hence, the approvals to conduct the interviews with the ministries' representatives were obtained at a very late stage. We did not resume our efforts to set a meeting with a representative from the Ministry of Interior due to concerns related to the increased restrictions on LGBTQ and SRHR and which could have impacted on the safety and security of our team members. Additionally, we believe that the desk research provides a comprehensive overview of the Ministry's stance and influence in relation to the civic space.

**The private sector response:** Given the tight schedule, we were able to reach out to only four main, well-known companies with a history of work related to SRHR, such as the Fattal, Holdal, Malia and Pharaoun groups. Some of the products these private sector companies distribute pertain to SRHR, for example, pharmaceutical products related to various sexual and reproductive diseases and health needs,

including maternal health, various cancers, HIV/AIDS, and contraceptives. However, all four groups did not see the link between the services they provide and SRHR, despite our efforts to highlight the connection. However, we were able to collect some data on the role of hospitals regarding SRHR from the interview we conducted with Dr. Nuhad Doumit, the Former President of the Order of Nurses.<sup>0</sup>

**Religious institutions' response:** While Christian, Sunni and Druze representatives did respond and agree to participate, the multiple Shia representatives we contacted declined to contribute. However, three of the largest religious communities in Lebanon remain represented.

## Main findings

**Bureaucratic obstacles and the lack of transparency:** CSOs and citizens face important challenges in the form of administrative hurdles and bureaucratic obstacles: Long delays and a lack of transparency in the public administration mean that the existence of a liberal legal framework has little practical impact on civil society. Youth activities, even within universities, face similar issues.

**Administrative corruption and the instrumentalization of procedures:** Corruption is rampant and expected within Lebanese administrations. Bureaucratic procedures are instrumentalized to monitor the activity of CSOs and to place restrictions on them, particularly when it concerns work around a topic such as SRHR.

**Challenges for nascent CSOs despite permissive funding-related framework:** There are few legal restrictions around civil society's access to funding. Most difficulties arise from donor expectations regarding the CSOs' sustainability. These can be seen as too demanding for nascent initiatives and small, informal groups. This includes cumbersome reporting requirements and the scarcity of core, flexible funding channels in comparison to project-based funding that may not correspond to needs of local CSOs. Small groups find it particularly hard to obtain their first round of funding, but it becomes easier once they establish relationships with donors. In addition, Lebanon's economic crisis threatened the survival of civil society and strained relationships with donors.

**Funding dynamics:** Some CSOs face difficulties and challenges accessing funding, whereas others have easier access to sources of funding due to their robust connections or affiliations with state institutions or political parties, many of whom issue grants. This phenomenon is common in ministries and other authorities, where decision-makers have a discretionary power to grant approvals for funding provided by the state to CSOs where the people in charge have close relationships with officials, or are even

related to them. These parties do not necessarily, if not at all, hold an intersectional agenda, often resulting in their supporting projects focusing only on reproductive rights and services while generally dismissing sexual health rights. This conservative approach restricts the enlargement of the civic space. On the other hand, adopting an intersectional approach and working with marginalized groups does constitute a competitive advantage for CSOs trying to access donor-related funding, specifically funding from international donors.

**Centralized funding:** It was notable that programs and activities intended to be implemented in Beirut and the suburban areas are more likely to be funded in comparison to projects in rural and remote areas, which are mostly neglected. This is reflected by the concentration of civil society interventions and programs in Beirut, with other areas mostly neglected. This is despite the need for services and awareness, particularly in relation to SRHR, within these regions.

**Inequality under the rule of law because of discriminatory personal status laws:** The existence of many different layers of jurisdiction, because of the various personal status laws that can be applied to citizens due to their religion, poses an obstacle to equal access to justice for all citizens and hinders the establishment of a protective civic space, as religious laws tend to discriminate between men and women in a number of different ways. Additionally, the fact that religious tribunals are geographically more accessible than state courts does not necessarily result in better access to justice for all citizens, as, for instance, those who are not part of the 18 confessions recognized by Lebanese law cannot resort to the judiciary and are deprived of many of their civil rights.

**Class inequality in access to justice:** A person's economic situation and class influence the way security forces and the judicial authorities treat their demands, and the priority they give to their cases. For instance, a privileged member of the LGBTQ community

could receive protection and fair treatment from the competent authorities while others could suffer from discrimination and abuse.

**The reluctance to approach the judiciary:**

A lack of knowledge of the justice system and financial difficulties explain the decision of citizens who consciously choose not to resort to the judiciary to address their grievances. For marginalized communities, particularly the LGBTQI community, refugees or women, that reluctance originates from past treatment and experiences with the judiciary and security forces, who will often trivialize their requests, engage in discriminatory practices or shift their status from victims to offenders. Moreover, the culture of impunity that has only become stronger since the Civil War, and which has been strengthened following the lack of justice around the Beirut Blast, further accentuates the lack of trust in the judiciary.

**Limited media access for marginalized groups:**

The majority of media outlets are owned or influenced by traditional political parties and mainly reflect an overall conservative approach towards freedoms and sexual liberties. This goes some way to explaining why there is a general lack of understanding of SRHR and an unfair representation of marginalized groups on these platforms. On the other hand, better representation of marginalized groups is seen in alternative media outlets, particularly on social media, but they do face some backlash from conservative communities. Additionally, the efficiency of alternative media is limited, as they mostly reach populations that are, in large part, already convinced by these more progressive principles. Moreover, their capacity to reach more conservative populations is restricted by limited access in Lebanese rural regions to the internet and the absence of will from these populations to try to understand different views: many groups face immediate rejection by this part of the Lebanese people.

**CSOs as stepping stones:** Observation over time showed that some CSOs have been used

to achieve personal or political gains, where we sometimes see representatives of these organizations realizing financial prosperity or engaging in politics as they attempt to reach official governmental positions, creating a conflict of interest. However, people tend to overlook these practices as CSOs are seen as committed to their mandate and to providing people with services within the scope of their work in a more efficient way than the state.

**Internal accountability in the absence of the state:**

While there is no specific framework that governs the accountability of CSOs to the state, CSOs are accountable to the state in that they must comply with legal regulations. They also abide by the mechanisms required by the donors and spend a considerable amount of time implementing tools of accountability and reporting results and impact to the sources of funding. Regardless of the absence of any framework these CSOs are not merely accountable to the donors, they are in fact accountable to many stakeholders, such as their partners or target groups, their allies and coalition partners, and to their staff and members in regard to meeting their expectations. Given the restrictions on the civic space, it is legitimate to have concerns about the risks posed by state-led accountability mechanisms as they could threaten the safety and functioning of CSOs in addition to the privacy of beneficiaries, particularly marginalized and vulnerable groups.

**Limited involvement of the private sector in SRHR:**

Some private sector entities are not fully engaged in SRHR. However, they have shown interest in, and engagement with, adopting policies for gender and sexual harassment.

**Scarce inclusion of civil society in the policymaking process:**

Formal dialogue or consultation led by the state that aims to engage CSOs to obtain their input on policy making is not a very common practice. However, we have recently witnessed some attempts to encourage state-CSO dialogue. It appears that these efforts are primarily motivated by growing demands

from donors.

**The active and influential role of religious institutions in policy making:** Religious institutions have a constitutionally-recognized role in the legislative process, but these formal mechanisms are rarely used. In the main, political parties use religious institutions' support to manipulate public opinion when they need it, as these institutions' stances have a strong impact on the population. Religious institutions' influential role in legislation explains in part the Lebanese law's hostility towards SRHR and the LGBTQI community.

**Subjective understanding of SRHR:** Different types of actors have radically different understandings of SRHR. Religious entities, state institutions and traditional political parties tend to restrict their definitions to reproductive health, while CSOs and academics tend to adopt a larger approach encompassing sexual health, gender identity and individuals' rights regarding their own bodies. The lack of a standardized Sexual and Reproductive Health and Rights (SRHR) curriculum approved by the Ministry of Education in Lebanon causes each school to teach their own views on SRHR, often reflecting their cultural backgrounds, especially in religiously affiliated Lebanese schools. The absence of a comprehensive national strategy for SRHR leads to different ministries and authorities adopting diverse approaches to protect these rights.

**Lack of coordination between ministries:** The Ministry of Social Affairs' competence is focused on SRHR awareness; however, the Ministry of Public Health provides services related to reproductive health. Lack of coordination between the two ministries and the absence of a clear national policy on sexual health services results in the failure to provide comprehensive services to citizens.

**The forced silence of SRHR-related CSOs:** The increasing crackdown by authorities on the freedom of expression of journalists and activists is causing self-censorship among these groups. Alongside this, a growing number of CSOs, particularly those focused on SRHR or the LGBTQI communities, are choosing to work discreetly and to not attract attention, at

the expense of having lower outreach among communities. They also choose not to organize protests, in order to lay low and remain under the radar, shielding themselves from the current crackdown on SRHR. Their activity has seen a major shift, and they have been forced to move most of their work underground.

**The hindering of freedom of assembly:** There are regular violations of freedom of assembly as protesters are often met with a violent response either from the authorities or from thugs linked to traditional political parties as they seek to impose their religious beliefs and hinder the development of civic space. This statement is even more applicable to movements linked to SRHR or marginalized communities.

**SRHR and LGBTQI demands are being instrumentalized by authorities to manipulate public opinion,** allowing them to curtail freedom of expression and assembly. The authorities use this as an opportunity to extend their dominance, as any protest or movement that advocates for different freedoms is now associated with the LGBTQI movement. Consequently, these protests are met with immediate and violent retaliation in an attempt to suppress them. As a result, it is becoming more and more challenging to protect civic space and individual freedoms, which are the main objectives of civil society.

**Impact of the crackdown on youth engagement:** Interventions by public figures (ministers, political leaders or religious representatives) in opposition to LGBTQI rights have an impact on youth engagement. For instance, in some universities in Beirut and in certain regions, an anti-LGBTQI narrative is gaining ground as influential figures legitimize hatred. However, this does not decrease a certain determination to protect these rights and challenge these public stances. Involvement in this movement becomes an incentive for young individuals, inspiring them to play an active role in the development of civic space, especially as they see various freedoms being violated.

**Religious institutions and their belief that SRHR undermines public order:** Religious institutions mostly try delegitimizing social movements for similar reasons, as LGBTQI demands are seen as disruptive to public order by all religious institutions, regardless of sect. Their opposition to SRHR, and specifically LGBTQI rights, may perhaps be one of the only topics in which a consensus is reached between all Lebanese religious communities. They base their opposition on their belief that extending rights to the LGBTQI community would lead to the disruption of Lebanese morals and the model of the traditional family, as well as the violation of divine laws. The notion of public order, which is supposed to be used to protect freedoms, is employed not to protect Lebanese citizens' rights, but to restrict them further.

**Private vigilante “justice” and the lack of protection:** All civic space actors face regular threats and violence in their attempts to develop the civic space. These threats not only originate from the authorities, but also, and even mostly, from armed militias, thugs, political parties or other radical groups, particularly in the most conservative regions. The frequency and intensity of the threats are rising as these groups are taking it upon themselves to implement what they believe should be the law, according to their own agendas, creating a state of de facto anarchy. The security forces do not adopt appropriate measures to deal with these threats, but rather overlook, if not facilitate, the violence against protesters.

**Promotion of a sexless culture:** Sexual health is mostly ignored and rarely tackled by state or religious institutions. However, steps are taken in favor of reproductive health as part of the Ministry of Public Health's strategy. Sexual health remains a taboo topic within Lebanese society, as demonstrated by the sexual harassment law number 205.<sup>1</sup> The law was finally adopted in 2020 after 10 years of discussion and debate, and judges, many of whom see the topic as taboo, still find this law complex to implement.

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<sup>1</sup>Law number 205 aims to criminalize sexual harassment and rehabilitate its victims, 30-12-2020.

## The current landscape of the civic space

The Lebanese civic space has seen a non-linear evolution in the country's recent history. While some periods have witnessed positive progress in relation to fundamental freedoms such as freedom of expression, assembly and association, in the past decade we have witnessed the fiercest restrictions on freedom of expression and assembly due to the persistence of the political ruling class in taming any nascent opposition movement. The ruling classes also oversaw a devastating political and economic collapse where in 2019 the Lebanese pound lost in 90% of its value and private deposits in banks were frozen and subjected to unfair and illegal withdrawal policies<sup>2</sup>.

Back in 2011, as regional protests and revolutions marked the beginning of the Arab Spring, opposition movements started organizing and calling for the protection of civil liberties and the abandonment of the sectarian system. The Laic Pride march took place, and it was one of the first major events in which LGBTQI rights were mentioned and calls for a secular state were voiced. In 2015, the "You Stink" movement was born as a direct consequence of the garbage crisis the country faced. The various "You Stink" protests were confronted by security forces who deployed excessive force and arbitrary detention against a number of protesters. The movement not only focused on the waste management crisis, but also raised various issues such as poor governance, corruption, power outages, and the fact that the parliamentary elections, originally scheduled to take place every four years as stated in the Constitution, had been delayed until 2018, resulting in a nine-year mandate for the Parliament since 2009<sup>3</sup>.

From 2015 until 2019, sporadic protests kept on taking place until it reached a crescendo with the October 17 revolution. The revolution contained progressive aims, asking not only for a secular state, the fall of the regime, the end of the impunity

of the political class, but also for the respect of the fundamental rights of women and marginalized communities. It did seem, at that point, that the revolution had created a more inclusive civic space and that the fight for its enlargement was becoming a priority for a substantial part of the Lebanese population. This high level of support was due to the 2019 protests being highly politicized and because they addressed fundamental systemic human rights issues, as opposed to the 2015 movements that were issue-focused and tackled more specific instances of corruption that had arisen within the state. The issue was not one of fundamental freedoms, rather one of the failure of the state to provide public services, an issue with much broader, cross-sectarian appeal.

It was also noteworthy that the October 17 revolution wasn't centralized in the capital city of Beirut; new dynamics of assembly emerged in almost every large city in Lebanon and more remote areas. This took different shapes and forms such as sit-ins and talks and local groups of protesters gathered to voice their dissatisfaction with the government's performance, discuss their rights and raise awareness of the importance of reclaiming the civic space. However, the security forces and riot police always resorted to excessive force and violent measures to face the protesters.

As the COVID-19 pandemic unfolded, and the economic crisis hit its peak, the October 17 uprising slowly lost momentum, this was the state of affairs until 2020, when the third largest non-nuclear explosion in history occurred at the Beirut Port. The explosion ripped the city apart, leaving behind over 200 dead, more than 6,000 injured and massive destruction which reignited the anger of the Lebanese people who flocked to the center of the city on August 8, 2020<sup>4</sup>, calling for the truth and for accountability. Protesters were confronted fiercely with tear gas, live ammunition,

<sup>2</sup>L'Orient Today, Banking restrictions: hold-up stories, the Lebanese way, Civicus Alliance, Lebanon. 'The main culprits of the current crisis are bank owners and their greed for profit'.

<sup>3</sup>Al Jazeera, Polls close in Lebanon's first general election in nine years.

<sup>4</sup>Amnesty International, Lebanon protests explained.

rubber bullets, metal pellets and other illegal and disproportionate measures. This latest round of confrontation was viewed as some of the fiercest ever seen in the country. The Lebanese Army and the Security forces aimed at people's heads, necks, and eyes from close range and more than 700 people<sup>5</sup> were seriously injured during these confrontations, many of whom required immediate hospitalization in order to save their lives, or to prevent serious disability. At least 20 protestors suffered eye injuries and some lost their eyesight in at least one of their eyes.

The government not only resorted to security measures to impose tight restrictions on freedoms, but it also followed legal pathways by issuing decrees to regain control over the civic space and to thwart the revolution. For instance, the former minister of Public Health Dr. Hamad Hasan issued in 2020 circular N. 119 in accordance with Article 400 of the Lebanese Penal Code, requiring Lebanese doctors in private and government hospitals to report every Lebanese or foreign wounded or injured person entering the hospital for treatment if their injuries were the result of incidents arising due to the protests<sup>6</sup>. Additionally, charges of rioting and threatening national security were raised against many activists and protesters. These maneuvers were adopted by the authorities to control protests and put tighter restrictions on the right to assemble. Even though the Lebanese authorities managed to tame the revolution, whether through crackdowns or through the series of financial crises, restrictions and threats targeting the right to assemble increased at a rapid rate and mainly targeted vulnerable groups such as women and the LGBTQ community. However, this time these restrictions were not only promoted and spearheaded by the ruling class, but also by both Islamic and Christian religious authorities who released official statements, and posted Tweets and videos on social media platforms stressing on societal traditions and cultural norms that prohibited and contradicted individual liberties and the concept of diversity.

For instance, in 2022, the Interior Minister Bassam al-Mawlawi sent an urgent instruction to the directorates of Internal Security and General Security instructing them to ban any gathering concerning homosexuality, or that aimed to promote it<sup>7</sup>.

In 2023, Hezbollah leader and Shia religious figure, Hassan Nasrallah, threatened the LGBTQ community, relying on the Quran to remind homosexuals in Lebanon about the penalty that could be placed upon them due to their sexual orientation. He also called on citizens not to spare any effort to face this "phenomenon" and stop it in any form, a call which could have opened the door to total chaos and extreme violence. Additionally, Minister of Culture Judge Mohamad Al Mortada attempted to ban the screening of the movie 'Barbie' in Lebanese theaters, believing that it promoted homosexuality<sup>8</sup>. At least eight movies were banned between 2022 and 2023 for similar reasons. In line with that stance, Education Minister Abbas Halabi confiscated the famous board game "Snakes and Ladders" from summer school materials in public schools because of rainbow colors found on the board<sup>9</sup>.

The anti LGBTQ campaign finally turned into a violent crackdown on the community when Christian a radical religious group called Soldiers of God (Jnoud Al-Rabb) attacked a drag show taking place in Beirut, destroying the site, assaulting the attendees and preventing people from leaving<sup>10</sup>.

An incident on the public beach in the city of Sidon posed a serious question regarding the future of individual liberties, especially in public places. A Lebanese couple was harassed and chased

<sup>5</sup>Human Rights Watch, Lebanon: Lethal Force Used Against Protesters.

<sup>6</sup>Seeds Legal Clinic, Ministry of Public Health requests doctors to report individuals participating in protest movements.

<sup>7</sup>MENA Rights Group, Violations of the right to freedom of peaceful assembly in Lebanon, Tunisia, Egypt and Saudi Arabia, RT Arabic, Lebanon: The Minister of Interior insists on decision to prevent any conference promoting sexual orientation.

<sup>8</sup>L'Orient Le Jour, Culture Minister requests Barbie movie be banned in Lebanon.

<sup>9</sup>BlogBaladi, Snakes and ladders promote homosexuality according to education minister Abbas Halabi.

<sup>10</sup> Amnesty International, Lebanon: Attack on LGBTI bar another 'ominous sign' of deteriorating rights situation.

from the beach by a group of religiously conservative residents who could not tolerate the presence of a woman wearing a swimsuit on the beach<sup>11</sup>.

In the eyes of the residents, the wearing of a swimsuit contradicted the city's and its residents' religious beliefs and cultural norms. This incident was followed by an attempted protest led by a group of feminist activists on the same beach, however the security forces forbade the protesters the right to peacefully demonstrate on the beach .

A couple of months later, a healthcare center run by Marsa that provides Sexual and Reproductive Health Rights (SRHR) services from inside a hospital in Tripoli, was attacked by protesters who considered it to be a "gay center"<sup>12</sup>. In the weeks after the attack, the "Freedoms March" protest gathered several CSOs and political activists to condemn this ongoing oppression, however it was met with a violent physical response from anti-LGBTQ protesters who attacked the initial protest as they believed that it was promoting homosexuality<sup>13</sup>. Last but not least, on the first of October, a masked, armed group launched a violent assault on a beach bar, "Cloud 59", on the public shores of Tyre, accusing it of "promoting homosexuality" as the bar was celebrating its 20-year anniversary. Several people were beaten, and bar was destroyed<sup>14</sup>.

This series of events created an aggressive and alarming narrative, creating a new culture of fear of expression and assembly. It is becoming evident that the Lebanese people, under continuous threat and the burden of the economic crisis, have lost their ability to utilize the civic space for the preservation of their rights, and that every movement asking for fundamental freedoms will be associated with the LGBTQI community's rights and, on the basis of that assumption, will be met with a violent response.

Intolerance, aggression, hatred, and violence are already rampant and are spreading within Lebanese society, fueled from authorities and

political parties, armed groups and religious institutions.

