

Lebanon: A Hybrid Authoritarian Regime

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Abstract

This report examines the alarming human rights situation in Lebanon, arguing that the country should be classified as a hybrid authoritarian regime due to the prevalence of human rights abuses and the compromised state of its political institutions. The report highlights the corruption within the Lebanese judiciary system, which has led to illegal detentions and a lack of accountability for high-ranking officials involved in criminal activities. Furthermore, the report emphasizes the absence of freedom of speech and assembly in Lebanon, as evidenced by the government's violent response to peaceful protests, including beatings and intimidation by government officials. Additionally, the report discusses the significant influence of Hezbollah, a powerful and heavily armed non-state actor, on the government and its institutions. Through a comprehensive analysis of these issues, the report underscores the urgent need for international attention and intervention to address the human rights abuses in Lebanon and to promote the establishment of a more transparent, democratic, and accountable political system.

Introduction

Lebanon, a country with a rich cultural history and a diverse population, has faced numerous challenges in recent years, including political instability, economic crises, and the devastating Beirut explosion of 2020. Among these challenges, the alarming state of human rights in Lebanon has drawn increasing concern from the international community. This report seeks to shed light on the pervasive human rights abuses occurring within the country and to classify Lebanon as a hybrid authoritarian regime, necessitating urgent global intervention to promote democratic reform and protect the rights of its citizens.

The analysis in this report is grounded in a thorough examination of the Lebanese political landscape and the key actors involved in perpetuating human rights violations. The report evaluates the state of electoral competition, freedom of dissent, and judicial independence in the country, all crucial elements for the existence of a functioning democracy. Particular attention is given to the lack of free and fair elections, the suppression of freedom of speech, press, and assembly, and the compromised judiciary system that fails to keep the regime in check.

One of the key elements that contribute to Lebanon's classification as a hybrid authoritarian regime is the significant influence of Hezbollah, an armed non-state actor with considerable control over the government and its institutions. This report delves into the extent of Hezbollah's involvement in Lebanese politics and the implications of its power on the human rights landscape, including its impact on electoral competition, freedom of dissent, and judicial independence.

By analyzing the complex interplay of political, social, and economic factors contributing to the human rights abuses in Lebanon, this report aims to facilitate a better understanding of the situation, ultimately contributing to the development of effective strategies for promoting democratic reform and improving the lives of the Lebanese people.

1. Background and Context

Brief History of Lebanon's Political Landscape

Lebanon's political landscape has been shaped by a complex history of internal and external factors, including sectarianism, civil war, foreign intervention, and regional conflicts. After World War I, Lebanon was placed under a French mandate; the mandate established a confessional system that allocated political power based on religious affiliation, with the presidency reserved for a Maronite Christian, the prime minister for a Sunni Muslim, and the speaker of parliament for a Shia Muslim. Lebanon gained independence in 1943, but the confessional system remained in place. The civil war broke out in Lebanon in 1975; it was fueled by sectarian divisions, political polarization and foreign intervention. The war lasted 15 years, resulting in significant loss of life and destruction. In 1989, a peace agreement known as the Taif Agreement

was signed. The Taif agreement was aimed to end the civil war and reform the political system. This led to reduced presidency power and increased the role of the prime minister and the parliament all while maintaining the confessional system.

In 1990, Syria intervened militarily in Lebanon and established a dominant role in Lebanese politics for the next 15 years. In 2005 the assassination of former prime minister Rafik Hariri sparked mass protests and led to the withdrawal of Syrian troops from Lebanon. This event became known as the Cedar Revolution and marked a turning point in Lebanese politics. Since the Cedar Revolution, Lebanon has experienced a series of political and economic crises including a war with Israel in 2006, ongoing regional conflicts and interval political divisions.

