



Report on Censorship in Lebanon (March 2003)

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A- Introduction:

Lebanon is a parliamentary republic. The executive power is held by the President (Maronite Christian) and the Council of Ministers headed by a Prime Minister (Sunnite Muslim). The Parliament, headed by a Shiite Muslim, is composed of 128 deputies; half of whom are Christians, the other half is Muslims. The judiciary power is generally submitted to the political authority both on its structural and functional levels.

Lebanon's armed forces consist of the Lebanese Army, who report to the Minister of Defence, and the Interior Security Forces (ISF), who come under the command of the Interior Minister. Several security bodies work within each of these military structures. The General Directorate of the "Sureté Générale" (SG is one of the security agencies) is part of the Ministry of Interior and enjoys wide range of powers and privileges. The power that the Intelligence and Security agencies have is a hotly debated issue in Lebanon. The President and the Prime Minister in 1969, respectively Fouad Chehab and Rachid Karamé co-signed a law dated December 16, 1969 that mentions the attributions of the SG. *"Article 5 of this law entrusts this organization with such large powers that all aspects of the Lebanese political, economical and social life are a matter for its concern"* according to the journalist Emile Khoury (L'Orient-Le Jour, Monday June 11, 2001). In addition to the counter-espionage mission and the fight against subversion, banned parties, secret or banned organizations, the SG has the right to obtain information about activities related to familial, non-profit, religious, sports, cultural, scouts, labour union, and employers associations, and to supervise authorized or unauthorized meetings. Even after the armed conflict came to an end in 1990, the status of freedom of expression has dramatically deteriorated. Efforts and numerous attempts of civil society bodies (unions- NGOs) failed to modify the authority's repressive behaviour in most cases. It is useful to note that the responsibility of Lebanese civil society for this deterioration cannot be ignored. The defeatist and opportunist attitudes of a number of labour union leaders or journalists contributed largely to create a "de facto" complicity.

The Lebanese press was considered to be the most free in the region. Theoretically, this freedom enjoys a double guarantee: The first being that of the Constitution, within which section B states that "Lebanon is a founding member of the United Nations, and is bound by the Universal Declaration of Human Rights and the other international instruments". Moreover, Article 13 of the Lebanese Constitution contains an explicit reference to freedom of expression, "Freedom of expression, that which is spoken or written, freedom of the press, freedom of assembly, and freedom of association are guaranteed within the limits as established by law".

B - The Press

1 - Local Press

The first to suffer from repression is the press. The number of political publications is limited by the government. In practice, this repression can be followed through two separate paths. Effectively, there was no direct censorship practiced extensively in Lebanon. Direct censorship was rarely exercised until 1976 and 1977, when Syrian troops began entering into Lebanon. The Syrian forces had access to local daily publications and imposed direct censorship. At that time, newspapers were published with blank pages (with censored articles missing). After the end of the armed conflict in 1990, there remained two types of limitations to press freedom: the Press law and the practice of self-censorship (red lines or taboo subjects) that was practiced by journalists. Each restriction is further discussed below.

- The first of these limitations is in the form of a judicial order: the Press law. The law currently in force in Lebanon, dates back to September 14, 1962, was followed-up by some decrees. Further, legal decree number 104 dated June 30, 1977 specifically cites the "ban on publishing". If printed information is erroneous or false, the publication has the obligation to publish a right of response in the same location that the article was placed (article 2). The sanction varies between 6 and 18 months imprisonment with a fine of 10 to 30 million Lebanese pounds. Those responsible for the publication of articles that might undermine civil peace (stability) are subject to a prison sentence of 6 to 18 months and a fine (article 3). According to article 12 of this same decree, it is prohibited to publish the following: facts of criminal investigations that have not been announced during a public court hearing; confidential investigations and information related to divorce cases, termination of marriages, child custody cases and the classified decisions of the Council or Ministers or the Parliament and its Commissions. It is the same for the cases examined by the Central and Judicial inspections, or for these documents, together with their supporting information, belonging to the public administration and considered to be classified, or for reports, letters, articles, photos, publications and information that infringes public morality. Publishing such information is punishable by three months to a year in jail, plus a fine.

It is also prohibited for non-political publications to publish articles, commentaries or news of a political nature. Each violation carries a fine that ranges from one million to two million Lebanese pounds (650\$ - 1300\$).

The legal decree limits the right of journalistic publications to report on the Council of Ministers minutes of meetings, or those of the Parliament sessions, and the Parliamentary Commissions.