The country had already been classified as an authoritarian state as per the 2021 Democracy Index<sup>15</sup>. The impact of this bleak reality is intersectional and applies to all aspects of life in the country, but what it is most noticeable is the impact of this reality on Lebanese youth and how it is affecting their engagement in shaping the future of this country.

As a result of all this, people in Lebanon find themselves at a crossroad, where they must find answers to existential questions that will shape the future of their country, the most important of which being the type of regime they want to live in: secular or religious? How secular, how religious? The answer to this question may well prove to be the difference between living in a democracy that promotes diversity and the expansion of civic space, or an authoritarian country in which the civic space is restricted and controlled by the government, religious institutions and other powerful actors through the use of violence.

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<sup>11</sup>L'Orient Today, Swimsuit ban in Saida: 'Never before in the history of Lebanon'.

<sup>12</sup>Legal Agenda, The Attack on a Health Care Center in Tripoli.

<sup>13</sup>Naharnet, Beirut 'Freedoms March' attacked by mob accusing it of backing homosexuality.

<sup>14</sup>L'Orient Today, Attackers shout at patrons, hit tables at Sour bar, victims allege homophobic motives.

<sup>15</sup>L'Orient Today, Lebanon classified as 'authoritarian regime' for first time in Economist Intelligence Unit's annual Democracy Index.

## The civic space

### *The legal framework around the civic space and fundamental freedoms*

The civic space is understood to be the immaterial space in which CSOs, syndicates, individuals and other potential actors can act to protect and ensure the respect of rights and freedoms. “It is the environment that enables civil society to play a role in the political, economic, and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by accessing information, engaging in dialogue, expressing dissent or disagreement, and joining together to express their views,” according to the OHCHR<sup>16</sup>. Those rights and freedoms simultaneously constitute the goal, the extent of the civic space as well as its pillars. Most notably, there is no civic space without freedom of association and freedom of expression.

These rights are consecrated by the Lebanese Constitution, as Article 13 states that “The 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 the limits established by law”. This is also confirmed by Article 8 of the Constitution, which states that “Individual liberty is guaranteed and protected by law”. The Constitution’s preamble also contains notable provisions ensuring these rights are protected. Point C of the preamble states that “Lebanon is a parliamentary democratic republic based on respect for public liberties, especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination”; point D states that “The people are the source of authority and sovereignty; they shall exercise these powers through the constitutional institutions”; and finally, point E states that “The political system is established on the principle of separation of powers, their balance, and cooperation”.

These freedoms are also safeguarded by the International Covenant on Civil and Political Rights (ICCPR), which is ratified by Lebanon, and which states in its Article 19 that “1. Everyone shall have the right to hold opinions without interference.; 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”, and also states in Article 21 that “The right of peaceful assembly shall be recognized. 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...”

Point B of the preamble of the Lebanese Constitution states that “Lebanon abides by the Universal Declaration of Human Rights”, which states in its Article 19 that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”; and in Article 20 that “Everyone has the right to freedom of peaceful assembly and association”.



<sup>16</sup>OHCHR, OHCHR and protecting and expanding civic space.

### *The restriction of the civic space through flawed interpretation and implementation of the principles*

Within the regulatory framework, there is little room for interpretation regarding the freedoms that make up the civic space. In Lebanon, these freedoms are consecrated by the highest sources of law, and must be upheld. These freedoms, when guaranteed, enable CSOs to operate actively and contribute to the development of the civic space. They also constitute the basic pillars of any democratic regime, in which the people must contribute to their own governance, within a system with fair and transparent elections, a variety of political parties representing the population's different opinions and all communities, a separation and independence of powers, equality under the rule of law, and the people as the source of the democratic power. As will be demonstrated in this report, most of these pillars have already been shaken or are being threatened by the current state of affairs.

Moreover, equilibrium must be found between these principles, as any extreme implementation of some may impact the scope of others. The Lebanese experience provides compelling justification for the need for balance, as freedom of expression and assembly are constantly being violated on the basis of an expansive interpretation of the right to “absolute freedom of conscience” provided for by Article 9 of the Constitution, which also stipulates that “The state, in rendering homage to the God Almighty shall respect all religions and creeds, and guarantee, under its protection the free exercise of all religious rites provided that the public order is not disturbed. It shall also guarantee that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected”.

This Article mentions the “absolute freedom of conscience” which must be understood as the freedom to believe and to not believe, however, the necessity to be a member of one of the 18 officially recognized sects in order to have any civic rights, contradict that statement, which

is why steps must be taken towards a secular state and the separation of religious issues from governance and individual rights issues.

An extreme understanding and implementation of that Article allows religious leaders and self-proclaimed “protectors” of religions to violently impose their views on others without any accountability. This is particularly apparent in the current crackdown on LGBTQI rights, as recently, Minister of Culture Mohamad Mortada claimed that “Articles 9 and 10 of the Constitution require the state to perform the duties of reverence to the Almighty and respect religious teachings, and to prevent any education that contradicts the moral values derived from them”. Article 9 has been used repeatedly to halt any societal progress in Lebanon and to maintain the existing status quo in the name of upholding the Constitution, most notably in relation to the debate around adopting a civil personal status law as opposed to the multiple religious personal status laws governing Lebanon. In this context, scholars<sup>18</sup> have demonstrated that the recognition of personal status laws for sects through decree no 60 LR of 1936 does not imply, in any way, the rejection of the existence of personal status for citizens who do not wish to belong to these historical sects, the scholars cite Article 10 of that same decree that recognized the “community of common law” for those who did not identify with any of the 18 recognized communities.

To justify his claims and actions against the LGBTQI community, the Minister not only adopted an expansive and unjustified interpretation of Article 9, but he went as far as to claim that the Constitution imposes on the state the duty to respect religious teachings, implying that his hands were tied and he had

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<sup>17</sup> The World Factbook, Lebanon, cia.gov.

<sup>18</sup> Talal El Husseini, Civil Marriage: The Right and The Contract in Lebanon.

no other choice than to take strong action against these communities. However, his understanding of the article is deeply flawed, as was demonstrated by a session of the Representative Council held on May 20, 1926 that was held in order to adopt that Article, during which the drafters stated that this Article only and strictly “means that the country is a group of religions, all of which are minorities, and the state does not belong to any of them, but respects everyone”<sup>19</sup>. This view was confirmed by the Constitutional Council’s decision No. 1 dated 11/23/1999, in which it declared that the Article “implies a neutral position of the state toward religions”, because Lebanon’s state does not have an official religion and does not seek to impose religious ethics on its citizens, as it is a secular state.

It is clear that the regulatory framework intended the creation of a secular state that respected all religions and beliefs. It was never intended to allow one group of citizens to impose restrictions on the freedoms of other citizens based upon their religious beliefs. Today, the framework is being weaponized to do just that. This realization is one of the main reasons behind the constant and repetitive demands from protesters for a civil state or a secular state and the separation of religious institutions and considerations from the state, steps that would put an end to arbitrary restrictions on freedoms and civic space, including SRHR restrictions.

### Understanding SRHR

Throughout the research, a specific focus is being attributed to Sexual and Reproductive Health and Rights (SRHR), as this topic is of a particular importance to the Masarouna project.

SRHR constitute a comprehensive framework that upholds the individual’s rights to make informed decisions about, firstly, their sexual lives, and secondly, their reproductive lives, free from discrimination, coercion, and violence. It includes access to quality healthcare, privacy,

and education. SRHR also includes gender equality, prevention, and treatment of STIs and HIV, and protection for marginalized populations. In essence, SRHR is a human rights-based approach that promotes dignity and equality in sexual and reproductive health and well-being throughout a person’s life. “Good sexual and reproductive health is a state of complete physical, mental, and social well-being in all matters relating to the reproductive system. It implies that people are able to have a satisfying and safe sex life, the capability to reproduce and the freedom to decide if, when, and how often to do so”<sup>20</sup>.



<sup>19</sup>Wissam Lahham, 'Culture' Minister Rebels Against the Secularism of the State, Legal Agenda.  
<sup>20</sup>UNFPA website, sexual and reproductive health.

## II. ANALYSIS OF THE FINDINGS

As explained, the Lebanese civic space is facing multiple challenges of different scales and on various levels. Some are structural challenges mainly emerging from the acts of state institutions (A), others are challenges inherent to the status of CSOs in the country (B), while the last set of challenges (C) concern the protection of individual fundamental rights and the freedoms of the population.

### A. Structural challenges originating from state institutions

#### Regulatory framework

*Regarding the establishment of an effective civil society*

Lebanon's regulatory framework in relation to the establishment of a civil society is seen as one of the most liberal of the MENA region and the Arab world in terms of texts and laws. This is why the number of Non-Governmental Organizations (NGOs) has risen steadily since the beginning of the 21st century, particularly as the need for alternative sources of services grew as state institutions progressively failed to provide them. According to the Ministry of Interior and Municipalities, there are currently more than 11,000 registered associations in the country<sup>21</sup>.

#### *The Constitution*

This liberal spirit is clearly represented in the wording of the Lebanese Constitution. In fact, the preamble of the Constitution mentions that Lebanon is a free, independent, and democratic parliamentary republic where freedom of speech, assembly, and association are guaranteed. Its Article 13 states that freedom to express one's opinion orally or in writing, freedom of the press, freedom of assembly,

and freedom of association shall be guaranteed within the limits established by law. The integration of these provisions in the Constitution exhibits its drafters' intent, on a social level, to ensure the effective development of a vibrant civil society, which plays a crucial role in addressing social issues, advocating for citizens' rights, and fostering public debate without fear of retribution. Politically, these provisions provide a permissive framework for political pluralism and diverse political parties, which should have contributed to a competitive and representative political landscape. However, it is evident that the achievement of these constitutional ideals has been hindered by multiple factors, most notably sectarianism, political patronage, or clientelism, and foreign political agendas.

#### *Other legal sources*

Apart from the Constitution, the Lebanese law that regulates the establishment and status of Non-Governmental Organizations is, to this day, the 1909 Ottoman Law of Associations, that has been applicable for more than a century. This law's relative permissiveness has ensured a certain sustainability for civil society in Lebanon. The 1909 law defines an association as a group of several persons permanently unifying their knowledge or efforts for nonprofit objectives, and states that the formation of an association does not require prior approval from the government, it only requires that the association notifies the government once it is formed by submitting a series of standard documents (e.g., address, objectives, bylaws, member's ID and others) to the Ministry of Interior<sup>22</sup>. The procedure is finalized by the delivery of a receipt of this notification by the Ministry as stated in the Ministerial Circular No. 10 issued in 2006. Nevertheless, this receipt does not grant the association the legal capacity to carry-out its activities, this requires the delivery and publication of the notification/declaration in the Official Gazette.

<sup>21</sup>Civic Freedom Monitor, Lebanon, International Center for Non-Profit Law.

<sup>22</sup>1909 Law on Associations, Article 2.

While permissive in form, this law does put some limitations on the establishment of associations in Lebanon, most notably: associations' activities must respect all applicable legislation, it is forbidden to establish political associations of a nationalistic nature<sup>23</sup>, members must at least be 20 years of age and enjoy all their civil rights<sup>24</sup>. On the other hand, it does not put legal limitations on the sources of funding of associations, domestic or foreign.

However, the vagueness of the law, which makes it permissive, at least in appearance, seems in fact to be allowing for insidious interpretations by authorities, as the clear "absence of a comprehensive program of action to defend the autonomy of association" could be encouraging the state administration to "interfere in associations' internal governance". Most provisions of the 1909 law do seem permissive and put few restrictions on CSOs, however, legal provisions protecting associations are also absent, and authorities are profiting from this to impose further restrictions on them.

Additionally, some associations can be granted the status of "Public Utility Association"<sup>25</sup> by the Council of State (the Shoura Council, highest administrative court in Lebanon). This would allow them to receive public funds or bid for government contracts, but it also exposes them to stronger government scrutiny.

It is also notable that some types of association, including CSOs with different statuses, must follow a different registration procedure, for example, sport- or youth-related associations must have their registration approved by the ministry dealing with youth or sports issues, and cooperatives have yet another law applied to them.

### *The consequences of registration*

According to official documentation, legal registration is a straightforward and practical

step for NGOs in Lebanon. However, in practice, while registration is certainly helpful, the process is not really as straightforward, as described by the majority of respondents, and as elaborated on in the "Administration and Bureaucracy" section of this report, this is mostly because of the long delays faced by associations trying to complete their registration and the Ministry of Interior not completing the paperwork in a reasonable period of time.

Still, associations benefit from registration as explained in one of the KIIs by a respondent representing an unregistered informal group that was active on the ground for a few years and whose operation faced many difficulties due to their informal status. Most notably, the respondent reported that it was particularly difficult to win projects and funding from donors who preferred going through official channels. For instance, without the notification/declaration, it is impossible to open a bank account for the association, and donors mostly choose this channel to ensure the safe transfer of funds to local initiatives. This respondent clearly realized that this step was made easier when the group recently achieved its legal registration with the Ministry of Interior. It is noteworthy that, objectively, the limitations faced by unregistered organizations can be appear fair and well-rooted for reasons of transparency and accountability. However, in a flawed state in which administrative procedures themselves lack transparency and efficiency, these limitations create a lot of procedural difficulties that small-scale movements lack the resources to face.

"We don't have a fundraising officer to get core funding. We had to look for a fiscal partner to receive the funding through them, they report, but we do the project" - A KII respondent from an unregistered organization."

<sup>23</sup>1909 Law on Associations, Article 4.

<sup>24</sup>1909 Law on Associations, Article 5.

<sup>25</sup>1909 Law on Associations, Article 17.

### *Youth civil society within academic institutions: A particular case*

The situation is different for Lebanese youth. First, as stated above and as per the law, members of an association must be at least 20 years of age. This could be seen as one method of limiting or delaying the establishment of organizations led by youth or that actively engage with the youth. However, a different channel has allowed part of this population to express themselves through the limited availability of associations and clubs: universities and academic institutions. Some private universities in Lebanon encourage their students to create clubs and work to facilitate the process, imposing fewer restrictions and ensuring more freedom than the state, in contrast with the only public university, the Lebanese University, and others, where such encouragement is absent. The rules the students must abide by are the university's rules, which vary between establishments, but all are generally encouraging. These student clubs do not acquire a legal status independent from the university's, which still allows the institution to exercise a certain level of control over their activities, but the universities are mostly permissive. In addition, professional academic institutions within universities, such as the Arab Institute for Women of the Lebanese American University, encourage students to volunteer with them and try to get them involved in their activities.

Myriam Sfeir, Director of The Arab Institute for Women, LAU: "We engage students, and we encourage them to be part of AiW to mainstream gender within their courses and unpack the theoretical material they learn in the classroom and apply them practically. Not all students are interested or see value. Some don't engage with us much because they don't have to, it is done on a voluntary basis and requires commitment."

Jeffrey Aramouni, Secular Club and Human Rights Club, NDU: "There are no restrictions on our freedom of assembly, but sometimes, they [the University administration] try to limit our activities through procedures with the student affairs office, who can limit our freedom of expression and ask us to delete posts if they impact the University. But registration is not a difficult process."

Yara Assaad, USJ Secular Club and Gender and Sexuality Club: "We need to inform the students' affairs office whenever we want to organize an event, and they can oppose it."

### *Legal restrictions on journalists' establishment in Lebanon*

Journalists also play a particularly important role in the development of civic space by providing information and covering corruption-related stories which can contribute to achieving the higher level of accountability and transparency necessary for a well-informed and engaged citizenry. While Lebanese journalists do not face extraordinary legal challenges or difficulties in the establishment of their work, sometimes, as confirmed by Chrystine Mhanna of Raseef22, journalists can face complicated issues when publishing on digital media platforms, which often arise from ambiguous and broad legal texts and powers, such as discretionary decisions and arbitrary detention.

As for foreign journalists active in Lebanon, they must obtain a press visa that must be renewed every year, this process already deters many from entering the country in the first place, and procedures and delays constitute the major obstacle in this regard.

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<sup>21</sup>Civic Freedom Monitor, Lebanon, International Center for Non-Profit Law.

From a KII with one of the respondents: “They could take journalists’ passports for a three-month period, or more, despite the fact that they need it because they sometimes have missions outside of Lebanon. And that is only to give them a one-year visa.”

### *The wide-ranging freedoms of religious institutions*

Regarding religious institutions in the country, the regulatory framework mostly supports activity wide variety of activities. Some religious institutions are even part of the state, as for instance, Sharia court judges are government employees. Even the representative of one of the religious institutions who was interviewed during the research, and who is non-state-affiliated, confirmed that they do not face legal challenges in their activities. They are also allowed to receive funding<sup>26</sup>.

The liberal spirit around the creation of the country of Lebanon is clearly present in the essence of the regulatory framework around the establishment of civil society. However, the strict letter of the constitution is clearly not always applied, which hinders the development of civic space and acts as a deterrent and a roadblock for actors who want to get involved in the space.

An important note is that there is no clear regulatory framework on the establishment of CSOs in the field of SRHR. However, their registration as associations is regularly rejected by the Ministry of Interior on the basis of Article 534 of the criminal code, that criminalizes “unnatural relations”; Article 534 is used to criminalize same-sex relations and was the argument used to recently reject Helem’s registration.

In response, many CSOs, such as Helem, have chosen to adopt an alternative route, and to register as civil companies while keeping their social objective broad, which allows them to have a legal status and conduct their work.

## Administration and Bureaucracy

Administrative procedures in Lebanon present a range of challenges for civil society.

### *Delays, lack of transparency and institutionalized corruption*

While individuals have the legal right to establish, join, and leave associations, and these rights are safeguarded by the numerous pieces of legislation, there are very often delays in the processing of documents and requests by the competent Ministries. The Ministry of Interior is reported to very rarely respect a reasonable period of time before granting the notification/declaration. In fact, one respondent working on SRHR and LGBTQI rights who recently went through the process reported that it took eight months to complete the procedure. As stated above, CSOs cannot operate without the notification/declaration and will face extreme difficulties in opening bank accounts and therefore in accessing funding.

Similarly, the slow process is seen in other state institutions that affect the work of CSOs, such as the Ministry of Finance. Fiscal declarations - on a yearly basis for income tax and a trimestral basis for VAT- as well as the issuance or renewal of work permits, are subject to regular delays or problems with the technical system. This affects not only the CSOs’ operations, but also their compliance with donors’ requirements.

Myriam Sfeir, Director of the Arab Institute for Women, LAU: “We do not deal with the state, we deal with the University. However, the University must respect the rules of the state, such as registration rules with the Ministry of Finance even for small jobs.

<sup>26</sup> e.g. For the Druze community, Article 8 of the law on the establishment of the Druze religious council allows the receipt of funding according to “very simple procedures”, as stated by Druze Sheikh Wissam Slika.

Because of the state's excessive procedures, those we commission get frustrated because of the paperwork needed and the bureaucracy. Sometimes they opt not to work or collaborate with AiW because of the excessive requirements."

Most respondents confirmed that delays are not the only problem, as they reported a lack of transparency from the many of the university administrations regarding the procedures. Respondents highlighted the fact that they did not notice any step taken by any administrative institution to facilitate procedure: They receive conflicting information, each engagement with an administrative entity results in being redirected to another, causing significant redundancy and unclear procedures. Each entity tends to disclaim responsibility, indicating that the CSOs must first complete a preceding procedure with a different administrative department.

This is not only the case for the registration of associations, as many other procedures are plagued by the same problems. A journalist interviewed for the research reported many difficulties: The first concerning a foreign journalist's press visa, which often takes a minimum of three months for a 1-year visa, with the passport potentially being confiscated for multiple weeks, as an indirect way of limiting his freedom of movement. Additionally, the high financial cost of the procedure is also a deterrent for journalists wanting to work in Lebanon. Another issue concerned a pass he was trying to obtain to be able to cover legislative elections from within polling stations: While the website of the competent ministry mentioned a fast, smooth procedure, this was in fact not the case as employees refused to give him the pass despite the fact he had all the necessary documentation and did not give a reason why. They do agree to do it in the end, but only after slowing the procedure and adding unnecessary obstacles which were mostly caused by a lack of transparency on the ministry's side. On some occasions, the security forces have cited the fictitious

need for authorization to film public events in an attempt to prohibit organizations from documenting them.

From a KII with a journalist: "Security forces and the General Security can and do decide to arbitrarily put obstacles before journalists trying to do their job."

There are clear commonalities seen in administrative procedures within all branches of the state. These are different procedures, concerning different institutions (Ministries, General Security, etc.), but they all share the same issues: Delays, immobilization and rampant corruption.

The procedures are even more complex for organizations whose field of activity is SRHR. If a CSO wants to provide SRHR services, it needs the approval of the Ministry of Public Health, approval that is not easy to obtain despite the dire need for SRHR-focused services in the country.