Current Political Situation

Lebanon's current political situation is marked by a deep political and economic crisis with a paralyzed government, widespread protests, and a deteriorating economy. Some of the main parties include the Free Patriotic Movement (FPM), the Future Movement, Hezbollah, the Lebanese Forces, and the Progressive socialist party. Hezbollah is a Shia Islamist political and militant group that has been a major player in Lebanese politics since the 1980. This group emerged during Lebanon's 15 year civil war and took up arms against Israeli occupation. At the time, Israel had invaded the south of Lebanon to expel palestinian guerrilla fighters that were using the region as a base to attack Israel. Iran and its Islamic Revolutionary Guard Corps (IRGC) provided training and funding to Hezbollah. According to a 2020 US State Government Report (1), Hezbollah receives \$700 million per year from Iran. Hezbollah is led by Secretary General, Hassan Nsrallah, who took power in 1992. Hezbollah slowly integrated its way into Lebanese politics and is considered by many as a "state within a state". It is the only political party in Lebanon that maintains its military arm. The international institute for Strategic Studies estimated that in 2020, Hezbollah had up to twenty thousand active fighters and around twenty thousand reserves, with an arsenal of small arms, tanks, drones, and various long-range rockets. In a 2018 report from the Center for Strategic and international studies (2), it called Hezbollah "the world's most heavily armed non-state actor." In 2004, the UN adopted the UN Security Council resolution 1559 which called for all Lebanese Militias to disband and Disarm. Hezbollah currently violates this resolution.

Recent Events Impacting Human Rights

In recent years, there have been several events that have impacted the human rights situation in Lebanon. One big issue is the refugee crisis. Lebanon has been hosting a large number of Syrian refugees since the start of the Syrian conflict in 2011. This has put a strain on the country's resources and infrastructure, and has resulted in the marginalization of refugee communities and violations of their human rights. Refugees often face discrimination, limited access to education, healthcare, and employment opportunities, as well as poor living conditions in overcrowded camps. The Lebanese government has also implemented restrictive policies, such as curfews and forced evictions (3).

Migrant workers' rights have also been a running issue for years in Lebanon. Lebanon has a sponsorship system called "Kafala" for migrant domestic workers, mainly from African and Asian countries. This system has been criticized for fostering exploitation, abuse, and human trafficking. Migrant workers often have their passports confiscated, face long working hours without time off, and endure physical and emotional abuse. Some workers have even been driven to suicide due to the inhumane conditions they have faced (4).

Along with human rights abuse facing migrant workers and refugees, the citizens of Lebanon have endured a lot and the recent explosion at the Beirut port has only exacerbated their conditions. The explosion occurred on August 4, 2020, and caused widespread damage and loss of life. The explosion was caused by the improper storage of ammonium nitrate, and it resulted in the deaths of over 200 people, injured thousands, and displaced more than 300,000 people. The explosion also caused significant damage to property and infrastructure. Several officials in power were aware of the ammonium nitrate improperly stored at the port yet did not take action to remove it or make the public aware of it. Many officials were indicted however the investigation kept getting stalled and then eventually stopped by those in power. To this day, no one has been held accountable for what happened (5).

Lebanon has been grappling with a severe economic crisis that has had a detrimental impact on the living conditions of the population, leading to increased food insecurity, a lack of access to healthcare, and inadequate education opportunities. The crisis has also fueled social unrest and protests against the Government. The Lebanese pound (LBP) has lost more than 90% of its value since 2019. This has led to skyrocketing inflation and a sharp increase in the cost of basic goods and services, making them unaffordable for many people. The banking sector in Lebanon has also been dramatically hit with a shortage of US dollars, a freeze on deposit withdrawals, and a debt default by the Government. The economic crisis in Lebanon has gotten increasingly worse over the years due to the corruption in the Lebanese government. Riad Salameh, the governor of Lebanon's central bank for the past 30 years, was issued an arrest warrant by France due to his failure to appear for questioning in Paris. France alleges that Salameh and his associates have laundered more than \$330 million from Lebanon's public funds for personal use. Germany has also issued its own arrest warrant against Salameh. Not only are there charges against Salameh and his associates for laundering money, but charges also include bribery, fraud, embezzlement, and tax evasion. The central bank of Lebanon has also been accused of participating in a Ponzi scheme to pay off the country's debt and continue to fund the government's massive spending (6). Unfortunately, with the government stealing its own citizens' to pay off its debt, the poverty rate in Lebanon has only increased. The World Bank Estimates that the poverty rate in Lebanon has increased from 28% in 2019 to over 50% in 2021 (7).

