

Communique - Maharat Foundation

Maharat issues its periodic report on Freedom of Opinion and Expression: The Constitution Protects Us

Maharat issued today its periodic report on freedom of opinion and expression in Lebanon from February 15th till end of June 2020.

This period was full of allegations, summonses, and red lines restricting the public discourse, in a time where facts, criticism, and free flow of information are mostly needed. The executive director of Maharat Foundation Roula Mikhael says that “the past four months were featured by prohibition of insults and criticism of state institutions including presidency, judiciary, security forces practices, and religious figures.” The summonses of journalists and activists increased with no disclosure of the reason. Violence is used in almost all demonstrations and gatherings. Attacks on journalists and media workers on duty are frequently registered.

The Publications Court is still applying penal provisions restricting the freedom to criticize public figures. The judiciary continues to deal with information provided by journalists and activists about corruption, abuse of power and enrichment, as defamation cases against people in power and officials. This comes within discretion and complete concealment of public information. The judge of urgent matters overpassed his powers with a decision that banned the work of media institutions.

Impunity is still dominant amid all attacks on protestors and journalists, as investigations do not lead to any conclusions. The right to gather, protest and express opinion is oppressed with an excuse of disturbing public peace and abuse of public and private properties.

This period was also featured with attempts to amend the media laws, with no interference of the Administration and Justice Committee in charge of reviewing the current media law, and the attempts of the ministry of information, the national audiovisual media council, and the Information and Communication Committee to propose an electronic media law different from the law proposal that is being discussed in the Administration and Justice Committee. Mikhael questions the validity of discussing new laws amid the decrease of freedoms and systematic oppressions. “The discussions on separating the issue of media regulation from the issue of freedoms are an attempt to mislead the public opinion, as they are closely related according to all general principles, where media should only be regulated in light of freedom of expression principles that guarantee media freedom and free flow of information”.

Maharat Foundation considered in its report that the current economic and political crisis cannot be covered without providing protection for activists and journalists, and without a fair judicial and transparent discussion of policies and legislations. Maharat calls the executive and legislative powers, and security authorities to respect the constitution, and ensure the right to express and protest, and apply the access to information law instead of misleading the public opinion.

Maharat emphasizes the statement of Dr. Shebly Mallat included in the report that “the constitution protects you, you are right, and freedom of expression is ensured in the constitution which is based on the respect of public freedoms including freedom of opinion. Those who are prosecuting you are violating the constitution”