Corruption is widespread and normalized, and most respondents agree that it has become commonplace to encounter corruption when undertaking procedures with institutions of all sorts. The bribes required for each procedure and for the obtaining of specific documents are unofficially set within administration<sup>27</sup>.

An alternative solution some CSOs choose to adopt is to resort to lawyers who are familiar with the system and with these procedures. This is not the case for smaller-sized CSOs, which cannot afford the lawyers' retainer fees. The lawyers' established connections with the administration employees result in smoother processes. Corruption is widespread and accepted to a point

<sup>27</sup> World Justice Project ranks Lebanon at the 109th position worldwide on the Index of Corruption.

that it is almost institutionalized. In this context, the negative impact on the civic space is significant as these damaging, illegal shortcuts are leading to a lack of trust in institutions and are threatening the sustainability and the enlargement of the civic space. Normalizing corruption in administrations has undermined the principles of accountability, transparency, and the rule of law, perpetuating a culture of impunity that has been in place for years now, and which potentially explains the severe socio economic and political crises the country is facing.

Tarek Zeidan, Helem: “Access to information is very difficult, you need to have a legal intermediary for everything. Bribes are needed everywhere, we suffer to get anything done.”

KII with a journalist: “The administration lacks transparency and clientelism is obvious [with] in it. Bribes are expected by public sector employees for any procedure.”

#### *Bureaucracy instrumentalized for surveillance and intimidation*

Non-governmental organizations often encounter bureaucratic obstacles depending on their areas of focus, or specific initiatives they are undertaking, and these obstacles are often deployed as part of intimidation practices used by the state. For instance, CSOs agreed that authorities would definitely reject their registration and not grant them the notification/declaration when their scope of work revolves around various marginalized groups, particularly the LGBTQI community and SRHR work.

Another foreign respondent from a CSO reported that the General Security leveraged its influence over his residency permit to pressure him into disclosing the activities of his CSO, particularly because it focuses on the LGBTQI community. They engaged in intimidating practices and caused delays with his papers in order to scare him, and investigated and interrogated him numerous times. It was only when they were

convinced that the CSO’s scope of work revolved solely around social issues, and was not related to politics, that they finally went through with the procedure and gave him his residency.

Furthermore, in order to benefit from various free services offered by the state, administrations often require the disclosure of a certain level of information by beneficiaries. For instance, it is required to provide identification to access free treatment, a common process when accessing any treatment offered by the state. This has been reported to happen with the National Action Program (NAP) the Ministry of Public Health put in place to fight HIV: The Ministry requires the information and personal data of HIV-positive patients as a requirement for granting them access to the free treatment it provides. This acts as a deterrent for patients, who may choose not to obtain the treatment, knowing the stigma related to HIV, its links with the LGBTQI community in Lebanon and the lack of trust in public administrations and their management of personal data.

Simo Amed, OMC: “The NAP has access to the data about the people who are HIV positive. But so far, the Ministry hasn’t acted on the data.”

#### *Youth activities and bureaucracy*

Procedures within universities, while still better than at state level and less plagued with corruption, remain hindered by excessive documentation and delays.

Jeffrey Aramouni, NDU Secular Club and Human Rights Club: “I think the status of civic space in university campuses is similar to the space outside the campus, because it is simply a reflection of the outside world and it suffers from the same slow bureaucratic procedures.”

Despite the efforts of young people to engage in activities and support the preservation of civic space and SRHR, some reported that they often suffer from a lack of experience and the necessary skills to make a substantial impact. Furthermore, it was claimed that academic institutions often fail to provide adequate guidance and support in this regard.

Yara Assaad, USJ Secular Club and Gender and Sexuality Club: “I’m talking about the lack of experience, but the students’ affairs office hasn’t taught us the skills necessary to organize successful events and the communication skills to organize conferences. During my mandate, they have just given formal sessions. I would be glad if things have shifted to the better within this matter.”

Issues with bureaucracy and the state result in significant political implications. Institutions are merely a reflection of the political ruling class and their repeated failures to establish a functioning state and combat corruption effectively. The root cause of these problems can largely be attributed to widespread clientelism and political patronage, which forces individuals who are unable to afford legal representation to resort to political nepotism in order to access basic services, including infrastructure, legal aid, and healthcare, both general and sexual in nature. It is crucial to address these issues in order to protect the principles of democracy, feminism, and progressivism, as political parties deliberately hinder the formation of a progressive state so that they may benefit.

### Access to Funding and Resources

In Lebanon, civil society encounters a host of financial and resource-related hurdles.

#### *The financial crisis*

Since 2019, Lebanon has been facing one of the worst economic crises in history, which has resulted in banking restrictions imposed by local authorities that have created significant barriers for CSOs, businesses and citizens alike. These limitations have impeded all the actors within the civic space from accessing their own foreign

currency accounts, making it difficult for them to utilize funds from abroad, especially given the understanding that most, if not all, CSO funding is of international origin. Additionally, due to the unprecedented levels of inflation and the devaluation of the local currency by more than 90%, any funds that CSOs had in local currency have become virtually worthless in comparison to what they were worth before the beginning of the crisis. Local CSOs have had to adapt to this reality, by opening, for instance local, new “fresh USD” bank accounts, or foreign bank accounts where newly received funds would be more secure, but this was only possible for the larger registered organizations.

A KII with a representative of one of the NGOs working on SRHR: “The smaller the organization, the bigger the impact of the crisis was on it. All our grant money was transformed to “lollars”<sup>28</sup>, blocked in banks. We had to renegotiate with donors. We had to get creative, open foreign bank accounts, open fresh accounts in Lebanon to diversify our sources. Exchange rates<sup>29</sup> were also a headache because we didn’t know what to report in our audit reports, since they are written in USD, but we get donations in Lebanese pounds, so the numbers didn’t reflect our assets.”

However, apart from these crisis-related limitations, there were no reports of other types of obstacles originating from the state or the law. Fundraising-related laws, where there are any, are quite liberal, and the law on associations does not limit CSOs’ access to funding.

During KIIs, respondents were asked about legal challenges or obstacles put by the state regarding their access to funding. A particularly interesting realization was that, unless specifically asked about it, not one respondent mentioned the crisis, the bank restrictions, or the fluctuating exchange rate as barriers to their access to funding. This

<sup>28</sup> France24, Lebanese activists launch mock ‘lollar’ currency: “The dollars stuck in accounts that citizens can only withdraw in Lebanese pounds at a fraction of their original value are known locally as ‘lollars’.”

<sup>29</sup> Reuters, As economy worsens, Lebanese juggle dizzying rates for devalued pound.

seems to translate a general state of apathy among civil society in the face of the crisis, or a complete ignoring of its impact, a state most Lebanese have found themselves in at various times in recent years. Many Lebanese seem to have given up hope of retrieving their blocked funds, and these KII may be demonstrating that this is also the case for CSOs. This seems to have become an accepted reality, one that is not considered to worth fighting against, or even mentioning, when speaking about access to funding. This is very telling in the context of a study of the state of civic space. Another fundamental freedom, one not often mentioned in the context of civic space, the right to property, has been severely violated.

### *Donor challenges*

Nevertheless, it is notable that there is a general consensus among CSOs that most obstacles to fundraising by CSOs and all civic space actors are linked to a lack of flexible and sustainable funding.

Given the limited support from the government and the corporate sector in Lebanon, CSOs heavily rely on external funding sources, and are even dependent on them, which causes difficulties as many donor contributions are earmarked for specific projects, limiting the flexibility of CSOs to respond to evolving needs. The short-term nature of project funding also constrains the ability of CSOs to plan for the long run or to initiate a long-term strategy that has a higher chance to actually have an impact on the Lebanese civic space.

Simo Amed, OMC: “We can only find project-based funding. It’s not flexible enough, there’s a lack of channels to find flexible funding that would allow us to implement long-term strategies.”

Respondents agreed that they all faced a similar difficulty in their relationships with international donors: It seems that, among international donors, there is a widespread belief that donating

some money to local CSOs for a project focused on a particular topic, the fund allocation will definitely yield positive outcomes within the Lebanese civic space. This is far from the reality, and respondents recommended to donors to focus more efforts in developing discussion channels with local CSOs about plans and strategies, rather than imposing one on them and relegating them to implementing roles. Some CSOs claimed to have refused projects where they were required “as a local organization to do all the work while the intermediary organization headquartered in the same country was offering them a very small percentage of the fund” according to Tarek Zeidan, Helem. Despite these difficulties, respondents stated that these donations are what kept civil society alive during the economic crisis and that the trust donors put in civil society allowed for the fast reconstruction of the city after the Beirut Blast<sup>30</sup>.

Sometimes, the agendas of international donors do not entirely align with the immediate concerns of local communities, resulting in the misallocation of resources and other inefficiencies. Particularly, smaller CSOs that do not have well-established relationships with donors and have not yet achieved a certain level of financial sustainability, reported having to follow the donors’ objectives and agendas rather than their own in order to survive.

In fact, the pursuit of funding does often shift the focus of CSOs from their core mission to other, originally unrelated, objectives or priorities, with the goal of ensuring their financial sustainability.

A KII with a representative of a CSO working on SRHR: “We used to work with grants when we were small-sized, that wasn’t ideal because we had to focus on the donor’s objectives, not ours. Now, we have enough financial sustainability to go for grants that match exactly what we want to do, and we are looking more and more for flexible feminist grants.

<sup>30</sup> World Bank, Lebanon Reform, Recovery & Reconstruction Framework (3RF); United Nations Lebanon, Lebanon Flash Appeal 2020; LSE Blog, Should Donors Continue to Bypass the State that Enabled the Beirut Blast?

Donors consult us and adapt their grants to our needs. We now have a big pool of donors, and we [have] established good relationships with them, their values align with ours.”

Furthermore, navigating the intricate financial obligations imposed by donors can be particularly challenging for smaller CSOs with limited resources and expertise. CSOs agreed that cumbersome, regular reporting requirements, including annual budget submissions and detailed financial disclosures, complicate matters just as much as the necessity for the CSOs to be registered. In that context, informal CSOs face another problem as they cannot open bank accounts, a requirement for donors to execute money transfers.

KII with a representative of a CSO working on queer rights: “I love structure, but a structure that is flexible enough to know what kind of community it’s working with. For example, regarding a woman who survived domestic violence, do you provide her documentation to the donor? You don’t provide documentation for her safety, and it’s the same thing with trans individuals. You cannot send them to the bank. Those procurement issues are what really limits who we are able to work with.”

Additionally, respondents agreed that there is a particular difficulty in communicating the Lebanese reality and context to donors at many levels. The first example respondents gave was in identifying priorities within the Lebanese civic space, and where money should be invested. There was also an issue regarding financial reporting obligations, since most CSOs struggled to translate the exchange rate issues to donors when the economic crisis hit the country. Explaining the crisis and the methods of navigating it at that time was beyond the skills of regular accountants and required the skills of economic and financial experts. This, coupled with the absence of any clear legislation explaining the existence of multiple exchange

rates and which of them should be applied to any payment, including taxes such as VAT, led to suspicions around CSOs that were unable to convey to donors how they – or the economic collapse – had lost the value of their assets.

KII with a representative of a CSO working on SRHR: “How to report exchange rates to donors was an extreme headache. Sometimes, what is reported does not reflect the real value of what you have.”

Additionally, some donors have been reported as having unrealistic expectations regarding informal small groups. For instance, they would state in the call for a proposal that they could fund small, unregistered initiatives or movements, but at the same time, they required these initiatives to have already secured a relatively high budget for the upcoming year. While this requirement may seem fair to ensure the sustainability of the informal group, this has become a frustrating avenue for “local CSOs who cannot guarantee a 200,000 USD yearly budget to prove their sustainability over the coming year.”- Taghrid Merehby, Koudwa

Moreover, it has also been reported that the way the funding is currently being allocated is unsustainable, in the sense that the costs do not allow for a fair division of labor. For example, the salaries of CSO workers are often ignored by donors when evaluating costs.<sup>31</sup>

Tarek Zeidan, Helem: “By the time you fundraise enough for salaries to meet the standards [you require], the amount of work put in is already much higher than that value.”

### *Particularities relating to youth within universities*

University clubs are where the youth is most active within the Lebanese civic space, as they

<sup>31</sup>Civil Society Knowledge Center, Digest: Solidarity initiatives and CSOs civic & operational space in Lebanon during the lockdown of January-March 2021.

offer a favorable environment for youth-related activities. However, it is apparent that some universities do not allocate funding for these clubs. The students, who can only plan activities for short, single academic year periods, must organize their own fundraising events. However, therefore, “there is no control by the university on the sources of funding”, as per Jeffrey Aramouni, NDU Secular Club and Human Rights Club.

In contrast, this is not the case for research institutions led by professionals and established within universities, as universities tend to accept the need to cover their operational costs. However, as some universities do not, some of these institutions can receive grants from international donors.

Myriam Sfeir, The Arab Institute for Women, LAU: “Our operational costs are borne by the university”.

#### *Funding discrimination*

Almost all respondents representing CSOs stated they were not subject to discrimination from donors based on their agendas or objectives, or the target groups they work with, including if they worked with individuals from the LGBTQI community. On the contrary, some even said that working with these particularly marginalized groups may help to attract international donors promoting inclusion.

KII with a representative of a CSO working on queer rights: “The people that we work with in our community, queer and trans individuals, were never considered an obstacle in receiving funding. But this depends on the international donors. It depends on the theme that the international donor focuses on and I think that’s a very common thing.”

However, these observations only hold water when it comes to international donors with the affirmed objective of working on the development of civic space and fundamental freedoms.

In fact, according to one respondent, discrimination in funding is exercised by state institutions and political parties in favor of CSOs that have close relationships with them or with certain sectarian communities. As a result, this entirely depends on donor policy, and no general assumptions can be made.

Moreover, other types of discrimination were noted by some respondents. Some respondents have reported, and this has been confirmed by published reports, that funds are sometimes unequally allocated between Lebanese regions, and that some regions far from large coastal cities such as Akkar, Baalbeck, and Nabatieh are neglected.

Countering these views, representatives of religious institutions complained that there is more funding allocated to CSOs than to religious organizations. Representative of religious organizations tend to accuse CSOs of frequently playing the “marginalized groups card” in order to attract funding. In a more extreme response, Sunni Sheik Mohammad Abou Zeid denied the existence of such communities within Lebanese society and even argued that they were already getting more help than other sections of society.

Sunni Sheikh Mohammad Abou Zeid: “We label them as marginalized or vulnerable groups. But to our surprise, they have an army of lawyers working for them, and they don’t pay them a dime. They receive all legal services, including legal proceedings, and the bill is covered by some international organizations. The word “marginalized” attracts funding.”

#### *Mutual sabotage?*

Some respondents reported that other organizations often manipulate their mandate or scope of work in an attempt to receive funding from donors for causes that they do not support or even sometimes oppose. This phenomenon has been reported in relation to the feminist cause, and the LGBTQI rights.

Taghrid Merehby, Koudwa: “Some organizations obtain funding in the name of feminism, but don’t work on feminism, don’t even have feminist ideas, or even sometimes oppose them.”

There is an evidently a general atmosphere of distrust at various levels. Donors often ask for cumbersome reporting requirements to make sure that their funds are being allocated to the right places, even with established CSOs. CSOs often find difficulty in adapting to donors’ requirements and agendas. Some CSOs are suspicious and critical of the decisions and positioning of others, and there is some level of distrust between religious institutions and CSOs as well as between CSOs and state institutions regarding funding. However, it is also evident that most of the challenges CSOs face in their quest for funding are linked to donors’ requirements, the consensus is clear and established among all respondents.

## Access to Justice and Legal Services

### *Orders of jurisdiction*

Instead of the classic division between administrative and civil courts, the Lebanese judicial system is characterized by the presence of many orders of jurisdiction working in parallel to their fields of competence. The presence of different orders of jurisdiction predates the independence of the Lebanese state and is explained by the pervasive influence religious institutions had, and still have, on the region.

As a result, alongside the classic state courts that are present in every democratic state, there are official religious courts in Lebanon, with a system for each of the officially recognized confessions; these religious courts have exclusive competence in personal status matters.

Nayla Tabbara, President of Adyan Foundation: “We focus on freedom of religion and belief, as part of human rights. In international law, it is defined as the right to believe (practice, teach, spread) or not to believe, to adhere to a religion or leave it, or to adhere to none. In Lebanon, you have absolute freedom of belief according to

article 9 of the constitution, but it is limited to 18 recognized sects only. This is the first limitation on freedom of belief because other religious groups, as well as the non-religious (atheists, agnostics, humanists), are not recognized. In Lebanon, if someone wants to be buried, they must belong to one of the recognized sects.”

The application of this principle is different between confessions: For instance, Islamic religious tribunals are considered part of the state, their judges and personnel are government employees, which is not the case for Christian religious judges. The competence of Islamic religious courts is wider than that of the Christian ones: While both are competent in issues of marriage and divorce for instance, only Islamic courts are competent in issues of inheritance and implement Sharia law, while regular civil courts are competent to resolve these questions for the Christian communities and they implement a secular state-adopted law dating from 1959. There are laws that determine the competence of each court, and the procedure to follow in front of them, just as the code of civil procedure determines the procedure to be followed before civil state courts.

This fact poses the first obstacle to equal access to justice for all citizens, as religious laws tend to discriminate between men and women on many issues, ensuring different rights to each, for instance in relation to the division of inheritance, the right to initiate divorce, or the rights of adoptees to inherit, among others. While some scholars consider this to be a breach of equality, as not all citizens are equal under the rule of law in violation of Article 7 of the Lebanese Constitution, others argue that all citizens within the same religious affiliation are treated equally, and that proportional equality is respected. That argument is not valid and contradicts the essence of Article 7 and serves as a justification for institutionalized inequality between sexes<sup>32</sup>.

<sup>32</sup>Lebanon National Gender Observatory, Gender Analysis of the Lebanese Legal System – More details needed here and the next one?

In terms of procedural equal access to justice before religious courts, opinions differ. Christian priest Father Richard Kfoury admitted that while equal access to justice is ensured in most cases, regrettably, sometimes, “one party can be stronger than the other”, and thus exceptions exist.

Both the Sunni and Druze Sheikhs who were interviewed rejected the idea that inequality might exist between litigants in front of the religious courts, they praised the easy geographic access to courts and the independence of the judges, insisting that the law was being correctly applied in all cases. However, they both recognized that sometimes delays might happen because of the large quantity of cases that a limited number of judges have to deal with.

Sunni Sheikh Abou Zeid even rejected the idea of women being considered as vulnerable or marginalized groups before tribunals, insisting that women cannot be considered marginalized, saying that those groups often receive the most support from non-governmental organizations “without paying a dime”. However, he did recognize that threats may sometimes be made between parties, for instance during divorce proceedings, but he stated that this constitutes a criminal offense and falls under the competence of state criminal jurisdictions. He added that access to justice is easy for all within the Muslim community, as there is no need for legal representation before a Sharia judge.

Numerous<sup>33</sup> reports contradict these positions, as the societal view of women in Lebanon justifies their qualification as a marginalized group, and the mere fact that the law treats men and women differently should be enough to recognize this. However, this point of view is widespread in Lebanon’s patriarchal society, and contributes to unequal access to justice for women, this is also demonstrated by the structural violence the system enforces against them, violence that expresses itself in their deprivation of some basic rights, such as transferring Lebanese nationality

to their children<sup>34</sup>.

### *Bureaucracy, corruption and delays*

The bureaucratic challenges mentioned in the previous section are equally applicable to the pursuit of justice. Procedures are plagued by delays that are exacerbated by strikes by judges, court assistants and lawyers who often protest the current living conditions, the economic crisis and the political stalemate. Corruption in the judiciary is also reported which adds another layer to the instability of the whole judicial system. For instance, the Lebanese Judges’ Association, a group of judges who are particularly active and consider themselves to be independently working on the betterment of the judiciary, have seen their freedom of association restricted as on October 4, 2023, the Judicial Inspection Authority interviewed members of the Association’s board regarding a complaint filed by Minister of Justice Henry Houry against the Association because of media statements it made. The Minister believed that the Association’s activity breached the judges’ duty of restraint, that it reflected politicization, and harmed the judiciary’s interests. The same Minister, a few months previously, in April 2023, had issued two circulars limiting Lebanese judges’ freedom of expression and forced them to have to seek permission before speaking on an issue, violating the principle of the independence of the judiciary<sup>35</sup>.