2. The Electoral Competition and Lack of Free and Fair Elections

Overview of the Electoral System

Lebanon has a complex political system that is based on a power-sharing agreement between its different religious communities. The country's electoral system is also designed to reflect this power-sharing arrangement, with seats in parliament allocated on a sectarian basis. However, the electoral competition in Lebanon has been marred by a number of issues that have undermined the fairness and transparency of the process.

One of the key problems with the electoral competition in Lebanon is the prevalence of corruption and clientelism. Political parties and candidates often use their positions to distribute favors and resources to their supporters, in exchange for political loyalty and votes. This can create an uneven playing field, where certain candidates and parties have an unfair advantage over others. Another issue is the lack of transparency in the electoral process. There have been numerous allegations of vote-buying, ballot stuffing, and other forms of electoral fraud in past elections. The lack of independent oversight and monitoring of the electoral process has also contributed to the perception that elections in Lebanon are not free and fair. In addition, the sectarian nature of the electoral system can also limit the ability of certain groups to participate in the political process. Minorities and independent candidates may face significant barriers to entry, as the system is designed to favor the larger, established political parties.

Instances of Electoral Fraud, Manipulation, or Irregularities

In the most recent election, Lebanese observers from the Lebanese Association for Democratic Elections (LADE) recorded 3,600 violations on election day. Representatives of political parties stood next to supporters as they cast their ballot. There were also videos showing partisans of Hezbollah helping staff count the votes. According to Al Jazeera, "Ballot boxes that arrived from embassies and consulates abroad as part of the diaspora vote were at times broken and appeared tampered, while many polling stations did not even have electricity". Executive director of LADE, Aly Sleem said "they threatened our observers, did not allow them to take pictures of violations, and confiscated their mobile phones." Hussein Bassal, a photographer with the Lebanese digital media platform Megaphone, said Hezbollah partisans beat him after taking pictures at a polling station in southern Lebanon (8).

Impact of Compromised Elections on Human rights

Compromised elections in Lebanon have had a significant impact on human rights, particularly on the rights to political participation and freedom of expression. The Lebanese electoral process has been marred by systemic issues, such as gerrymandering, vote buying, and intimidation of voters, which have undermined the legitimacy and fairness of elections.

One of the key consequences of compromised elections is the erosion of trust in the democratic process. When citizens believe that their voices are not being heard, or that their votes do not count, they become disillusioned with the entire system, which can lead to political apathy and

disengagement. This can have a chilling effect on the participation of marginalized groups, further excluding them from the political process and perpetuating systemic inequalities.

Compromised elections also have a direct impact on freedom of expression and association. When political opposition is suppressed or persecuted, individuals and groups may be afraid to speak out and express their views, for fear of retaliation. This can lead to self-censorship and a culture of silence, which can stifle dissent and perpetuate the status quo. Additionally, when opposition parties are shut out of the political process, their ability to organize and advocate for their views is severely limited, further weakening the democratic process.

Furthermore, compromised elections can lead to a concentration of power in the hands of a small elite, rather than a diverse and representative government. This can lead to a lack of accountability and transparency, as those in power may be more focused on maintaining their own interests rather than serving the public good. This can result in human rights abuses, such as corruption, censorship, and repression, as those in power seek to protect their own interests.

In Lebanon, the compromised electoral process has had significant consequences for human rights, perpetuating a culture of impunity and undermining the rule of law. It is crucial that steps are taken to reform the electoral process, including ensuring the independence and impartiality of the electoral commission, implementing measures to combat vote buying and other forms of electoral corruption, and ensuring the inclusion of marginalized groups in the political process. Only through free and fair elections can the Lebanese people exercise their right to self-determination and ensure the protection of their human rights.

3. Suppression of Freedom of Dissent

Legal Framework and Restrictions on Freedom of Speech, Press and Assembly

Lebanon has a number of laws that restrict freedom of expression and dissent, including laws related to libel, defamation, and blasphemy. These laws can be used to target journalists, activists, and others who are critical of the government or who express opinions that are deemed offensive or controversial. Individuals who are critical of the government or who express dissenting views may face intimidation, harassment, or even physical violence. This can come from government officials, security forces, or non-state actors who are aligned with the government. Individuals who are critical of the government or who express dissenting views may be subject to arbitrary detention and prosecution. This can include being held without trial for extended periods of time, or facing charges that are politically motivated or based on spurious evidence.

Censorship and Control of Media Outlets

The government has significant control over the media in Lebanon, and there have been cases of media outlets being shut down or censored for reporting on sensitive topics or expressing

dissenting views. Lebanon's political system is based on a power-sharing agreement between its different religious communities, which can create a climate of sectarianism and limit the ability of individuals to express dissenting views that are critical of their own community. Recently, illegal detention of journalists and activists in Lebanon has increased and became a concerning issue that has received international attention. In August 2021, Lebanese security forces arrested several activists and journalists who were protesting against the country's deteriorating economic and political situation (13,14,15,16,17).

The arrests were widely condemned by international human rights organizations, as well as by governments and civil society groups around the world. The detentions were seen as a violation of the right to free speech and peaceful assembly, and were also criticized for being politically motivated. There have been calls for the release of those who were detained and for an investigation into the circumstances surrounding their arrests. The Lebanese government has stated that it is committed to protecting the rights of its citizens and allowing for peaceful demonstrations, but it remains to be seen how the situation will be resolved.

On June 8, 2023 a Kuwaiti media writer and producer Fajer Al-Saeed was prevented from entering the country. According to reports, the decision to deny entry to the journalist was taken by the former director of the general security in Lebanon, Abbas Ibrahim, who is affiliated with Hezbollah. Despite Abbas no longer being in power, the hold he placed on the journalist remained in place, preventing her from entering the country and no other official was able to override the decision (9).

Overall, the suppression of freedom of dissent in Lebanon is a significant issue, and it has a chilling effect on political discourse and debate in the country. To promote greater freedom of expression and dissent, there is a need for greater protection of human rights, greater accountability for those who engage in abuses, and greater respect for the rule of law.

4. Compromised Judicial Independence

Overview of Lebanese Judiciary System

The Lebanese judiciary system is a civil law system based on the French Napoleonic Code, with influences from Ottoman and Egyptian legal traditions. It is responsible for interpreting and enforcing the laws of Lebanon, as well as ensuring the protection of individual rights and liberties. The judiciary system is divided into a number of different courts and tribunals, which can be broadly categorized under the following branches:

1. Ordinary courts: These courts handle civil, commercial, and criminal cases. They are further divided into three main levels:

- a. Courts of First Instance: These courts are responsible for handling civil, commercial, and penal cases in the first instance. They consist of Single-Judge Courts and Collegiate Courts, which both have separate divisions for civil and penal cases.

b. Courts of Appeal: There are six Courts of Appeal in Lebanon, each covering a specific geographic jurisdiction. They review decisions made by the Courts of First Instance and can either confirm, modify, or reverse the original ruling.

c. Court of Cassation: This is the highest court in the ordinary judiciary system, and it reviews the decisions made by the Courts of Appeal. It ensures the correct application of laws and legal principles, and its rulings are final and cannot be appealed.

2. Administrative courts: These courts are responsible for adjudicating disputes between individuals and public authorities or public institutions. The State Council (Conseil d'État) is the highest administrative court, which hears appeals from decisions made by lower administrative courts.

3. Military courts: These courts handle cases involving military personnel and offenses related to national security. The Military Court of Cassation is the highest military court, reviewing decisions made by lower military courts.