The majority of respondents agreed that there is a lack of trust in the capacity of the justice system to achieve effective justice for Lebanese citizens due to many factors, one of the main factors was seen as the long history of impunity and, first and foremost, the numerous unresolved cases of political assassination. Added to this is the slow pace of the judiciary and its inefficient processes. For instance, simple litigation cases take more than three years to yield a court decision. Once arrested, people stay in temporary custody for

<sup>33</sup>The Cost of Justice, exploratory assessment on women’s access to justice in Lebanon, Jordan, Egypt and Yemen, Oxfam Research Reports, Human Rights Watch, Unequal and Unprotected.

<sup>34</sup>Decree no 15 on Lebanese Nationality, 1925, Article 1.

<sup>35</sup>Legal Agenda, Independence of the Judiciary Coalition Statement on the Prosecution of the Lebanese Judges Association: The Justice Minister Attacks the Judiciary and Threatens the Judicial Work Environment.

months before being judged despite this violating all international standards of human rights and the presumption of innocence.

KII: “We filed a complaint in 2020 for theft of a computer in our former offices, along with a colleague. We even have video evidence, but there has been no judgment yet.”

Even at the level of private and academic institutions, the same problems can often occur and hinder or delay accountability regarding any issue, but particularly when related to LGBTQ and SRHR.

Yara Assaad, USJ Secular Club and Gender & Sexuality Club: “On sexual harassment cases, university bureaucracies can be slow and cumbersome, and it might not result in significant action.”

The justice system is viewed as broken, and despite the presence of competent and independent judges, they are rarely named to influential positions. The general situation within Lebanon is the root cause behind these issues. Today the judiciary portrays the image of a failed institution, far from being able to achieve any kind of justice, and a democracy is only as strong and reliable as its judiciary, its guarantor of justice<sup>36</sup>.

### *A culture of impunity*

This perception of the judiciary is the result of successive decades of impunity regarding crimes of a particularly wide range and impact. Ever since the Lebanese Civil War, impunity has not only reigned, but sat alongside the rewarding of those guilty of war crimes, who today roam freely among Lebanese society and even lead the strongest and most established political parties in the country. Aside from the War, approximately 27 attacks and political assassinations have occurred since 2005, targeting political figures and leaders such as PM Rafik El Hariri, MP Gebran Tueni, Samir Kassir, George Hawi, and, most recently, journalist and activist Lokman Slim in February 2021. Despite all of these crimes, the culprits remain free. History is currently repeating

itself regarding the Beirut Port Blast of August 2020, as the investigation is still being procedurally interrupted by those under investigation every time it restarts, with ridiculous attempts to discredit the judge in charge of the investigation<sup>37</sup>. Instead of getting closer to justice for the 220 victims, the investigation is still blocked, and those who were ordered to appear before the judge were reelected as Members of Parliament and hide behind their immunity as MPs.

Myriam Sfeir, The Arab Institute for Women, LAU: “Beirut has been wiped out by the 4 August explosion, what access to justice are we actually talking about?”

There is no democracy without separation of powers, and no civic space without democracy. Separation of powers and the independence of the judiciary are the prerequisites for the protection of freedoms. All respondents agreed: The Beirut Blast investigation perfectly represents the failure of the judiciary and explains the people’s lack of trust in the institution. This failure was, and is, still being caused by political interference in the judiciary’s domain. In the absence of a strong judiciary, no democracy can be built, there is no access to justice, and civic space is hindered.

### *Practical challenges: Literacy, finances, and physical access*

Another factor that hinders the Lebanese population’s access to justice is self-censorship. For multiple reasons, alongside the aforementioned lack of trust, the Lebanese population consciously chooses not to resort to the courts to solve their issues. First, there is an evident lack of knowledge among the Lebanese concerning how the judiciary functions. Respondents mentioned that legal action can be intimidating for those not familiar with the procedures, and the multiple bureaucratic hurdles and absence of transparency make it even more difficult for citizens to inform themselves.

<sup>36</sup>The international organization World Justice Project (WJP) ranked Lebanon 106th out of 140 countries in its rule of law index of 2022.

<sup>37</sup>Euromed Human Rights Monitor, Lebanon: Justice delayed for Beirut explosion victims as investigation drags on.

Additionally, the financial implications of resorting to the courts constitute another obstacle in access to justice. In the current economic landscape, a considerable part of the population cannot afford the legal representation and procedural fees that a lawsuit entails. Moreover, physical access to courts is not easy in every Lebanese region, as they are not established across the entire territory.

Simo Amed: “People don’t know their rights, and the state doesn’t help them to learn.”

Hussein Cheaito, economist & researcher: “We don’t trust the state, we don’t trust the institution. There is a lack of trust and a lack of awareness even with the presence of such bodies.”

Some steps have been taken by a few organizations to mitigate these problems and multiple legal aid clinics have been established in the country, notably in universities, and these contribute to the fair access to justice of the population. The Beirut Bar Association has also put in place a legal aid system in collaboration with the judiciary.

#### *Access to justice for marginalized groups*

Marginalized groups’ access to justice is made even more difficult by additional factors deeply rooted in Lebanese society.

Multiple respondents reported the difficulties women face when they try to access justice. Officers of the law tend to trivialize their complaints and requests, act inappropriately and make them feel uncomfortable, or deter them from pursuing the procedure by saying it will not amount to anything. This is more the case in some cities than others. For instance, Koudwa representative Taghrid Merehby stated: “These practices are extremely prevalent in Tripoli, where police tend to exploit less-educated women, which is one of the reasons why our objective is to pursue capacity building of these local women who face sexism daily.”

Additionally, the cultural heritage makes that GBV victims tend not to turn to the justice system, including the social shaming, blaming and punishment they will go through if they file a complaint, is not considered to be worth the lenient penalties that judges can impose on perpetrators, especially given that the Penal Code provides an extenuating circumstance if a crime is committed under “extreme anger<sup>38</sup>”, a provision regularly used to reduce the sanctions on perpetrators by justifying their actions.

LGBTQI communities also face discrimination when trying to access justice, arguably at a more violent level. A survey conducted by interviewed economist & researcher Hussein Cheaito showed that LGBTQ community members do not feel that they have a safe space in which to come forward to seek legal protection. They do not trust the state or the judiciary.

This phenomenon must also be analyzed through a social class lens. The religious influence over the political system and its structure plays a significant role in impeding the social and economic integration of queer individuals within society. If queer individuals were better integrated, or belonged to a more privileged social stratum with stronger connections, their access to justice would likely be more assured. The prevailing system reinforces discriminatory economic policies, consequently nurturing the community’s skepticism towards the system.

This distrust is further accentuated by the experiences of those few who attempted to resort to the courts: Their cases mostly became stuck in the system, they were not considered a priority, and in some cases, “their status shifted from victims to offenders on the basis of their homosexuality” as stated by one of the respondents.

<sup>38</sup>Lebanese Penal Code, Article 252.

As indicated in the analysis, the numerous structural hurdles originating from the state institutions and regarding the regulatory framework, administration, funding accessibility, and legal services pose significant risks to the secure and forward-looking execution and safeguarding of civic space and SRHR in Lebanon. The state's lack of commitment to support progress is evident, as they have taken limited steps in this direction. On the other hand, CSOs have displayed determination in providing SRHR services and advocating for the advancement of related rights. Despite facing various challenges, they have achieved differing levels of success as will be elaborated upon in the following section.

## B. Challenges inherent to the status of CSOs

### The Legitimacy and Accountability of Civil Society

#### *The global construction of civil society*

Civil society has progressively developed in the 21st century for many different reasons, one of the main reasons for its rise is the failure of the Lebanese state to provide services to the population. Among those services, are the most basic and necessary: emergency medical assistance and patient transport which are, in fact, covered by international and local non-governmental organizations such as the Lebanese Red Cross at a national level and other local emergency services centers that work at a smaller regional scale. Many educational<sup>39</sup> and health services<sup>40</sup> are provided by NGOs including SRHR, infrastructure has been rebuilt by private initiatives, especially after the Beirut port explosion<sup>41</sup> and even before it, because of the electricity crisis, traffic lights are lit by such initiatives<sup>42</sup>, legal services are being provided by legal aid clinics and the Beirut Bar Association, crisis response is delegated to NGOs, and much more.

Almost all respondents agreed that civil society is extremely wide-ranged and is constituted by different types of organizations: large and small registered organizations, unregistered informal initiatives, some linked to political parties and or to state institutions, to name just a few types.

Some parts of civil society have been said to be the reflection of the political clientelism that exists in Lebanon, as some CSOs choose to limit their services to only cover their communities or their regions. Some CSOs might even be tools to be used for personal means: to gain political traction, some individuals have been known to create NGOs or private initiatives to get close to the communities, provide services and become known, which in turn contributes to them getting elected or at least boosts their electoral campaigns as their work with the NGO will have helped them to build their client network.

KII: "I know of many people who are today or were in the Beirut municipality council and previously were in high positions in NGOs focusing on humanitarian actions in Beirut".

Of course, this is not applicable to all CSOs, as some are genuinely trying to provide services to the Lebanese people, and to create a safe environment and a safety net for all communities of the society without ulterior motives being involved; these CSOs are trying to fill gaps in the absence of the state, which is an impossible task for the majority of the CSOs, a fact that the interviewees often stated.

<sup>39</sup>Badil The Alternative, No more fun and games: Saving Lebanon's education system before it's too late.

<sup>40</sup>Al-Arabiya English, NGO efforts plug gaps in Lebanon's struggling health sector.

<sup>41</sup>Euronews, Local NGOs rally to rebuild Beirut in wake of port explosion.

<sup>42</sup>UN Lebanon, UN-Habitat and Rebirth Beirut join forces to improve the city's urban infrastructure and environment.

### *Accountability framework*

There is no specific regulatory framework for accountability governing the work or operation of civil society in Lebanon. However, there are various alternative paths to ensure the accountability of CSOs. One notable aspect is that they are accountable to donors, which is recognized as one of the most effective mechanisms of accountability, considering the significant consequences that strained relationships with donors can have on the long-term viability of CSOs.

Tarek Zeidan, Helem: “Right now, most CSOs are accountable only by their donors, there is no governing body or any form of official accountability unless a CSO voluntarily opts into it”.

Despite this, some respondents highlighted instances of mismanagement and a lack of transparency among some organizations. Some CSOs have been reported to refuse to discuss their fundraising tools, which are based on connections, and their sources and the use of funding can sometimes be questionable.

Myriam Sfeir, The Arab Institute for Women, LAU: “Funding was being pumped to those organizations, and in case there are accountability mechanisms, they are not made public. We need to know where the money was spent for transparency purposes. Here stems the importance of accountability frameworks”.

Taghrid Merehby, Koudwa: “When I ask some NGOs about specific matters related to their internal policies, I'm often surprised by the lack of transparency”.

In the current Lebanese context, alternative routes to accountability seem to be the preferable and safer approach for CSOs. This stands in contrast to effort to regulate accountability through legislation and state intervention, as there are genuine concerns that such measures

could potentially be utilized as tools to impose additional restrictions on CSOs, or to closely scrutinize their activities, particularly in the context of SRHR and the current crackdown by the authorities on LGBTQI rights.

Alongside accountability to donors, or by donors, self-accountability mechanisms by CSOs and public accountability within the communities and beneficiaries seem to be providing a satisfactory level of efficiency.

The Global Accountabilities Project provides a comprehensive idea on accountability mechanisms and critical points on which CSOs must focus to maintain their legitimacy in the eyes of the public and donors. However, regarding the performance of the state, these mechanisms must also be seen as a means and as guidelines that state institutions can use to restore the people's trust in them. This project insists first on the importance of transparency, and the assurance of a certain level of openness in the flow of information between all stakeholders in a project. And secondly, on the participation, and the necessity to include all these stakeholders in decision-making processes in all stages of CSOs' or the state's activities, whether it is at the setting of objectives and planning, implementation of activities, or even the assessment stage. Thirdly, CSOs and state institutions must put in place fair and objective evaluation processes in order to best assess their performance while trying to attain their goals, in order to highlight any shortcomings and areas of potential amelioration in the future. Finally, complaint and redress mechanisms are also essential, as they create channels for other stakeholders, beneficiaries or communities to provide feedback and outside opinions, effectively holding CSOs and state institutions accountable and allowing for the receipt of propositions and ideas on how to improve future performance.

### *Self-accountability mechanisms by, and for, CSOs*

To remedy this issue, some CSOs have adopted self-accountability mechanisms. These organizations believe that these mechanisms represent an essential step in building a relationship of trust with donors and beneficiaries and a means of setting clear frameworks for their activities. One respondent, active in the field of SRHR for more than 10 years, has confirmed this practice and reported trying to be “as transparent as possible” for this very reason. However, it is not the case for all CSOs.

Tarek Zeidan, Helem: “Some CSOs go to great lengths to enact policies and procedures of accountability and operate in a transparent manner while others do not have this infrastructure or choose not to take it seriously.”

There are various self-assessment systems that can be employed by CSOs to evaluate their own performance, without requiring overly cumbersome reporting. One of the most recognized methods is the OSANGO system (Organizational Self-Assessment for NGOs), developed by CSOs in South Asia and Latin America, this focuses on the CSO’s accountability to all stakeholders, especially the beneficiaries of their services, by focusing on five different points:

- Awareness of the CSO’s legal obligations
- Cooperation with all stakeholders in establishing objectives
- Communication with beneficiaries for accurate needs assessments
- Dialogue and exchanges with all stakeholders, particularly beneficiaries, for feedback
- The use of reliable and objective measurements of performance and results

### *INGOs and donor accountability solutions*

When it comes to international non-governmental organizations (INGOs), one of the respondents

characterized accountability mechanisms as notably distinct. Frequently, accountability practices lead to frequent personnel turnover due to violations or misconduct without a proper justification being given to beneficiaries and other stakeholders.

Nevertheless, other solutions can be found for INGOs. For instance, accountability could be implemented through the creation of CSO coalitions, observatories or other initiatives that could focus on common documentation for all cases of misconduct or violations of agreed upon principles. Platforms comparable in their construction to the Reform, Recovery and Reconstruction Framework (3RF), “a unique and inclusive platform to respond to Lebanon’s national reform challenges and unlock investments in reconstruction”<sup>43</sup>, can provide a model to follow in terms of collaboration between different entities. The use of the media is also a critical tool, as CSOs’ legitimacy and the people’s trust in them depend largely on their public image.

However, these realizations must be put into perspective. After the August 2020 Blast, a destroyed Beirut was unexpectedly rebuilt, and this happened relatively fast. This was the doing of CSOs and NGOs, who poured their funding and efforts in the reconstruction. If the task was left to the state, even with the same level of funding, and if past experience and recent history are of any indication, it is a safe assumption to say that the city would still be under the rubble today. Corruption is, as previously established, rampant in state institutions, and exponentially more widespread than among CSOs.

Fostering a culture of accountability is a gradual process that necessitates capacity building, awareness, and, above all, a genuine willingness to embrace it.

<sup>43</sup>Lebanon Reform, Recovery and Reconstruction Framework (3RF).

### *The legitimacy of religious institutions*

The legitimacy and influence of religious institutions in the country has been debated for years. Some criticize them for the role they play in the shrinking of Lebanon's civic space, particularly in relation to SRHR, while others defend their position and presence. Sheikh Wissam Slika said that he doesn't "consider that religious institutions are affecting the shrinking of the civic space. Religion is at the service of the people. The political institutions are stronger and have more influence than the religious institutions". Christian priest Father Agapios Kfoury stated that "politicians only use religious institutions' opinions when they want to manipulate the situation and the people".

However, opinions differ, and some believe that both politicians and religious institutions are equally guilty of aiding in the shrinking of the civic space.

Nayla Tabbara, President of Adyan Foundation: "When laws are proposed in the Parliament, Parliament members often hesitate due to the fear of the religious authorities' reaction. Whereas parliamentarians are the ones who should make these laws, as they should oversee religious laws. Sometimes we feel that religious leaders and political leaders work hand in hand, as was the case with the timing of the dual attack on comedian Nour Hajjar".

Druze and Sunni Sheikhs believe that there is no shrinking of the religious space in Lebanon, while Father Agapios Kfoury considers that church authority in Lebanon is today facing a challenge: "It doesn't know how to speak the language of the youth. It doesn't know how to reach out to them, it doesn't resemble them, and they cannot relate to it and are turning their backs to it." He believes that the Church has been losing a part of its legitimacy among the population as a consequence.

### *Unequal representation in civil society*

There are significant disparities in community representation within Lebanese civil society, which is contributing to an environment marked by inequality and imbalance. Taghrid Merehby from Koudwa initiative emphasized the "inadequacy and insufficiency of women's presence in decision-making roles in civil society". Hussein Cheaito raised a concern regarding the representation of queer individuals in civil society, indicating that external factors, such as donor influence, often dictate their visibility and engagement in this sector. When donors insist on it, efforts are made to achieve representation, but the cases are still scarce. Myriam Sfeir (The Arab Institute for Women, LAU), insisted that there was another type of unequal representation: many geographical areas are insufficiently represented within civil society, she claimed.

Rectifying these inequalities and promoting equal representation in the Lebanese civic space necessitates a holistic strategy that not only empowers marginalized communities but also ensures their active involvement and inclusion.

Among youth groups, representation has been reported as highly dependent on the individual efforts put forth by members and the values established inside the group. Some progressive student clubs ensure to provide a safe space for all communities and individuals, and make an effort to ensure equal representation. However, this is not the case for all of them, particularly those politically affiliated to the traditional Lebanese political parties, where some communities, especially the LGBTQI community, tend to be attacked and considered blasphemous, as reported by Jeffrey Aramouni, NDU Secular Club and Human Rights Club.

Taghrid Merehby: "The space is very limited for the youth, in the sense that they feel they are not visible. Whatever they do, no one listens to them, no one knows about them".

### *Public opinion and community accountability*

Most of the interviewed CSOs reported positive community feedback on their activities. However, this can depend on the CSO's field of activity, especially when it concerns SRHR. In fact, a representative of a CSO working on SRHR affirmed that they received "positive feedback except in conservative areas".

Community accountability can be an efficient tool of accountability for civil society. Yet, this culture is not yet well set and established among all CSOs. Some respondents stated that people can, and do, sometimes hold CSOs accountable, but their capacity to do it effectively and consistently is hindered by various factors: Beneficiaries who face persistent persecution often express gratitude simply for the presence of a CSO that aims to address their concerns.

Hussein Cheaito, economist & researcher: "I think generally, there is a sense of apathy: As long as this NGO is providing me with services that I can't otherwise receive from the state, I won't criticize it".

### *Private sector involvement in civic space*

Another interesting factor is the lack, or at least the scarcity, of reports and data related to private sector involvement in the civic space in Lebanon. Based on our attempts to reach large private companies known for their products pertaining to SRHR, we noticed that focus and interest were minimal as key representatives kept referring us to other companies in order to help us find entities that were more involved with the civic space.

Corporate Social Responsibility is absent from literature, and while some international companies may have adopted codes of conduct or some soft-law documents listing their values and principles, their impact has not yet been sufficiently documented and socio-political neutrality seems to remain the preferred positioning of private sector entities. This is supported by the difficulty faced in finding a company that viewed the nine dimensions of the

civic space as relevant to their activities. It is apparent that while there is no clear and detailed legal framework for CSO accountability, there are multiple alternative mechanisms to hold them accountable before their stakeholders: "their donors for their resources, their clients for delivery of goods and services, their allies for performance of joint activities, their staff and members for meeting their expectations, and government agencies for complying with regulations".<sup>44</sup>

## **Dialogue and Consultation**

### *Sporadic CSO involvement in policy making*

CSOs encounter substantial obstacles when attempting to engage actively in the policymaking process, largely due to the sectarian political landscape that prioritizes particular political parties' interests that do not coincide with those of CSOs. The absence of formal processes and sporadic invitations for dialogue further challenge consistent involvement. Most CSOs interviewed agreed that the state initiating consultation on potential new policies or laws very rarely happens, if ever. A representative of an SRHR-focused CSO said that it "never" happened to them despite the fact the Lebanese state clearly needs expertise on the topic. In an official capacity, the government or Parliament as institutions never directly demanded the CSOs' involvement in policy making.