4. Religious courts: Lebanon recognizes 18 religious sects, and each sect has its own religious court system, which handles personal status matters such as marriage, divorce, inheritance, and child custody.

5. Special courts: These include the Judicial Council, which is a court of exceptional jurisdiction that addresses high-profile political and security cases, and the Constitutional Council, which is responsible for reviewing the constitutionality of laws and settling disputes regarding parliamentary elections.

Despite its structured organization, the Lebanese judiciary system has faced numerous challenges, including allegations of political interference, corruption, and a lack of transparency. This has resulted in a significant loss of trust in the judiciary system among the Lebanese people. Efforts to reform and strengthen the independence of the judiciary are seen as crucial for ensuring the rule of law and protection of human rights in Lebanon.

Corruption and Political Interference in the Judiciary

Lebanon's judicial system has long been criticized for lacking independence and being subject to political influence. This is due to the fact that judges are appointed based on political and sectarian considerations, which can lead to conflicts of interest and political interference in judicial decision-making. A report from the International Commission of Jurists (ICJ) highlights concerns over political interference in the Lebanese judiciary. The report emphasizes that the process of appointing judges has been influenced by political considerations, and that the judiciary's independence and impartiality have been compromised as a result. A source reported "The independence and impartiality of the judiciary in Lebanon: a critical assessment and recommendations for reform" (2019) by ICJ (10).

The aforementioned ICJ report also discusses the lack of transparency in the appointment and promotion of judges. The report emphasizes that the criteria for these decisions are not clearly defined, and that this opacity has led to nepotism and favoritism in the judiciary.

Judges in Lebanon are not subject to effective accountability mechanisms, which can lead to abuses of power and corruption. The judicial disciplinary system is weak and ineffective, and there have been numerous allegations of judges engaging in corrupt practices or making biased decisions. Judges and the judiciary in Lebanon have also faced significant security threats, including threats of violence and assassination. This has led to a climate of fear and self-censorship among judges, which can compromise their independence and impartiality. Lebanon's judicial system does not meet international standards for judicial independence and impartiality. For example, the UN Human Rights Committee has criticized the political influence on the appointment of judges and the lack of transparency in the judicial system. Transparency International, an organization that tracks corruption globally, ranked Lebanon 149 out of 180 countries in its 2020 Corruption Perceptions Index. This ranking indicates a high level of corruption in the country, including in the judiciary (11).

The most recent judicial corruption scandal involving Riad Salame, the former governor of the country's central bank, has sparked outrage and renewed calls for accountability and reform. In August 2021, a leaked report from the Swiss attorney general's office revealed that Salame had allegedly embezzled millions of dollars from the central bank and laundered the funds through Swiss banks. The report also accused Salame of receiving bribes from Lebanese businessmen and politicians in exchange for favorable treatment. The allegations against Salame have raised concerns about the extent of corruption in Lebanon's financial sector and the complicity of the country's political elites. The case has also highlighted the need for an independent and impartial judiciary to hold those in power accountable for their actions. However, the fallout from the scandal has been complicated by the fact that Salame enjoys significant political and economic influence in Lebanon. He has denied the allegations against him and has accused his critics of engaging in a politically motivated smear campaign. The situation is still unfolding, and it remains to be seen how the case will be resolved. However, the allegations against Salame have underscored the urgent need for reforms to strengthen transparency and accountability in Lebanon's financial sector and to ensure that those in power are held accountable for their actions, regardless of their political or economic status.

The Lebanese judicial system is also under-resourced and understaffed, which can lead to delays in the administration of justice and a lack of access to justice for many citizens. A 2020 article from the legal news website "Legal Agenda" provides information on the insufficient funding and infrastructure faced by the Lebanese judiciary. The article explains that the budget allocated to the judiciary is not sufficient to cover its operational expenses, leading to inadequate facilities and a lack of resources for judges (12).