Collaboration in policy making and the involvement of expert parties or other involved or concerned parties is not culturally enshrined in legislative processes in Lebanon. It is a culture that must be built and developed; starting at the nucleus levels of society, within families, in companies, or in small institutions such as universities. The CSOs' lack of involvement probably stems from a prevailing culture where individuals in positions of power tend to disregard engagement

<sup>44</sup>Civil Society Legitimacy and Accountability: Issues and Challenges by L. David Brown, Hauser Center and Jagadanada, CIVICUS.

with the general population or civil society. This pattern is indicative of a patriarchal system that permeates different spheres of society, including government, the broader community, and even households, where the head of the family makes unilateral decisions without seeking input from other family members. In the current economic system, business decisions are most often taken unilaterally by managers without employee involvement. At university level, the administration rarely consults its students on policy modification or the course of action to be pursued when major changes occur that have a direct impact on students' lives. Everyone is merely notified of decisions without being given the opportunity to contribute, and this framework is duplicated at the state level. Despite this, the youth, particularly through university clubs and students' political movements, have been trying to mobilize and be more engaged politically, mostly since 2019. While they do have an influence on public opinion inside their campuses, their actual input on policies remains close to non-existent.<sup>45</sup>

However, CSOs are sometimes involved in these processes through other channels. For instance, donors may sometimes insist on the involvement of established CSOs in order to have expert opinions on potential policies to be adopted. Additionally certain political parties, when seeking support to advance a specific agenda, may turn to certain CSOs that can provide valuable data and expert opinions. Moreover, some level of consultation has been recently happening among Change MPs, those elected after the October 17th revolution, who actively seek experts' opinions to bolster support and legitimacy for their proposed laws.

Hussein Cheaito, economist & researcher: "I wouldn't say there has been any direct interaction with the state or policymakers or people engaged in the policy space yet. However, I would say that there has been some interaction with the alternative MPs".

KII with a representative of a CSO working on queer rights: "I don't think that's ever happened. Despite the fact that we have an open dialogue with a lot of embassies, a lot of UN entities, we're in the LGBTQI task force, but at a political policy level, we haven't done it."

While the Parliament or the government never engage in dialogue with civil society, some state institutions do. For example, the National Commission for Lebanese Women, among others, collaborates with entities like the Arab Institute for Women (AIW) at the Lebanese American University, as confirmed by the latter, and also attempts to hold consultation meetings with different CSOs. This is also the case for the National Commission for Human Rights, which has been known to engage in consultations with CSOs. Yet, the effectiveness of these consultations can be debated as they rarely translate into actual policies and legislation.

In addition, this dialogue can sometimes be categorized as either patronizing or antagonistic, and CSOs' viewpoints are rarely taken into account in the final policies or decisions.

Nuhad Dumit, scholar & activist: "So in healthcare, they consult sometimes, but they take the consultant's opinion into consideration very few times. And for the healthcare sector, there are laws and policies that are archaic, that are outdated. They need to be reviewed, revised, or totally eliminated and replaced by new ones. But because of lack of political will and political agendas, they are not being addressed."

### *Religious institutions: a peculiar role*

While Lebanon does not have a religious Constitution and is in nature a civil or secular state, Article 9 of its Constitution states that "There shall be absolute freedom of conscience. The state, in rendering homage to the God

<sup>45</sup>Arab Reform Initiative, Lebanon's Student Movement: A New Political Player?, Friedrich Ebert Stiftung, Youth in Lebanon.

Almighty, shall respect all religions and creeds, and guarantee, under its protection the free exercise of all religious rites, provided that the public order is not disturbed. It shall also guarantee that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected”.

This commitment to respect all religions is translated in the constitutionally-recognized involvement of religious institutions in legislation concerning personal status. For instance, Article 19 of the Constitution provides religious institutions with a particularly influential competence, otherwise restricted to the President, the President of the Council of Ministers, the Speaker of the Parliament, and 10 Members of Parliament: The ability to present appeals before the Constitution Council to control the Constitutionality of newly adopted laws when they are related to personal status, the freedom of belief and religious practice, and the freedom of religious education.

At its core, Article 9 seeks to create a balance between, on one hand, the civil state that refrains from adopting an official religion, and on the other hand, absolute freedom of religion. Constitutionally, the Lebanese state embraces a degree of secularism while simultaneously safeguarding distinct rights for religious institutions.

However, this secular nature, enshrined in the Constitution, has faced obstacles throughout Lebanon's historical evolution. Religious institutions and their supporters have gradually gained influence, particularly in the latter half of the twentieth century. A case in point is inheritance law, which was originally formulated in the mid-twentieth century for all Lebanese, and intended to replace religious inheritance laws and establish gender equality in succession. This example highlights the phenomenon where the potential adoption of a secular inheritance law sparked protests from certain religious communities, particularly Muslim confessions.

These demonstrations of disagreement ultimately led to the adoption of the law exclusively for "non-Muslims confessions".<sup>46</sup>

Such events, coupled, for instance, with the consistent and ongoing rejection of a civil marriage law or other civil personal status laws, have led to a disturbance in the constitutional balance, tilting it in favor of the rights of religious institutions.

Despite that, the Constitution is clear: “The legislative power shall be vested in a single body, the Chamber of Deputies” (article 16). The Parliament represents the sovereignty of the Lebanese people, who “are the source of authority and sovereignty; they shall exercise these powers through the constitutional institutions” (Preamble, point D).

As a result, the Parliament is able to amend religious laws and the competency of religious institutions. It has the authority to ensure a correct and balanced interpretation of these Constitutional provisions, and to restore the equilibrium between preserving a secular state and ensuring that religious institutions can exercise and enjoy their rights. If Members of Parliament wanted to, they could. However, the Parliament's sovereignty is being repeatedly violated, as all that is needed is for a religious authority to express displeasure and parliament will abandon it immediately, on the basis of a flawed interpretation of Article 9 of the Constitution and out of “respect” to religious institutions. As a result, the people are not sovereign anymore, and are instead placed at the mercy of religious institutions' wills and desires.

Nevertheless, the religious leaders interviewed were unwavering in their opinion: In the dynamic between the state and religious institutions, the state or political elite holds the upper hand. According to some, the political class uses religious institutions as scapegoats to influence public opinion, leading the population to push

<sup>46</sup>The Law of 23 June 1959 on the inheritance of non-Muslim confessions; Civil Society Knowledge Center. Personal status laws no longer regulate inheritance for non-Muslim confessions.

for a particular decision, as Christian religious representative Father Agapios Kfoury stated, “the state uses us as a cover to do what it wants. If we could achieve what we wanted, we would have pushed for the election of a President”. Father Agapios Kfoury even cited the case of Minister Mohammad Mortada's attempt to ban the Barbie movie under the pretext of promoting homosexuality in the midst of the recent backlash on LGBTQ and SRHR. He also mentioned that the Minister's stance was announced following his visit to a very-high ranked religious personality in order to give his attempted ban support and legitimacy.

Sunni Sheikh Mohammad Abou Zeid: “Since most Lebanese have religious affiliation, showing religious support and benediction for a policy can shift public opinion towards it. It is in fact, a political tool in the arsenal of political parties, that they do not hesitate to use to assert their control and dominance over the population.”

Also, religious institutions’ de facto power outside of the Constitutional framework must also not be ignored. Should they share an opinion, they know that it will influence a large segment of the population, and they regularly take advantage of this. This has particularly been the case in the war waged against LGBTQI individuals and SRHR in general, as many religious personalities, including probably the most influential of them all, Hezbollah Secretary General Hassan Nasrallah, who famously called for the “killing of all homosexuals” in recent speeches. Furthermore, on a political level, since high-ranking state positions are distributed among different religious communities, in practice no nomination can occur without the approval of religious institutions. For instance, the position of Prime Minister is traditionally attributed to the Sunni community, and no nomination can be accepted if Dar Al-Fatwa, Lebanon’s highest Sunni religious authority, does not give its prior approval of the nominee.

Determining which institution holds more influence than the other is undeniably complex due to the intricate power dynamics at play. Each entity is trying to serve its own interests, and the result is a socio-political status quo that causes an evident reduction of the civic space as no progressive policies can be adopted, either because of religious opposition or because of political refusal or resistance to the advancement of rights. The scarcity of dialogue with civil society is among the factors contributing to the restrictions on individual freedoms: Without freedom of expression, advocating for rights becomes challenging and an overall lack of human dignity becomes the norm. This will definitely result in a negative impact on SRHR, an area that is often disregarded and even stigmatized due to a significant lack of education in these matters within Lebanese society. In the absence of a democratic state and given the lack of trust in the government and its legislation, accountability is achievable only through self-regulation tools. Whether this is being accountable to donors, implementing internal pathways for self-accountability, or being accountable to the community, these steps are crucial for CSOs to maintain and safeguard their legitimacy. This legitimacy, evident during the October 17 revolution and through the trust placed in CSOs by the international community to undertake recovery efforts after the Beirut Blast, is currently under attack by various groups seeking to discredit them. Beyond this, CSOs face multiple obstacles in this realm, stemming from their very status as CSOs, and consequently, their level of influence is likely to remain limited. Therefore, it is important to emphasize that CSOs cannot replace the state, nor should they attempt to do so. Dialogue and consultation must persist between CSOs and all parties, fostering a cultural norm and serving as an essential step in the ongoing battle against oppression and for the protection of fundamental freedoms necessary for civic space to flourish.

## C. Challenges concerning individual fundamental rights and freedoms

### Freedom of Expression and Access to Information

#### *Regulatory framework*

Article 13 of the Lebanese Constitution safeguards the “freedom to express one's opinion orally or in writing” and “the freedom of the press”. However, these provisions are coupled with legal provisions that tend to limit these freedoms. Most notably, defamation is still criminalized in the country. This opens the door for lawsuits against journalists and activists expressing critical opinions targeting the ruling class, as the Penal Code's provisions are vaguely formulated and discretionarily interpreted and applied in order to silence critics or opposing voices. This happened most recently with journalists Dima Sadek<sup>47</sup> and Mariam Majdoline Lahham<sup>48</sup>. Articles 317, 383, 384, 385, most notably Article 386, of the Penal Code define defamation and insults and state that they can be followed by prison sentences of up to three years, depending on the circumstances and the identity of the victim, who can include governmental employees, officials, judges, or the president, or even when the words are intended to “instigate confessional or racial bigotry, or provoke conflict between the sects”. By international standards, these provisions can be considered as violations of the principles of the ICCPR, as its Article 19 specifies that any restrictions on freedom of expression have to be “necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (Ordre public), or of public health or morals”. By international standards, criminalization of defamation and its use to silence all critics of authorities certainly cannot be considered as respecting those conditions, and since Article 2 of the Code of Civil Procedure states that national law falls under the international treaties ratified by Lebanon and should be drafted in conformity with those treaties, and these provisions of the criminal code should be annulled on that basis.

#### *Self-censorship and SRHR*

Lebanon has been always viewed as a beacon of free speech in an authoritarian region, despite assassinations that have targeted vocal opposition figures, whether journalists, activists or politicians, and historically, journalists have rarely been prosecuted.<sup>49</sup>

However, the recent decline in freedom of expression, assembly and freedom of the press<sup>50</sup> manifested by the state crackdown on journalists, activists, bloggers, lawyers and even artists, has shown that Lebanon is slipping into the ranks of authoritarian regimes.

Chrystine Mhanna, Raseef22: “There is a strong political pressure and resistance against any party that criticizes entities of the government and religion. The sectarian system and political leaders are trying to bring back all the power to these leaders by making restrictions larger. Many legal loopholes allow this power to grow further without clear pathways and allow many violations against free speech advocates.”

Due to the increasingly oppressive restrictions on freedoms, CSOs, particularly those focused on sexual and reproductive health and rights (SRHR), have been attempting to maintain a low profile and avoid drawing the attention of state institutions in order to continue their work. They do not advertise their work and do not engage in public outreach activities.

KII with a representative of a CSO working on SRHR: “We try not to advertise or be very public, it's better for anonymity and privacy. We reach people by counting on peer-to-peer advice, word of mouth, sometimes through social media, and partner organizations. But we never resort to traditional media.”

<sup>47</sup>L'Orient Today, 'Revenge': What Dima Sadek's imprisonment verdict means for freedom of speech in Lebanon.

<sup>48</sup>The New Arab, Lebanon. Journalist released after arrest over defamation complaint regarding social media post.

<sup>49</sup>Aya Majzoub, Freedom of speech in Lebanon is under attack, Human Rights Watch.

<sup>50</sup>L'Orient Today, Lebanon classified as 'authoritarian regime' for first time in Economist Intelligence Unit's annual Democracy Index.

KII with a representative of a CSO working on queer rights: “We do community-based outreach or invites for certain events. Word of mouth.”

Those who work on SRHR advocacy and education, do so mostly behind closed doors, and reach the communities only through trusted partners.

Simo Amed, OMC: “There are a lot of restrictions and threats. We don’t promote or publish because of that. We don’t try to access the media.”

Several organizations focusing on SRHR, or holding a feminist agenda, encounter violent and aggressive opposition on social media platforms. Most respondents also agreed they face threats and backlash at every mention of the LGBTQI community, even more so for CSOs active in conservative areas.

Taghrid Merehby, Koudwa: “We face opposition and backlash on social media, threats also. We had to remove posts a few times for our own security.”

Although the Lebanese population had been feeling freer to express opinions and criticize the regime and public figures during the October 17 revolution, we have witnessed successive attempts by the political establishment to reassert or regain control.

The establishment developed a strategy to suppress any form of opposition by capitalizing on the anti-LGBTQ sentiments held by more conservative sections of the population, gaining their support in restricting freedom of speech.

The technique proved to be effective to the extent that extremist groups felt justified in suppressing other communities, accusing any initiatives, movements, or protests led by CSOs of promoting homosexuality. This was evident in the Freedom March incident, during which counter-protesters responded with violence to

originally peaceful demonstrators.

Tarek Zeidan, Helem: “It is my conviction that given the current economic and political crises/scandals in Lebanon, multiple members of the political establishment are looking for ways to reassert control, and to distract from the chronic failures to solve actual problems related to basic services and the functioning of the state. It is vital for them to invent new enemies and to discourage any whistleblowing attacks by journalists, activists and individuals who support free speech, including comedians and artists”.

Another noteworthy finding is that representatives of academic institutions and other individuals interviewed agreed that there were little to no restrictions on their freedom of publishing. They attribute this to the academic and apolitical, or non-social, nature of their work, which doesn’t pose a real threat to the establishment as it has a more limited reach within the population. However, in June 2023 the Minister of Education banned and seized every copy of the “Snakes and Ladders” game due to the colors of the board that look like the Pride flag. According to the Minister the colors were natural and had nothing to do with the LGBTQ+ community, but he decided to seize the Snakes and Ladders games to avoid any misunderstanding.<sup>51</sup>

Even some religious institutions have historically faced self-censorship due to the reactions of other opposing entities. Christian religious representative Father Agapios Kfoury told us that when President Elias El Hrawi and PM Rafic Hariri wanted to adopt a law for civil marriage, Christian former Patriarch Sfeir publicly declared that the Church had no opposition to the law. However, the Sunni Mufti and the Vice President of the Supreme Shiite Council met with the Patriarch and expressed their strong disagreement.

<sup>51</sup>Al Bawaba, Lebanon bans snake and ladder game from summer schools.

After that, the Patriarch retracted his statement, justifying it by saying that the issue is still complicated in Lebanon, and so they (the Church or the Christian community) were not interested in creating such conflict.

Another factor contributing to the self-censorship practiced by CSOs, activists and citizens, is the widespread claim that some state institutions, authorities or intelligence units monitor communications among activists and CSOs. Many respondents claim knowledge of this happening, and even those who had no proof or supportable information agreed that it would be possible and that it most probably happens.

Simo Amed, OMC: “There is monitoring of the communications of the most vocal people on political and SRHR issues.”

Moussa Saleh, SMEX: “They (the government and police institutions) definitely know where we are and what we do, there’s definitely people assigned to follow civil society organizations. I can say confidently that they have the technology, if they decided to do anything in terms of technology or hacking or reaching any means of communication, they were leading an information network. Yet, for now, there’s no need for them to intervene as long as there are militias that can do that.”

### *The role of the traditional media*

Traditional media outlets reflect the sectarian and political configuration of power in Lebanon. The media is owned by wealthy individuals who are closely linked to traditional political parties<sup>52</sup>. Most respondents agreed that political influence in the media is evident. Some CSOs did try to access the media, and those who tried found it relatively easy, as long as they selected the channels that could potentially support their ideas. However, an interesting realization is that CSOs who work actively on SRHR or LGBTQI rights, or have at least strong progressive opinions about those topics, do not even try to access the media for various reasons. Some prefer staying hidden and

not shedding light on their activities in order to continue to operate under the radar and provide SRHS without societal backlash (for example, OMC, a CSO working on SRHR), others believe that they would not be welcomed by media platforms specifically because of their opinions.

Jeffrey Aramouni, NDU Secular Club and Human Rights Club: “Access to traditional media is very hard for us. Lebanon suffers from a cultural hegemony, so every media outlet is owned by a political entity. There are no clear restrictions, but we are frowned upon in the traditional media setting, so we avoided them”.

Alongside the political affiliations of many media outlets in Lebanon, there are several radio and TV stations that have been established in the country with the main objective of spreading religious beliefs, delivering religious education and messages, and, in some cases, promoting particular religious doctrines within their Christian and Islamic communities.

Sunni Sheikh Mohammad Abou Zeid stated: “It’s quite clear that the Lebanese media didn’t allocate much space for religious voices and discourse. However, later, we saw the establishment of some religious media organizations. In Lebanon today, we have several radio stations with religious backgrounds. We also have some television stations and satellite channels. For example, Al-Manar TV (affiliated to Hezbollah). So, I see that there’s now space for religious media discourse to a certain extent. Traditional media used to be somewhat challenging to utilize in the past, but it has become more accessible”.

<sup>52</sup>L’Orient Today, In Lebanon, political figures and powerful families control the media.

## Freedom of Assembly, Association, and Dissent

### *Arbitrary application of the law*

Freedom of assembly is another right recognized by Article 13 of the Lebanese Constitution as well as Article 21 of the ICCPR, which Lebanon ratified in 1972. The only constraint, in principle, is that permits for peaceful assembly must be obtained in advance and necessitate approval from the Ministry of Interior (Article 2 of the Public Assemblies law). This is because Article 3 of the same law provides that the government may prevent a public assembly that would disturb public security or public order or public morality or that would go against the regular and normal course of public interests. This vague language gives the state the freedom to decide which assemblies correspond to that definition on an ad hoc, arbitrary basis. This is particularly the case for any and all protests that could be organized in defense of LGBTQI rights, these are regularly considered as disrupting the public order.

Furthermore, in 2006, the Ministry of Interior issued decision number 352, Article 1 of which lists the requirements to obtain a permit for peaceful assembly, further negating the fact that peaceful assembly should follow a notification system and not an authorization system. Point 7 of the same Article stipulates that the applicants must submit a document stating that they assume full responsibility for any harm that the demonstration may cause to individuals or to private and public properties, which constitutes a major limitation on freedom of assembly because it acts as a deterrent for the organization of a protest. This provision shifts the responsibility away from the security forces, who should be responsible for safeguarding both protestors and the public and ensuring the safety of the assembly. Instead, it places the responsibility on the organizers, even if they have no control over any potential problems that may arise. Such a situation can potentially delegitimize a movement and depict it as violent, while in fact it remains peaceful. Such

measures contradict the concept of democracy and violate Article 21 of the ICCPR and Article 13 of the Lebanese Constitution.

Additionally, Articles 345 and 346 of the Penal Code that criminalize “riotous acts”, can also be used to threaten opposition to any governmental decision, particularly Article 346 that states: “Any assembly on public roads or in a place open to the public shall be considered a riotous gathering if [...] it reunites at least seven persons with the intent to protest against a decision or measure taken by public authorities with the aim of exerting pressure on them.” The same Article says that participants in these gatherings can be sentenced to prison for a period of 6 months to a year.

Furthermore, even protests that are intended to be peaceful often escalate into violence due to clashes involving various actors, such as the authorities, political parties, militias, and civilians. Activists regularly end up in hospital after protests because of this, and the youth, who are particularly active in protests, are regular victims of violence and persecution. Security forces should intervene if clashes, or property damage, occur during protests, but they rarely do, nor do they act in an appropriate fashion. Reports of excessive force used against allegedly violent protesters have been raised by CSOs, emphasizing the disproportionate application of violence. For instance, in the “Freedoms March” of September 2023, the Ministry of Interior used the absence of a prior authorization for the protest to justify the lack of mobilization of security personnel to stop the violence initiated by counter-protesters on the originally peaceful protesters, violence which resulted in many injuries among activists.

Simo Amed, OMC: “Even when authorizations are given, the state dispatches photographers to the protests to gather data on [the] CSOs, activists and protesters present.”

This has also particularly been true of any protest linked to marginalized communities' rights. Authorizations are given or refused arbitrarily, and requests are filtered depending on the aim of the protest.

An interviewed journalist: "It was even worse when we tried to organize protests for the women victims of the Kafala system, or for the queer communities, or for Syrian refugees. There were direct attacks by the militias and even official statements by state entities and ministries, notably the Ministry of Interior."

In fact, in 2023, Minister of Interior Bassam Al Mawlawi issued two administrative decisions prohibiting LGBTQI gatherings, saying they conflict with Lebanese customs, norms, and traditions<sup>53</sup>. CSOs have tried to challenge these decisions, but to no avail, and today they provide the perfect legal basis for security forces to interrupt any LGBTQI gathering.

On another note, it is worth stating that civil society's efforts have borne fruit in some areas, such as preventing the implementation of certain taxes, reclaiming public spaces or opposing environmentally detrimental projects, such as the cancellation of the construction of the Bisri dam, or the successful recent adoption, due to pressure from civil society, of laws on domestic violence and sexual harassment that, though incomplete<sup>54</sup>, constitute a level of progress in the country.

### *Instrumentalization of SRHR demands and self-censorship*

Freedom of assembly is essential for the development of civic space as it enables citizens to gather and engage in discussions and debates over political, social and economic issues. The Lebanese authorities see in these dialogues between various communities a potential threat to their control. Therefore, the authorities employ various tactics to limit and narrow civic spaces, among these is the privatization of significant portions of Lebanese land. They also try to restrict

the access of individuals to public space through acts of violence, frequently executed by proxies or intermediaries affiliated with traditional political parties.

However, it is not an easy feat to control and manipulate an entire population. As a result, several techniques have been tried and have proved to be efficient in helping authorities control social movements. One of the most efficient approaches, has been to label any and every potentially developing social movement as "promoting LGBTQI rights" and "spreading an international agenda for homosexuality".

KII with a representative of a CSO working on SRHR: "Now anything gender-related, even women's rights, will be seen as promotion of homosexuality, so there are attacks on us and people who appear queer in conservative areas."

This appears to be an efficient tool mainly because a large part of Lebanese society is strongly attached to religion, and LGBTQI rights are mostly considered "opposed to divine law". Authorities know this and profit from it to manipulate public opinion in their favor to create an atmosphere where movements and principles can be associated with homosexuality, allowing them to extend their control on social movements with the population's approval, even though those movements may not be linked to LGBTQI rights or SRHR.

Hussein Cheaito explains the narrative that is being constructed by authorities: "There are a lot of hate campaigns surrounding what queer people are and the threat they pose, coming from political groups, who try characterizing LGBTQI individuals as some sort of extraterrestrial creatures that are here to kind of disrupt the social order or the family order."

<sup>53</sup><https://shorturl.at/gtyvL>

<sup>54</sup>Human Rights Watch, Lebanon: Domestic Violence Law Good, but Incomplete.

Authorities and traditional political parties always promote a “Lebanese” model, principles and values in a way that preserves the idea of the patriarchal religious system they have built. Their control is maintained by satisfying the “head of the family,” who, in this context, acts as a proxy of the state within households to maintain order.

An additional consequence of this narrative is that private vigilantes are increasingly fighting the alleged “evil” that the LGBTQI communities represent. This is the case of the group that calls itself “Jnoud Al Rab” (or God’s Soldiers) that has repeatedly violently attacked LGBTQI events and gatherings, e.g., the attack at Madame Om<sup>55</sup>.

KII with a representative of a CSO working on LGBTQI rights: “Now you have people that are, I would say, paramilitary, who are doing their best to preserve what is considered the morals of society and family. And you have a state that is random in its practices. They started scapegoating Syrians a while ago, and they didn’t find momentum. Now, they are scapegoating the LGBT community and there’s more momentum. The state is very manipulative on who it targets and who it scapegoats. It’s one of the tools that they have to protect themselves.”

Notably, not all institutions or organizations promoting dialogue between religions agree on that position.

Nayla Tabbara, President of Adyan Foundation: “We refuse violence in the name of religion, we refuse hate speech in the name of religions and we refuse the violation of the sanctity of people’s bodies.”

All this leads to CSOs and marginalized groups practicing self-censorship, particularly LGBTQI groups. The goal of this is to exist and work quietly in order to avoid any potential attacks on them.

Respondent representative of a CSO promoting feminist principles: “People are limiting their outings to places where they cannot be attacked.”

KII with a representative of a CSO working on queer rights: “We’re really careful about the places we select. I mean, I don’t want to come to a place that is publicly known to the world. I need a place that I trust.”

### *CSOs’ approach to assembly*

CSOs find themselves in a difficult position in regard to the organization of protests: Some do still organize protests despite all of the above, others prefer staying under the radar and focusing on the services they can provide to the communities they serve. One key difference between CSOs is access to media, and this is clearly down to the type of work the CSO does: individuals involved in SRHR often prefer to stay relatively discrete, while those involved in other fields, such as freedom of speech and journalism, financial protection of the population and depositors, or youth political participation are more likely to be outspoken and organize demonstrations or marches.

A representative of a CSO working on SRHR: “We never organize protests”.

Simo Amed, OMC: “We don’t protest, we’re sometimes present when someone else does”.

The CSOs’ geographic location is also an important factor: CSOs located in conservative areas will be less likely to try to organize protests calling for rights that can be associated with gender issues or the LGBTQ community as they can be labeled as activities that disrupt the public order.

Taghrid Merehby, Koudwa: “We don’t usually protest. We could, but we think twice: I would be responsible for the women’s safety in a potential protest, and there is a condescending view of women in Tripoli which may lead to violence.”

<sup>55</sup>Amnesty International, Lebanon: Attack on LGBTI bar another ‘ominous sign’ of deteriorating rights situation.

In the particular context of Tripoli, this realization is the perfect representation of an unfortunately shrinking civic space. The city of Tripoli was seen during the October 2019 revolution as one of the main hubs of the revolution and it was exceptionally defiant of the authorities and was considered as Lebanon's protest capital, called the "Bride of the Revolution"<sup>56</sup>. However, it seems that even in that environment, civic space has been steadily shrinking since the revolution's animus started weakening. This may also translate into another, less-discussed possibility: It can be argued the glue that held the Lebanese protest movement together across the country was mainly financial, potentially political, but less social in nature than what was previously thought. This remains speculation as many of the common demands were social demands by nature, but it must nevertheless be considered as a possible reason for the shrinking civic space in Tripoli and in many other Lebanese regions.

#### *The impact of religious institutions*

Religious institutions played various roles during the revolution and greatly impacted freedom of assembly, and their response cannot be considered as being unified on the national level.

Some religious institutions, as stated by Priest Agapios, participated in protests and gave them more legitimacy in a deeply religious society: "Large masses were organized on the field during protests, to consecrate the presence of people on the street. A gathering was even organized by the Patriarch with young people to discuss their demands and the future of the movement".

Other religious representatives viewed the movement differently, and approached it with more caution. They recognized that, as per the law, they did not have the authority to put limits on freedom of assembly, but they repeatedly tried to delegitimize and undermine the authenticity of the revolution and understate its impact.

Sunni Sheikh Mohammad Abou Zeid: "This movement, was it really a revolution? ... No one understood where it went, what they wanted... There was no head of movement to talk to [in order to] know what the demands are."

Druze Sheikh Wissam Slika: "Religious institutions cannot put limits on freedom of assembly, especially when the protests are made to help those who need it. Unless they're not legal or there's violence. In that case, the state has to put the necessary limitations. It is no secret that corruption is present in most sectors in Lebanon. But to cleanse this corruption, there must be real reform and a plan adopted and embraced by the state. Individuals or groups cannot lift themselves up, they must rise through a state under a national identity, under the rule of law."

Ironically this is the narrative the October 17 revolution was opposing and was fighting against, the lack of trust in state institutions and in the legal pathways that kept failing the people for the reasons widely elaborated upon in the "Access to Justice" section, and which confirmed the inability of the state to navigate any crisis efficiently and appropriately.

<sup>56</sup>The National News, How Tripoli became Lebanon's protest capital.

## People's Safety and Well-being

### *A generally unsafe atmosphere*

In Lebanon, civic space actors such as CSOs, journalists, activists, and human rights defenders, and other citizens, face myriad restrictions and threats that significantly affect their work and lives. These challenges are constituted by security concerns and the threats posed by armed militias, terrorist groups, criminal organizations, or even state institutions. These entities have created an environment of insecurity, marked by incidents like shootings and clashes related to political or social disputes, which have tragically resulted in casualties and fatalities over the years.<sup>57</sup>

Journalists and activists reported facing numerous threats, in the form of intimidating phone calls, threats of physical violence or legal action, or extortion, on social media. They also repeatedly faced physical assaults, especially during the revolution.

An interviewed journalist: "While I was reporting on the revolution, we faced many attacks by armed groups. We had to seek refuge at the Red Cross' tent, so they decided to destroy it."

As they refrained from implementing measures on the ground to maintain the people's safety and security, particularly during protests, in addition to their violent behavior with protesters, the security forces are viewed as a source of violence. Many respondents reported attacks carried out by security forces, such as destroying journalists' cameras, throwing rocks at activists and using weapons against protesters.

Safety concerns and the backlash from society are also stronger in conservative areas, especially when CSOs tackle topics that some communities cannot tolerate, namely SRHR.

Taghrid Merehby, Koudwa: "In Tripoli, when talking about feminism, we regularly get questioned about what we mean by feminism, and we get accused of importing what they call "Beirut's feminism" to Tripoli. In Tripoli, the concept of feminism is largely rejected, especially among men, 100% of whom I would say reject it. Even among educated and relatively independent women, the topic is often met with resistance by 90% of them. But there is a hidden need, as many women facing issues quietly reach out to us for help".

Respondent representative of CSO promoting feminist principles: "People who come to our centers are being told that we teach "bad stuff" related to SRHR. They get questioned about what they're coming to do, and why they're choosing to come see us."

The majority of respondents agreed that the Internal Security Forces fail to effectively address threats or even serve as the source of those threats. Moreover, they misuse their authority to intimidate the public, resorting to tactics such as threatening innocent individuals with arrest or using interrogations to instill fear in victims rather than targeting actual wrongdoers.

Taghrid Merehby, Koudwa: "We never tried resorting to the ISF because they are forced to apply existing laws and are stuck in bureaucracy." Respondent representative of a CSO promoting feminist principles: "I am shocked with the security forces' passive and unprofessional conduct, and their inability to take appropriate action, for example they have often used drug tests to instill more fear and they administer these tests even though it is not relevance to the situations they are called for."

<sup>57</sup>International Alert, Security threat perceptions in Lebanon.

Moreover, these facts are also true at the youth level. When youth engages socially or politically and try to contribute to the enlargement of civic space through the protection of fundamental freedoms, they face threats of violence, harassment, and extreme backlash from supporters of traditional political parties or militias.

Jeffrey Aramouni, NDU Secular Club and Human Rights Club: “We faced numerous threats during students’ elections. I got smeared as a Satanist, labeled the ambassador of LGBTQI, labeled a communist, accused of espionage and more... We’d get threatening phone calls during elections telling us to give up. And the university tries to calm everything down, without taking any repressive measures.”

These labels, “Satanist, communist, LGBTQI...” are used the same way authorities use them at state-level. The cycle lingers, as the youth are influenced and taught by the system how to manipulate public opinion in the same old ways.

Yara Assaad, USJ Secular Club and Gender and Sexuality Club: “A group of students affiliated and/or has a friendly relationship with an on-campus cell for a political party unfolded once incentives and attempts to organize a protest the presence of the LGBTQ+ community that attends the campus. Luckily, the administration prevented the protest and tried to maintain a balanced approach. A priori, the situation already escalated to the point where there were threats and anonymous phone calls. Apparently, the administration decided to take a stand against the discriminatory actions and behaviors.”

### *Backlash against the LGBTQI community*

This phenomenon becomes even more pronounced when it comes to the LGBTQI community in Lebanon. Anyone perceived as a member of the LGBTQI community becomes a target, facing discrimination solely based on perceptions. They encounter daily violence and

are compelled to conceal their true identities.

KII with a representative of a CSO working on SRHR: “Some people come to us who might be profiled as LGBTQI. Neighbors look at them and sometimes initiate violence. Previously, the atmosphere was less tense, but over the past two years there was a gradual increase in discomfort and homophobic behavior.”

All marginalized communities, women, refugees, foreign workers, face these threats, but the LGBTQI community is most likely facing the largest backlash at present, as “they are not socially accepted, it is impossible to even talk about them. Their situation is used politically, there are a lot of misconceptions, and it’s easy because the stigma is widespread already within the society”, Simo Amed, OMC.

Advocates and trainers who focus on LGBTQI community and SRHR themes are not exempt from discrimination and violence. They too become targets of both physical and verbal violence, demonstrating that such mistreatment extends beyond the beneficiaries or target groups.

To counter these threats and be able to operate safely, CSOs have often established connections and networks of trusted people to collaborate with, and they include in their outreach community members who are known to maintain confidentiality and who have an interest in this specific field of activity. However, this limits their range of action and slows down their results, but it keeps them safe while achieving respectable outcomes. They rely heavily on peer-to-peer connections. However, another problem that arises when international NGOs become involved in this sort of environment is that they try to conduct outreach within the concerned marginalized communities and thus expose them to potential recrimination by being too visible and not discrete enough.

Simo Amed, OMC: “When the iNGOs have projects to implement with the LGBTIQ+ community, they do their outreach in a visible way because they don’t have the LGBTIQ+ community database to reach them safely, whereas LGBTIQ+ organization have these targeted audience and can safely outreach them.”

Within the LGBTQI communities, there is even less trust in the police. As the assault of Madame Om<sup>58</sup> demonstrated, the police do not seem to have the will to act to protect these communities. Furthermore, if they were to seek assistance from the ISF, they would likely be judged or interrogated based on their gender identity or status, rather than in regard to the specific issue at hand. This could, in turn, lead to them being perceived as wrongdoers, despite actually being the ones who have suffered harm.

Tarek Zeidan, Helem: “Security services are less likely to be aggressive and won’t do anything to paramilitary vigilante non-state actors that attack with knives. When the ISF came, they instead investigated signs of immoralities, trying to know who’s gay or not. If there’s a certain attack from non-state actors, LGBTQI individuals will be the last people to call the police.”

Resorting to private security firms for safety was one of the possible solutions, but this has been reported as unreliable and that it could potentially lead to spying or the selling of information. Additionally, it must be assumed that any private company would be influenced by the same biases found within society as a whole.

Tarek Zeidan, Helem: “We have proof of them stating that “these gays make problems, so charge them double for the same security package”, so there’s discrimination from their part. It’s a very unsalvageable relationship.”

### *Religious institutions and marginalized groups*

During interviews with religious leaders, a common trend was observed: They tended to ignore the marginalized status of the LGBTQI community and women. Within religious institutions, there is often a widespread denial of the existence of these marginalized groups.

Sunni Sheikh Mohammad Abou Zeid: “When we talk about the word “community” in Lebanon, I think it’s often exaggerated. It’s extremely difficult to give accurate statistics on the number of groups, whether it’s LGBTQ+ or non-LGBTQ+ communities.”

Sheikh Mohammad Abou Zeid went on to say that, “The word “marginalized” brings funding” and that, “women are not marginalized, they are strong and even participate politically”.

Druze Sheikh Wissam Slika, when asked who the marginalized communities in Lebanon were in his view, only mentioned the stateless.

A Christian priest, when asked the same question, replied that there are religious minorities that are marginalized, such as “Jehova’s witnesses”, but also mentioned the LGBTQ community.

### *The regulatory framework around SRHR*

The laws as they stand today contain embedded structural violence against SRHR, which is evident in the imposition of numerous restrictions on sexual and reproductive rights. Authorities utilize vague provisions to curtail these rights.

To begin with, the Lebanese criminal code, specifically Articles 539 to 545, criminalizes abortion and imposes severe restrictions on freedoms. It not only forbids the practice of abortion itself, but also criminalizes any acts facilitating or promoting abortion, along with the commercialization of products that can lead to abortions.

<sup>58</sup> L’Orient Today, Beirut bar attacked in latest assault on LGBTQ+ community. Christian conservative group Jnoud al-Rab violently attacked the venue, held everyone hostage, refused to let people out and destroyed restaurant property because it hosted a drag event.

Moreover, due to the absence of national personal status laws, especially national marriage laws, there is no unified legal minimum age for marriage at the national level. Consequently, the minimum age for marriage is governed by the personal status laws of each religious confession, and in some cases, this is as low as nine years old, often necessitating a guardian's and/or judicial permission.<sup>59</sup>

Furthermore, Article 534 of the Penal Code criminalizes "unnatural sexual relations". The broad and ambiguous language of this provision is a double-edged weapon: while some judges and lawyers may interpret the wording so as to not criminalize same-sex relationships, the authorities utilize it as a means to curtail the freedoms of the LGBTQI community.

Apart from Article 534, a series of other articles in the same section of the criminal code entitled "violations of public decency and morals" also add restrictions to SRHR and the LGBTQI community's rights: Articles 531, 532 and 533 criminalize the violation of public morals by one of the means mentioned in Article 209. This includes various public acts and expressions like speech, writing, shouting, images, drawings, films, and many more.

Moreover, seeking to tackle gender-based violence, the Lebanese Parliament passed Law 293 on domestic violence in April 2014. However, while this law constituted a degree of advancement, it is still considered to be incomplete and insufficient to tackle the regular instances of gender-based violence in Lebanon, as for instance, its definition of domestic violence is restricted to violence initiated by family members, and it fails to specifically criminalize marital rape.<sup>60</sup>

### *Ministries' actions concerning SRHR*

Actions on SRHR are very limited on the part of the state. The Ministry of Public Health released

a strategy that contained a section entitled "Reproductive Health Services", emphasizing aspects such as "family planning, safe motherhood and newborn health, diagnostic and preventive check-ups, and screening for reproductive system diseases and reproductive tract cancers". The focus is primarily on reproductive health, especially for women, with men seemingly excluded, as if they do not have any role in reproduction. This further reinforces that the focus is solely on reproduction and not on addressing broader aspects of sexual health.

KII with a representative of a CSO working on queer rights: "I would say, outside of the framework of marriage and family, I don't think SRHR exists in the state."

This statement is supported by some policies that have been adopted, or not, by the Lebanese state. Notably, during the economic crisis, as the Lebanese faced financial difficulties that hindered their access to basic needs, the government decided to subsidize some men's health products, such as shaving creams and razor blades, while women's health products, such as menstrual pads, were not subsidized. In contrast, even the nuts which are popular snack in Lebanon were subsidized during this period<sup>61</sup>. This demonstrates that even social protection mechanisms and initiatives by the government directly disregard some basic and fundamental SRHR issues and reflects a gender-less lens approach to policymaking.

Pamela Zgheib, Ministry of Public Health: "Regarding reproductive health, it only concerns women, they are the only ones that have a reproductive system."

The Ministry has 120 primary health care centers spread-out across Lebanon that offer

<sup>59</sup>Kafa, Marriage laws: At what age is marriage allowed? What about marriage contracts? And guardianship in marriage?: OHCHR, Report on child marriage, early marriage and forced marriage in Lebanon.

<sup>60</sup>Human Rights Watch, Lebanon: Domestic Violence Law Good, but Incomplete.

<sup>61</sup>National Library of Medicine, Menstrual health and period poverty in Lebanon during economic crisis: A qualitative analysis of the challenges and recommendations.

reproductive health services, with some level of capacity building for the workers at the centers.

According to Pamela Zgheib, “The main obstacle to the public’s access to those centers is transportation.”

However, there is no mention of the sexual health part of SRHR in the strategy, as confirmed by the Ministry. “The strategy does not directly include a sexual health part”, said Pamela Zgheib.

A positive step was taken to address HIV/AIDS in country, as the Ministry of Public Health established the National AIDS Control Program, which focuses on comprehensively addressing HIV/AIDS. The program offers free treatment, conducts awareness campaigns, and endeavors to reduce the spread of the disease. In that context, the Ministry collaborates with CSOs working on SRHR or LGBT rights. However, this inclusive approach stems from the willingness and beliefs of specific individuals within the Ministry and is not rooted in a comprehensive national SRHR strategy. Consequently, these collaborations are inherently fragile, dependent on the discretionary power and societal and cultural views of the person in charge.

Additionally, despite its cost-free nature, patients from the LGBTQI community may refuse the treatment due to fear of disclosing their information to the government. There is apprehension about being included on a list of HIV/AIDS patients, since they are regularly associated with the LGBTQI community and may face backlash or violence within their communities. They are usually more inclined to visit private sexual health clinics, such as CSOs working on SRHR. The Ministry collects the data of beneficiaries and does not do so anonymously, which is a deterrent for many since HIV is heavily stigmatized.