5. The Role of Hezbollah in Lebanon's Hybrid Authoritarian Regime

Hezbollah plays a significant role in Lebanon's hybrid authoritarian regime. As mentioned before, Lebanon has a power-sharing system known as confessionalism, which allocates political positions based on religious affiliation. The country's political structure is divided among various religious communities, with key positions reserved for specific groups. Additionally, Lebanon has experienced periods of sectarian violence and external interventions, which have further complicated its political dynamics.

Hezbollah, a Shia Islamist political and military organization has evolved into a powerful force within the country, with a strong presence in both politics and armed resistance. Here are some key aspects of Hezbollah's role in Lebanon:

- 1. Armed Resistance:** Hezbollah maintains a paramilitary wing that is considered one of the most formidable non-state armed groups globally. It originated as a resistance movement against Israeli occupation but has since expanded its military capabilities. This armed wing operates independently from the Lebanese Armed Forces and has been accused of undermining the state's monopoly on violence.
- 2. Political Influence:** Hezbollah has a significant presence in Lebanon's political arena. It has its own political party, which participates in parliamentary elections and holds seats in the Lebanese Parliament. Through its political activities, Hezbollah has gained substantial influence over key decision-making processes. This influence allows it to shape policies and wield power beyond its military capabilities.
- 3. Hybrid Governance:** Hezbollah's involvement in Lebanon's governance system is complex. On one hand, it operates within the framework of the country's political system, participating in elections and holding political offices. On the other hand, it maintains an armed wing and a parallel security apparatus, which gives it a level of autonomy and control outside the state's institutions. This duality blurs the lines between state and non-state actors and contributes to Lebanon's hybrid authoritarian regime.
- 4. Resistance Narrative:** Hezbollah's popularity and support base stem from its self-proclaimed role as a resistance movement against Israel. This narrative has helped legitimize its armed activities and gain support from the Shia community, which forms a significant portion of Lebanon's population. Hezbollah presents itself as a defender of Lebanon's sovereignty and a protector of the Shia community's interests, creating a sense of loyalty and solidarity among its supporters.
- 5. Regional Influence:** Hezbollah's ties extend beyond Lebanon's borders, particularly to Iran and Syria. It receives significant financial, military, and political support from Iran, which has allowed it to sustain its military capabilities and expand its influence regionally. Its involvement in

the Syrian conflict in support of the Assad regime further demonstrates its regional reach and its willingness to engage in regional power dynamics.

6. Conclusion

In conclusion, the findings of this report demonstrate that Lebanon is facing a multifaceted human rights crisis, which warrants its classification as a hybrid authoritarian regime. The factors contributing to this classification include the deepening economic crisis, a weakened and distrusted judiciary system, and the pervasive influence of Hezbollah on the nation's political landscape, thereby undermining freedom of speech and the integrity of the electoral process.

Lebanon's economic turmoil has exacerbated existing social, political, and human rights issues, further eroding the public's trust in the government and creating a breeding ground for human rights abuses. The lack of an accountable and transparent judiciary system not only perpetuates these abuses but also undermines the rule of law and the protection of civil liberties.

The powerful presence of Hezbollah in Lebanon's political arena has had a chilling effect on freedom of speech and expression, as the organization often employs intimidation and violence to silence dissenting voices. Additionally, the lack of a fair and transparent election process has further cemented the grip of established political factions on power while denying the Lebanese people their right to self-determination and true democratic representation.

Recognizing these challenges, it is crucial for the international community to continue monitoring the human rights situation in Lebanon and to exert diplomatic pressure on its government to undertake meaningful reforms. Such reforms should include a comprehensive strategy to address the economic crisis, the strengthening of the judiciary system to ensure its independence and impartiality, and the implementation of electoral reforms that guarantee the integrity and inclusivity of Lebanon's political process.

Only by addressing these fundamental issues can Lebanon transition away from its current hybrid authoritarian status and toward a more democratic and rights-respecting society. The future stability, prosperity, and well-being of the Lebanese people depend on the country's ability to make these critical changes and uphold its commitment to human rights and democratic principles.

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