Hussein Cheaito, economist & researcher: “The Ministry of Public Health receives a lot of foreign funding to do SRHR work and is highly dependent

on that. However, the Ministry of Public Health alone will not create the shift that is needed at the economy-wide level in terms of acceptance and inclusion.”

Pamela Zgheib, Ministry of Public Health: “Some projects are funded by the state, others by international organizations. Those are, of course, influenced by the agendas of those organizations who may not fund them otherwise, and negotiations happen based on the needs of the country: it’s a participatory approach. However, these organizations can never impose their agenda on the Lebanese state.”

Within the National Plan for Reproductive Health, while the Ministry of Public Health is responsible for providing services related to reproductive health, the Ministry of Social Affairs is responsible for awareness, advocacy, and training. It provides training mostly to welfare institutions, schools, youth clubs or universities on reproductive health, “how to deal with issues and related physiological and psychological changes”, they also address sexually transmitted diseases and how to have safe sexual relations, insisting on a scientific approach and not a cultural approach. However, the topic of LGBTQ rights is not tackled in detail, it is presented to the beneficiaries as a general subject within a section on STDs as confirmed by Bahia Sleiman, Ministry of Social Affairs.

Bahia Sleiman, Ministry of Social Affairs: “The Ministry of Social Affairs has currently 220 developmental service centers, spread across all Lebanese territories that have a health department including professionals of different specialties, such as a gynecologist. Currently, we have approximately eight or nine centers within the Ministry of Social Affairs that are certified as primary healthcare centers because they meet the necessary criteria in terms of structure and staff. Our program has aimed to train all individuals within these centers, whether they work in the social department or the health department, on all aspects of reproductive health.”

However, women face challenges and barriers while trying to access these services for many potential reasons: “It could be due to the surrounding environment, social, or religious factors”, as stated by Bahia Sleiman, Ministry of Social Affairs.

Another important finding is that the Ministry of Education does not have a unified program for the country on SRHR, mainly on the basis of not imposing on schools what to teach in relation to SRHR.

Pamela Zgheib, Ministry of Public Health: “Every school is working on transmitting the information that suits it, whether it's from the French system, American system, or any other. They're not putting in the same curriculum unless it's an ad-hoc activity, where a specific association comes in and talks (about the topic). There's no doubt that there's awareness, but we need to figure out how to make it work. We need to collaborate with the Ministry of Education”.

The same is applicable to hospitals in relation to SRHR.

Nuhad Dumit, scholar & activist: “At least 80% of hospitals are not owned by the state, but by private citizens or families. And those families and persons, to sustain their business in the hospital, they run it like a supermarket, and they need political or religious support. If they don't have that, they cannot really have all the support they get from the government or the Ministry of Health for all different kinds of things, subsidies for medications, supplies... Only teaching hospitals may address sexual and reproductive health”.

Additionally, the private sector's impact was criticized by multiple respondents, who stated that while it may not be its main role to promote SRHR and civic space, more could and should be done as these entities have a certain influence in Lebanon.

Bahia Sleiman of The Ministry of Public Health stated that the Ministry does not impose anything related to this issue to the private sector.

Simo Amed, OMC: “[The] private sector and state are not participating in the development of civic space in terms of SRHR.”

Hussein Cheaito, economist & researcher: “The short answer is no, the work that's being done is not enough, and the impact is barely visible.”

Furthermore, the Ministry of Public Health also released a national strategy (2015-2020), focusing on the “reorientation and scaling up of mental health services” following it obtaining data and evidence allowing the development of policies and focusing on prevention of various issues or problems, particularly regarding substance abuse. The report published worrying statistics on mental health in Lebanon, particularly concerning vulnerable groups such as the LGBTQI community, refugees, children, youth, and persons with disabilities, among others. Yet, this strategy has been the subject of critics, saying that it “de-politicizes the main factors considered to be indicators of mental illness (poverty, gender, conflict, chronic health problems, etc.), thereby misidentifying the reasons behind the mental illness and distress”<sup>62</sup>, and thus, will not solve the mental health problem the country is facing at its source, but will rather try to deal with its symptoms or consequences.

Without a doubt, the creation of obstacles that impact access to SRHR not only exposes individuals to immediate health risks, but also contributes to broader social issues such as inequality, poverty, and human rights abuses. It can have a profound impact on mental health by fostering a climate of stigma, anxiety, and disempowerment.

Upholding and respecting SRHR is crucial for promoting the overall well-being and safety of individuals and communities.

<sup>62</sup>Legal Agenda, Mental Health Strategy in Lebanon: An Anthropological Critique.

### *Unclear definitions of SRHR among the actors in the Lebanese civic space*

All the interviewed actors were asked to give their understanding of SRHR and explain how they contribute to the protection or limitation of these rights through their activities. The responses differed greatly depending on the category of actors.

Within CSOs, the prevailing trend was to adopt a broad perspective on SRHR, viewing it as an umbrella term that covers guidance, services, and advocacy related to various aspects. This includes the treatment of sexually transmitted infections or sexual disorders that affect the reproductive system, matters related to pregnancy, birth, labor, fertility, abortion, puberty, menstruation and growth. Additionally, it encompasses education about body and health and gender roles, hormone therapy and transition as well as addressing issues like gender-based violence (GBV) and promoting gender equality.

KII with a representative of a CSO working on SRHR: “It is about knowing and understanding the body and expressing ourselves through it.”

Nuhad Dumit, scholar & activist: “I think activists and CSOs are the most knowledgeable in sexual and reproductive health and HIV, if I may add. I was surprised when I did research for UNFPA in 2010, that obstetricians are not as informed on sexual health as they should be.”

However, among religious institutions the understanding was remarkably more restrictive as it is based on conservative religious views and beliefs.

Druze representative Sheikh Wissam Slika stated that we should “provide education and preparation on marriage, which includes teaching the importance of reproductive and sexual health governed by principles, ethics, values, and respect for morals and principles”.

However, when asked about his position on the decriminalization of same-sex relationships, he stated contradictorily, on one hand, that he doesn’t “allow himself to infringe upon someone’s freedom”, and on the other, that “religions rely on faith and scripture”. “This matter (homosexuality), if it was to be legislated, contradicts our beliefs and faith and the scriptures of all religions. We categorically reject it as it does not align with our beliefs, our scripture. We do not accept that such laws be legislated within the Lebanese Parliament,” he said. He provided more details to justify his position, stating that “this matter, if allowed to happen in our societies, will destroy our societies, destroy the real human existence that God has created”.

Sunni representative Sheikh Mohammad Abou Zeid explained the services that may pertain to SRHR that he provides as a judge. For instance, they order the medical tests required for couples by Islam before their marriage, to ensure that “both parties are free from contagious and infectious diseases that can be transmitted between people, like HIV, and that there are no hereditary diseases”. Additionally, he gives advice to his community on the spacing between pregnancies, as the “Holy Quran mentions a spacing of 2 years between pregnancies for natural breastfeeding”. Furthermore, he also cited the case of early marriages: while the legal age for marriage is 18 in the Sunni community, a judge may provide an exception to a couple: “if the young girl and man are between the ages of 15 and 18, and there are traditions and customs in their community that allow them to marry at this age, a judge can refer them to a psychiatrist who makes sure they are aware of the issues of married life and the details of marriage, and depending on his report, the judge may provide the exception”.

Regarding the LGBTQI community, he stated that mosques' doors aren't closed to them, on the contrary, they are open to them, and he described "homosexuality or transsexuality as a state or a condition that he, as a religious leader, has a role in helping people dealing with by offering them guidance and advice".

Christian representative Father Agapios Kfoury stated that education or awareness about reproductive health pertains to an individual's ability to have safe and satisfying sexual experiences and to reproduce if they choose to. Sexual health, on the other hand, encompasses a broader spectrum of aspects related to sexual well-being. He added that he usually provides spiritual guidance to members of his church on these issues, "aligned with the teachings and beliefs of Christian faith"; "the church focuses on preparing couples for marriage," he said. Regarding people in same-sex relationships, he stated that dealing with them varies depending on the priest. He said his door is open for them, and he doesn't consider homosexuality or homosexual persons as inherently sinful or immoral. He helps them if they ask for his help, and welcomes them to his church if they want to stay. However, he stated that he "adheres to the traditional Christian belief that God created humans as male and female".

#### *SRHR and public order*

Similar to the legal frameworks of many countries, Lebanese law recognizes the concept of "public order". This refers to the set of principles that form the foundation of the legal system in each state and outlines the general conditions that must exist so that individuals can enjoy their rights and freedoms. In the spirit of protecting fundamental freedoms and constitutional principles, such as equality of all citizens under the rule of law, these principles of public order are viewed as non-negotiable, and no other law, regulation or court decision can violate them, and any such violation shall be annulled.

This set of rules is generally dependent on the

culture of each population, which may vary in space and time. While in most of the 20th century, France criminalized same-sex relations and considered them as violating French public order, the paradigm slowly shifted with the symbolic decriminalization of same-sex relations in 1982 through other measures, and eventually, in 2013, the legalization of same-sex marriage.<sup>63</sup>

These steps were not unanimously accepted by the population, as part of it was still attached to more traditional values and rejected these evolutions. However, the population progressively grew more accepting of each of these modifications and today, they can be considered as being widely accepted in France.

In fact, preventing the celebration of a same-sex marriage in France is considered to be a violation of French public order (Chambery Court of Appeal, October 22, 2013).

This example clearly illustrates the objective behind the notion of public order: A selected set of rights cannot be violated by any means, no opposition will be tolerated, in the name of protecting these rights and fundamental freedoms that characterize the shared progressive values of the country.

It also demonstrates that the formation of the public order is also an active process. It takes a long time, and is the conclusion of the union of multiple factors: the population's morality being one of them, modifications to law being another. Sometimes, such as in the case of same-sex relations, the law may have been considered to precede, or at least accompany, the evolution of public opinion. The shaping of public order, civic space and fundamental freedoms depends simultaneously on this view, on the applicable laws, on the interpretation of the laws by judges, on the formation of a common historical narrative for the population, and even potentially on international cooperation.

<sup>63</sup>Actu-juridique, Après 40 ans de dépenalisation de l'homosexualité, quel est le sort réservé à la communauté homosexuelle?, Lextenso.

However, for a genuine public order to take shape, a certain degree of consensus must still be reached within a country. No rule can enter the public order if the general consensus is not to protect it. This gives rise to the challenge of public order in Lebanon, particularly concerning personal status laws. Regulations governing marriage, divorce, religion, relationships, and inheritance, among other aspects, are set by each religious confession, and these distinct sets of laws and rules must be upheld and respected. These regulations often exhibit significant disparities between one religion and another. For instance, while polygamy is accepted within Muslim communities, it is forbidden in Christian communities. Inheritance practices also vary, as men receive double the share of women with the same familial connection in Muslim communities, while such a distinction is absent in Christian communities, some communities accept interreligious marriage while others do not, etc. This lack of unity or consensus in the rules of each community has resulted in a unique situation where different segments of the population are subject to distinct sets of regulations within the same country. Consequently, communities struggle to find common ground even on fundamental principles and ideas. The major consequence of this situation is a perpetual state of disagreement, as there is no consensus and each community opposes the beliefs and ideals of the other and therefore there has never been true public order in Lebanon.

Nevertheless, it has become clear that there is one issue that unites disparate groups: sex and the issues around it, specifically in relation to sexual rights and the rights of the LGBTQ community.

This particular issue stands out as the only significant area where all religious communities are in unanimous agreement—they uniformly oppose it. Instead of the notion of public order being used as a tool to protect individual freedoms, it is weaponized in Lebanon to actually

restrict those freedoms. This action is carried out under the pretext that acknowledging LGBTQ rights in the country would undermine the values and societal structure of Lebanese society, potentially disrupting an established order that has been in place for many years.

Currently, this idea is fueling the crackdown on LGBTQ communities and SRHR, gradually leading to the restriction of freedom of expression and assembly. This is accomplished by creating a fabricated and manipulated association between these freedoms and the struggles experienced by the LGBTQ community. The most recent instance of this was the "Freedoms March" in September 2023, which, despite not explicitly advocating for LGBTQ rights, was forcibly shut down and met with violence by radical groups who oppose the LGBTQ rights in Lebanon, positioning themselves as protectors of public morality.

Sexual rights are in peril and their mere existence is being put into question, as they are being instrumentalized and used as a distraction from the other major issues the country is facing such as socio economic collapse, a political void on all levels and ongoing threats to safety and security: The civic space is rapidly and dangerously shrinking in Lebanon, and SRHR are simultaneously, first, the main tool being used to facilitate that shrinking, and second, the area of civic space that is suffering the most collateral damage caused by that shrinking.

### III. RECOMMENDATIONS

Recommendations to Oxfam and large international organizations:

#### On the relationship with the state:

*General recommendations:*

**Purpose of the use of funds:** Condition the use of funds to the promotion and protection of a progressive agenda and the positive development of civic space and SRHR, and to shield SRHR-focused CSOs from the backlash they face and to push the authorities to protect their activities appropriately and effectively. The current crackdown by authorities on freedoms and SRHR must be perceived as a message from the state to donors to bring back funding that was interrupted post-crisis and post-explosion. The state also uses this crackdown to shift public attention away from the dire financial and political collapse.

**Understanding the civic space:** Provide workshops and training sessions to citizens, public sector employees and to CSOs on fighting corruption, safeguarding freedoms, understanding SRHR and providing services.

**Systemic policy reform in parallel to advocacy and awareness:** Contribute to pushing for a reform from a systemic point of view that is not limited to awareness and building tolerance. Responding to LGBTQI community needs and covering sexual and reproductive health should be incorporated in a wider legal framework to bring changes or reforms at the legislative and governmental levels.

*Programmatic recommendations:*

**Ability and competency criteria:** When collaborating with the state to design programs focused on awareness, protection and services related to SRHR it is essential to make sure that the people entrusted with the set responsibilities have the right qualifications.

**Observatory for freedoms and SRHR violations:** Establish an observatory to document and collect data on types of discrimination in Lebanon and use it as a tool for accountability and for advocacy on local and international levels.

**Adopting a national SRHR strategy:** Push for progressive policies to be adopted by the Ministry of Public Health on SRHR and develop training programs for hospitals and healthcare professionals on the topic. In addition, collaborate with the Ministry of Education to help with developing a unified SRHR curriculum to be adopted by all Lebanese public and private schools.

**Promoting accountability and transparency at state-level:** When designing programs with the state and providing funding for projects led by state institutions, adopt a policy of extensive reporting, follow-up, and feedback to ensure proper handling of funds and to maintain the trust of concerned communities and CSOs.

**Accountability must be applied equally to state institutions. The four core accountability mechanisms of the Global Accountabilities Project<sup>64</sup> must be implemented among state institutions:**

Transparency mechanisms enabling the free flow of information between all stakeholders. Participation mechanisms allowing all stakeholders to be involved in the decision-making processes regarding goals, activities, and evaluation.

Evaluation mechanisms allowing all stakeholders to assess performance and results.

Complaint and redress mechanisms providing channels for review and feedback to stakeholders and communities for sanctioning failures and shortcomings.

<sup>64</sup>Civil Society Legitimacy and Accountability: Issues and Challenges, L. David Brown, Hauser Center and Jagadanada, CIVICUS.

### *Inclusionary recommendations:*

Decriminalization of same-sex relations to protect social movements: Homosexuality is the main common pretext that state institutions, alongside religious leaders and conservative communities, use to oppress people and especially marginalized groups i.e. the LGBTQI community. This pretext serves to silence any movement calling for freedoms or other human rights by associating it to promoting homosexuality.

Promotion of dialogue: Encourage and push state institutions and authorities to adopt a participatory approach and engage in more frequent and meaningful consultations with expert CSOs on future policies, especially on SRHR policies.

### **On relationships with local CSOs:**

#### *General recommendations:*

#### **Relay on local CSOs for needs assessment:**

It is essential to count on local CSOs' expertise, especially those whose main focus is SRHR, as they have gained deeper understanding of the specific needs of the community and are more equipped to effectively implement the related projects or activities. Situations differ based on spatiotemporal factors, so international organizations should consult engaged CSOs to build knowledge on each region's specificities.

#### **Contribute to CSO sustainability through core funding opportunities:**

Provide more opportunities and create channels leading to long-term core funding and flexible funding to trusted CSOs to ensure their sustainability, survival, and the best implementation of their shared missions so they can apply an agenda based on an assessment of local needs instead of the set agendas of international organizations.

#### **Promote access to legal information:**

Improve assistance for a wider array of legal projects and initiatives with the goal of making legal information and formal procedures more accessible to CSOs. This is particularly significant for CSOs advocating for the rights of the LGBTQI community and Sexual and Reproductive Health

and Rights. This support will simplify administrative processes, ultimately fostering the expansion of civic involvement.

#### **Adopt a teleological approach to partnerships:**

Better characterize the objectives of partnerships with local actors: they should be focused programmatically on their intended results, whether they are designed to be awareness-driven, service-driven, create governmental influence, etc.. Clear objectives and targets have to be defined and aligned with national and local priorities. The objectives should respect the SMART criteria (Specific, Measurable, Achievable, Relevant, and Time-bound), to ensure they are well defined, needed and attainable.

#### **Build mutual trust in civil society to maintain its credibility:**

Under intense governmental and political pressure, civil society's ability to survive and remain effective depends on building internal trust and solidarity through building alliances and movements that adopt a human rights based-approach and a common understanding of principles and fundamental rights.

#### **Enquire about the CSOs' willingness to collaborate with the state:**

Provide Civil Society Organizations the flexibility to choose whether to collaborate with state institutions or not, enabling them to independently strategize projects and partnerships.

**Promote CSOs' access to media:** Encourage traditional Lebanese media outlets to give CSOs and activists a platform to defend freedoms and marginalized communities.

#### **Develop and implement internal policies and procedures that protect against the mismanagement of funds and guarantee the prioritization of SRHR. These policies shall include:**

- Financial Policies and Procedures
- Codes of Conduct
- Anti-Corruption, Bribery and Money-Laundering Policies
- Policies Against Sexual Exploitation and Abuse

### *Programmatic recommendations:*

**Build a relationship of trust with potential CSO partners:** Conduct extensive and thorough preliminary assessments on potential local partners and implementers of projects to verify that agendas and values coincide, but once trust is built, allow local actors flexibility in determining how projects should be implemented to have the bigger impact.

### **Work on CSO capacity building on the following levels:**

Project management and grant applications.  
Effective campaigning and problem solving and the creation of an infrastructure for sustainability and future change through community collaboration.

Adopt a strategy to readdress and counter the aggressive narrative against the LGBTQI community that is resulting in a negative impact on SRHR.

### **Tailor goals and requirements to small CSOs:**

Adopt realistic objectives and requirements for small local initiatives and informal groups to provide them with opportunities to apply for grants, since these are the most active in rural or conservative regions.

### **Increase the efficiency of communication with CSOs:**

Establish communication channels to avoid duplication of projects and the redundancy of funding for maximum efficiency. Additionally, contribute to forming collaborations among CSOs in order to build issue-based strategies.

**Adopt needs assessment policies:** Assess the field and map potential actors that are already active in providing SRHS or raising awareness on SRHR before trying to create new initiatives and build on what has already been worked on by these actors or any other potential actors.

**Create purpose-based partnerships:** Build partnerships between CSOs that are providing services that are similar to each other, complete each other or serve the same direct purpose, particularly those focusing on SRHR, to promote mutual growth and the development of complementary services.

### *Operational recommendations:*

**Limit reporting obligations:** Whenever possible, adopt less cumbersome reporting strategies, less strict deliverables, less specific audits and formalities. Additionally, create help desks to offer support for audits to CSOs that lack the expertise.

When deciding on a project budget consider allocating fees/expenses for work done that is crucial for the implementation of the project and that is unaccounted for, for instance workers' compensations particularly when they have peripheral obligations such as extensive reporting, networking, etc.

Attempt to evaluate the human and material resources needed for successful completion of projects more accurately, after consulting the concerned CSOs. However, if financial compensation proves difficult, adopt less constraining reporting obligations as they often require more work than is commonly estimated.

**Adopt less complex grant jargon:** Increase the clarity of conditions and requirements for grants and calls for proposals.



## On the relationships with communities and beneficiaries:

### General recommendations:

- **Collaborate with local CSOs for safe community access:** Use local CSOs for safe, discrete, and trustworthy access to local marginalized communities instead of conducting large-scale public outreach initiatives that may put these communities in danger.
- **Engaging Youth:** Engage all youth as actors of change, not only as rightsholders as they play a key role in building the progressive narrative related to LGBTQI and SRHR that will result in the expansion of civic space.
- **Communication channels expansion:** Amidst the current backlash, it is crucial to recruit more allies, especially those who are open to establishing a dialogue and are dedicated to protecting freedoms. Engaging with individuals across different sectors of the community (political, social, or religious) such as non-extremist groups and religious communities with a specific focus on conservative groups through talks, workshops or capacity building will contribute to shaping a positive opinion regarding the experiences, circumstances, and rights of marginalized communities, particularly women and LGBTQI individuals among these groups. This might result in gaining the support of a wide range of actors within Lebanese society.

### Programmatic recommendations:

- **Adopt community consultation and feedback policies:** Enquire with local communities about their wants, needs and evaluation and adapt projects depending on the feedback of community members.
- **Ensure fair rightsholders representation in the development of projects:** Regularly consult people from marginalized communities when projects concern them or their rights, e.g. when related to SRHR, and ensure that these marginalized groups, such

as the LGBTQI community, women, refugees, migrants, stateless individuals, individuals with disabilities, etc., are fairly represented.

- **Decentralize activities:** Develop civil society presence in geographically remote regions and decentralize activities to promote the growth of a more diverse and inclusive civic space and the understanding of SRHR on a broader scale.

## On the relationships with the private sector:

### General recommendation:

- **Raise awareness within the private sector:** Meet and collaborate with the private sector to raise awareness about its role for the protection of civic space and in advancing SRHR in Lebanon. Propose workshops and awareness sessions focusing on the measures through which private sector entities can contribute to those objectives, such as pricing measures or governmental pressure, and on highlighting their importance and potential influence in Lebanese society.



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## V. ANNEXES

### A. Annex 1: KII toolkit

#### State and public institutions

##### Knowing the actor

Who is the interviewee and what department do they work in at the Ministry? Is the department related to sexual and reproductive health rights, and how? Does this department address marginalized groups, including the LGBTQ community?

##### Regulatory framework

In what way does the regulatory framework around the actor's activity push it to impact civic space and interact with members of the society?

How does the agency actually interact with civil society (does it put constraints on the actions of civil society or citizens, does it protect them...)?

Does the agency interact with particular groups of people, in helping them or limiting their freedom (minority populations, LGBTI, youth...)?

##### Access to funding

Are there any laws that pose any type of obstacles or barriers to the Ministry receiving funding, especially from donor organizations that focus on sexual and reproductive health?

Do donor organizations attempt to impose a specific agenda with a focus on particular groups, such as the transgender community?

##### Administration and bureaucracy

Is there any bureaucratic influence within the Ministry that affects the progress and effectiveness of projects related to awareness and services regarding sexual and reproductive health?

##### Safety and well-being of people

In your work on the ground, do you or the individuals receiving services face any threats or intimidation?

##### SRHR and youth

How do you explain the variation in how different ministries approach sexual and reproductive health and LGBTQ+ issues?

##### Access to information and public voice

What about your access to media and advertising platforms for spreading awareness about sexual and reproductive health services?

##### Freedom of assembly, association and dissent

Does the current state of freedoms have a direct impact on the civil space in Lebanon, including the awareness of sexual and reproductive health rights and the rate at which people turn to specialized centers?

##### Dialogue and consultation

Does the state or ministries deal in an antagonistic manner with civil society organizations?

Is dealing with the Ministry to obtain and access information easy?

## **Access to justice and legal services**

How do you assess people's access to justice in Lebanon, especially for vulnerable groups?

## **Legitimacy and accountability**

How do you assess the work of civil society organizations and do you collaborate with these organizations? What about the accountability mechanisms for these organizations?

## **Recommendations**

What recommendations do you make to donor organizations to expand civil space and work on promoting and advancing sexual and reproductive health rights?

At what level should engagement be conducted for this purpose today?

## **Private sector**

### **Knowing the actor**

What is the actor's field of activity? What are its vision and mission?

How does the actor achieve its objectives? Apart from its business-oriented activity, does it contribute to Lebanese civic space in some other way?

How does the actor assess its own performance? Does it answer to another body in terms of results (in terms of business and social objectives)?

### **Regulatory framework**

What texts is the regulatory framework around the actor's activity constituted of (registration laws, prohibitions of some activities...)?

Are there specific legal texts or obligations forcing the actor to contribute to the development of civic space? And concerning the actor's CSR?

Are there plans, more or less advanced/serious, to amend said legislations?

How can companies resist complicity with government or regulations in matters that threaten civic space?

Apart from legal obligations, does your company have any voluntary commitments or soft-law obligations (code of ethics...) to support civic space in Lebanon? If so, how do you fulfill these commitments?

Do you organize seminars/trainings for your employees on such topics?

Are there any local, national or international partnerships that the company has entered into, concerning civic space development or CSR?

How does your organization incorporate corporate social responsibility into its operations, and can you share any instances where this has been directed towards enhancing civic space?

### **Access to funding**

How does the actor impact the access of civil society organizations and individuals to domestic and foreign funds? Does it fund civic space projects, executed by itself or third parties?

If yes, are there mechanisms or practices that specifically favor or discriminate against some organizations or agendas (e.g. LGBT organizations, minorities, sexual and reproductive rights agenda, etc.) or kind of activities (e.g. advocacy, election monitoring), particularly the ones concerning the actor's field?

Do you accept contributions from donors in projects related to the advancement of civic space, if you ever undertake such projects?

## **Administration and bureaucracy**

Do you deal with a lot of administrative procedures for your work?

If so, what administrative practices and procedures have facilitated your work? (examples: clarity and speed of bureaucratic procedures for permits, authorizations, or visas, affordability, transparency in decision-making, the number of permits required for activities, intensity of control, tax requirements)

Do you face prohibitions or obstructions via bureaucratic restrictions around certain topics (e.g. sexual and reproductive rights, LGBTI, extractives) or commercialized products?

How are your activities monitored through the administrative procedures of the government? (Invasive government supervision, regularity and strictness of reporting, consequences of negative monitoring outcomes)

## **Safety and well-being of people**

Do you face or witness severe restrictions or threats on/to your employees when performing their activities?

Do state authorities take such threats seriously, investigate or take appropriate action?

## **SRHR and youth**

What is your understanding of SRHR?

Do you think the private sector should have a role in promoting a protective understanding of SRHR in Lebanon?

Does your activity impact in any way the field of SRHR? What about the youth?

How do you take SRHR considerations into account in your work?

How do you consider your organization's impact on SRHR within Lebanese society? Do you consider your organization to contribute to the protection of these rights? And how?

What is your opinion about state institutions', other private sector entities' and non-profit organizations' impact on SRHR and the youth?

Did you ever undertake a project related to SRHR with the help of donors? (e.g. donors can help the private sector introduce new products that help the development of civic space, by financing procurement, market studies, delivery, help with government approvals... for products such as menstrual pads, contraception...)

## **Access to information and public voice**

Do you consider yourself politically, socially, or civically engaged? Do you choose to express opinions or positions pertaining to social change, SRHR, or any general public interest issue?

Do you find restrictions in your freedom of expression and the freedom to publish or campaign for your work?

Do you have access to media and the ability to share your views with the general public?

Do you know of the existence of intelligence units dedicated to the monitoring of communication activities (intercept calls, hackers, electronic information, etc.)?

Is your access to platforms to express your views dependent on the particular kind of view you want to share (for instance, a stance on women's rights)?

## **Freedom of assembly, association and dissent**

Do you participate in forming associations or partnerships with social or political objectives? Are there any restrictions on this activity?

In what ways does your company provide support to social movements in Lebanon, either through its core for-profit activities or through separate initiatives? Can you share any examples of such support?

How do you choose the civic society initiatives that your company will support? Is the decision business-based?

### **Dialogue and consultation**

Are you actively involved in decision-making or approached for meaningful consultation on policies by the government?

How can we characterize these spaces for dialogue? (E.g. antagonistic, consultations that are episodic, tokenistic, at the discretion of governments and involve limited numbers of organizations, vs structured and permanent forums, or even engaging and inclusive platforms for participation)

### **Access to justice and legal services**

What are the main restrictions to access justice and fair legal process in your opinion?

### **Legitimacy and accountability of civil society**

How would you describe the relationship between your company and civil society organizations in Lebanon? Do you actively engage with civil society when making decisions or seek their input on matters related to the civic space?

### **Recommendations**

What can large international organizations such as Oxfam do to help your activity, of course only the part concerning the development of civic space in Lebanon?

How can these organizations contribute to the development of dialogue and collaboration between CSOs, citizens, private sector entities and public sector agencies to unite them towards the goal of developing civic space in Lebanon?

## Non-profit organizations and private citizens

### Knowing the actor

What are the mission and main roles of the actor's work?

How does the actor achieve its objectives? What type of work (field work, research papers, law drafting...) does it contribute to Lebanese society?

What are the means available to the actor to achieve its objective? What are the main sources of its funding?

How does the actor assess its own performance? Does it answer to another body in terms of results?

### Regulatory framework

What texts is the regulatory framework around the actor's activity made up of? What are their objectives and rationale?

Are there plans, more or less advanced/serious, to amend said legislation in relation to its impact on the activity of civil society or private citizens?

In what way does the regulatory framework around the actor's activity push it to impact civic space and interact with members of society?

How does the agency actually interact with civil society (does it put constraints on the actions of civil society or citizens, does it protect them...)?

Does the agency interact with particular groups of people, in helping them or limiting their freedom (minority populations, LGBTI, youth...)?

### Access to funding

How is the actor impacted by state policies, laws or state agencies in its search for funding?

How does the actor impact the access of civil society organizations and individuals to domestic and foreign funds?

Are there mechanisms or practices that specifically favor, or discriminate against, some organizations or agendas (e.g. LGBT organizations, minorities, sexual and reproductive rights agenda, etc.) or kind of activities (e.g. advocacy, election monitoring), particularly those concerning the actor's field?

### Administration and bureaucracy

Does the actor deal with a lot of administrative procedures in order to pursue its work?

If so, what administrative practices and procedures have enabled or facilitated the actors in the operation of their work? (clarity and speed of bureaucratic procedures for permits, authorizations, or visas, affordability, transparency in decision-making, the number of permits required for activities, intensity of control, tax requirements)

Does the actor face prohibitions or obstructions via bureaucratic restrictions on certain activities (advocacy, public gatherings), topics (e.g. sexual and reproductive rights, LGTBI, extractives) or groups (e.g. religious minorities)? If yes, what kind of groups/topics?

How are the actor's activities and projects monitored through governmental administrative procedures? (Invasive government supervision, regularity and strictness of reporting, consequences of negative monitoring outcomes)

### Safety and well-being of people

Does the actor face or witness severe restrictions or threats to its agents staff, journalists, activists or human rights defenders when performing its/their activities?

Are (specific groups of) civic activists or their families (e.g. women, indigenous people, LGTBI), in the field of the actor or any other, being actively targeted by government agencies?

Do state authorities take such threats seriously, investigate or take appropriate action? Is there a certain level of impunity in these cases?

## **SRHR and youth**

Does your activity impact in any way the field of SRHR? What about youth?

Do you take SRHR considerations into account in your work, even when the activity doesn't concern them directly? What category of people do you view as the beneficiaries of these considerations?

What do you consider is your organization's impact on SRHR within Lebanese society? Do you consider your organization to contribute to their protection? How?

What is your opinion about state institutions', private sector entities' and other non-profit organizations' impact on SRHR and the youth?

## **Access to information and public voice**

Does the actor find restrictions in their freedom of expression and the freedom to publish or campaign as part of their work?

Does the actor and civil society have access to media and do they have the ability to use their voice and share their views with the general public?

Does the actor know of the existence of intelligence units dedicated to the monitoring of communication activities (intercept calls, hackers, electronic information, etc.)?

Do particular kinds of groups (women's rights, indigenous or minority populations, LGBTI, youth, etc.) have disproportionate difficulties in accessing information and finding platforms for public speech? Is the actor's activity subject to these limitations?

## **Freedom of assembly, association and dissent**

What are the main restrictions that limit the freedom of assembly and legitimate protest? Does the actor suffer from them?

Do particular kinds of groups (women's rights, indigenous or minority populations, LGBTI, youth, etc.) have disproportionate difficulties gathering and organizing?

## **Dialogue and consultation**

Are CSOs and citizens, specifically the actor, actively involved in decision-making or have they been approached for meaningful consultation on policies by the government? If yes, how are they involved, and by who?

How can we characterize these spaces for dialogue? (E.g. antagonistic, consultations that are episodic, tokenistic, at the discretion of governments and involve limited numbers of CSOs, vs. structured and permanent forums, or even engaging and inclusive platforms for participation).

Are there effective mechanisms for access to information, consultation and accountability of government institutions?

## **Access to justice and legal services**

What are the main restrictions to accessing justice and fair legal process in the case of civil society/for the actor?

Are specific groups of civic activists or their families (e.g. women, indigenous people, LGTBI) discriminated against by the legal system or have less access to justice than others?

Are there mechanisms put in place by the state to protect activists and human right defenders seeking justice after experiencing threats to their personal well-being?

### **Legitimacy and accountability of civil society**

Are there any groups which are marginalized within the bodies that represent civil society in engagement processes?

Are civil society organizations/Is the actor open, transparent, accountable, and engaged with their own constituencies?

Is the actor's activity respected and accepted by different audiences in society?

### **Recommendations**

What can large international organizations such as Oxfam do to help the actor face each of these difficulties?

Where does the actor believe that local and international organizations can focus their effort to develop civic space in Lebanon?

What type of operational measures/policies does the actor believe could be helpful to its activity in enlarging civic space in Lebanon?

enlarging civic space in Lebanon?

How can we characterize these spaces for dialogue? (E.g. antagonistic, consultations that are episodic, tokenistic, at the discretion of governments and involve limited numbers of CSOs, vs. structured and permanent forums, or even engaging and inclusive platforms for participation).

Are there effective mechanisms for access to information, consultation and accountability of government institutions?

## Religious Institutions

A particular set of questions was prepared for representatives of religious, as their involvement in civic space has specific peculiarities.

### Knowing the actor

As a religious authority, do people turn to you for assistance and support? What form does this support take? How do you provide support to people?

Can you collaborate with associations or organizations that focus on SRHR education, and under what conditions?

### Regulatory framework

Are there any legal provisions or texts that restrict your access to financial support from donor organizations for the purpose of providing assistance to those in need?

Is there direct state supervision or intervention in the work of religious courts?

### Access to funding

Does the government or any other entity support your efforts in any way?

Are there specific obstacles that hinder this type of support for religious institutions?

Is there a distinction today between support for religious institutions and civil society organizations, and if so, are the differences significant in your opinion?

### Administration and bureaucracy

Are legal proceedings bureaucratic and complex, and do they affect the applicants, especially in the context of personal status matters? In which specific areas are these issues found, and do they disproportionately impact marginalized and vulnerable groups, such as some women, for example?

### Safety and well-being of people

Do some applicants face threats or risks due to conflicts, such as custody disputes, inheritance, divorce, and others? Does the state intervene to protect the most vulnerable in these conflicts, or is protection left to the court's discretion?

### SRHR and youth

How do you interpret reproductive and sexual health rights, and what do these rights encompass? To what extent do you consider these rights to be important?

Do you, as religious authorities, educate people about these rights, especially young people, and in what context?

Are you aware of whether official institutions, the private sector, or civil society organizations educate people about these rights or provide such services, and how do you assess this approach?

Is the religious space closed to marginalized groups such as the LGBTQ+ community, and how is this group of people treated today?

In your opinion, who are the marginalized groups in Lebanon who are deprived of a civil presence or civil space?

### Access to information and public voice

Do you believe that media platforms are open and allow religious authorities to express their opinions and positions?

### **Freedom of assembly, association and dissent**

Do religious institutions face any restrictions on freedom of expression or the delivery of their message to the community?

Do you impose any restrictions on the activities of religious institutions? Do religious authorities play a role in narrowing civil spaces in Lebanon today, or not?

Is there a decline in religious spaces? It is said that the percentage of people who attend places of worship is declining among different sects. What is your opinion?

Do you consider that protests and gatherings pose a threat to civil peace and national security and tend toward sectarian division?

Why do you think religious authorities did not support the popular movement in Lebanon, which called for reform and the fight against corruption?

### **Dialogue and consultation**

How do you assess the relationship between the state and religious authorities in Lebanon, and how would you describe the coordination between the two parties?

At what levels does the state consult with religious authorities, and how do you describe religious influence at the level of power in Lebanon? (The dynamics of the relationship between religion and the state.)

### **Access to justice and legal services**

In your opinion, what are the obstacles to accessing justice in Lebanon? Are the obstacles the judicial system itself, or the cost of litigation, and how does this affect marginalized groups?

### **Legitimacy and accountability of civil society**

What mechanisms are in place to hold religious courts and humanitarian religious organizations accountable for their work?

### **Recommendations**

What are your recommendations for the parties involved in developing and expanding civil spaces in Lebanon?

## B. Annex 2: Consent form

### Informed Consent Form for the Report Mapping Lebanon's Civic Space Understanding The Challenges Faced by CSOs Working in SRHR

*SEEDS for Legal Initiatives and Oxfam*

#### **1. Purpose of the Study:**

The purpose of this research is to complete a national-level actors mapping exercise that involves a comprehensive assessment of the political, economic, social, legal and other roles the state, business and civil society actors, international actors and other key indirect influencers play (or not) to advance or limit the civic space in Lebanon.

We are looking to learn more about state and private sector institutions, active CSOs or groups and individuals and all other actors that form the Lebanese civic space, to be able to effectively provide the assistance and protection it is intended to provide with the objectives of participating in shaping and strengthening civic space through the activity of local actors.

The results and recommendations will be outlined in a final report for the benefit of Oxfam.

The project is funded and directed by Oxfam.

#### **2. Procedures to be followed:**

You will be asked to participate in an online interview via Zoom, that should last approximately an hour. Questions are related to your expertise or your organization's experience in the following nine dimensions:

1. The regulatory frameworks around your organization's activity
2. Access to funding and resources
3. Administration and bureaucracy
4. The safety and well-being of people
5. Access to information
6. Freedom of assembly
7. Dialogue and consultation
8. Access to justice and legal services
9. Legitimacy and accountability of civil society

Interviews will be recorded with your consent to facilitate transcription and the analysis of results. SEEDS' research team will have access to the recording and transcript of the interview. Anonymous results will be shared as part of the report to be published after the completion of the data collection. Direct quotes may only be shared upon your explicit agreement to identify you and your organization by name. If not, quotes obtained from key informant interviews (KIIs) can be featured in the report while safeguarding anonymity.

#### **3. Ethical considerations:**

There are no foreseeable risks in participating in this research beyond those experienced in everyday life. Confidentiality will be maintained and anonymity guaranteed unless, and until, you consent to be identified, with the organization you are representing, by name.

#### **4. Benefits:**

There are no direct benefits from participating in this study. The benefits lie, however, in our ability to develop tangible and achievable recommendations to provide support for the development of civic space in Lebanon upon the completion of this study.

**5.Right to Ask Questions:**

Please contact SEEDS with questions, complaints or concerns about this research. Questions about your rights as a research participant may be directed to Layal Sakr, lawyer at the BBA and SEEDS' Executive Director, Isakr@seedslb.org

Researchers: Verena El Amil, trainee lawyer at the BBA, verenaelamil@gmail.com and Karl Nohra, trainee lawyer at the BBA, karlnohra98@gmail.com.

**6.Voluntary Participation:**

Your decision to take part in this research is voluntary. You can stop at any time. You do not have to answer any questions you do not want to answer. By signing below, you also agree to record the interview.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

**7. Consent to include identifiable information** of the participant and the organization they represent.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date



## About SEEDS for Legal Initiatives

SEEDS for Legal Initiatives (SEEDS) is a non-profit organization founded in 2016 and based in Beirut, Lebanon.

We are an organization committed to empowering individuals in Lebanon and the MENA region by ensuring equal access to justice and legal protection.

Ashrafieh, Beirut  
<https://www.seedslb.org>



## About Oxfam

Oxfam in Lebanon has been delivering programs and creating an impact continuously since its inception in 1993. We are active in the sectors of inclusive economic development, humanitarian response and resilience, and good governance, with gender justice as a cross cutting priority. In addition, we are known for our policy, advocacy, and influencing work that is based on program evidence and continuous political economy analyses, tackling key issues related to poverty and rights in our engagement with external and internal stakeholders.

Sodeco, Beirut  
<https://www.oxfam.org/en/what-we-do/countries/lebanon>