That which has not been mentioned within the above mentioned legal decree related to libel, defamation, injury and insult is included in the general penal law. The penalty for defamation contained in a written publication is three month to a year in prison with a fine of between six and ten million Lebanese pounds. It is the same for insult, but with a penalty that runs from one to six months in prison. Insult and defamation are considered to be particularly grave if directed towards a Minister, Member of Parliament, or are based on ones place of origin, ethnicity, race or religion.

Article 23 states that "If a publication undermines the esteem of the President of the Republic, or that of a foreign head of state, the public instruction is directly launched without receiving complaints from the victim". The penalty for violating this article is two months to two years imprisonment.

Legal decree number 104 mentioned the preventive detention in cases of insult to the dignity of the President of the Republic through defamation, or of insults to religions and that may disturb public order or provoke inter-religious tensions¹

¹ Based on a dissertation entitled *Liberté d'information au Liban* written by Mlle Joyce ASSAF, student in (DESS) information and communication at the University of Saint-Joseph, under the supervision of M. Michel Touma.

- Self-censorship is the respect of the thin line known in Lebanon as "red lines", widely acknowledged by everyone. The process of self-censorship is carried out at two levels: The first is by the journalist him or herself, that being the one who writes the information and who is supposed to respect the moral &/or political boundaries. The second is the senior editor, who rereads the text written by journalists and watches meticulously to the respect of the "red lines". The degree of self-censorship depends on the newspaper itself, the variation being a function of the journalist's and the senior editor's character as well as the policy of each newspaper. Yet, the "red lines" remain the limit in general.

What are the limitations or subjects that press is not allowed to write about?

It is prohibited to criticize the political regimes and societies of "brothers or friendly" Arab states, particularly Syria (and recently Saudi Arabia), notably from a religious point of view. It is equally prohibited to criticize certain heads of States or Monarchs of Arab States, especially the Syrian President and the main Syrian leaders. Within the Lebanese context, it is prohibited to acknowledge any problem that "would incite hatred and intolerance" (a vague expression). It is prohibited to criticize, to a certain extent, the President of the Republic, the Lebanese Army and the intelligence agencies and mainly some of their senior officers. Until recently, it was prohibited to criticize the justice or the judges no matter what the critic is although some flexibility was recorded on this level in 2002. Another subject that was out of question until 1997 was the issue of Lebanese citizens who had been detained in Syria. It is only allowed to deal with the Syrian role in Lebanon under certain limits; dealing with some anti-Syrian opposition figures such as, among others, the General Michel Aoun or the jailed leader of the Lebanese forces, Samir Geagea, in a favourable style is badly perceived. This limitation, however, has broadened since the year 2000, and more precisely since the death of the late Syrian President Hafez el-Assad. The intelligence services and some advisors to the Presidential palace, or other political figures, often intervene at the level of the newspapers administrations to demand that a specific subject be highlighted or, conversely, that it be under stated. Photographers were often aggressed and their material confiscated mainly during student demonstrations held to protest against the Syrian presence in Lebanon.

All measures concerning Syria have been addressed by guarantees established in the Treaty of Friendship and Cooperation that was signed between Lebanon and Syria in 1991. It should be noted that nearly all these political taboos "red lines" are now gathered and mentioned in the official discourse within the expression: *"that which undermines the civil peace, security and stability of Lebanon"*.

In practice, journalists or the daily papers that do not respect the above mentioned two limitations are generally questioned and sued before the court. Several of such cases were reported between 1990 and 2002. Among them, were cases of physical aggression, psychological and moral pressure towards the journalists, following the publication of articles written during this period. It is appropriate, however, to distinguish between two different periods between 1990 and 2002:

- The first period ran from 1990 to 1998, which is equivalent to the term in office of President Elias Hraoui: The successive governments had imposed pressure on the press and the media. In 1996, over a period of ten days, three daily newspapers, *al-Diyar*, *al-Liwa'* and *Nida' al Watan* and two weekly journals, *al-Kifah al-Arabi* and *al-Massira*, were taken to court and condemned for defamation against the President of the Republic and the Prime Minister. They were charged with "inciting confessional dissension". The daily newspaper *al-Diyar* went before the court five times and the Director of the journal and his Editor in Chief risked jail sentences of between two months to two years and a fine that ranged from US\$30,000 to \$60,000.

- The second period began in 1999 and continues to the present day. There is some small progress (with the exception of 2002) in press freedoms when compared to reports of prior years. The current President of the Republic, Emile Lahoud, made an oath during his October 1998 nomination speech that no journalist would be arrested or harassed on account of his or her articles. In the year 2000, the Prime Minister, Rafic Hariri, committed himself to protect these liberties. In practice, the difference can mostly be seen in 1999, when no journalist was taken court, although the practice of self-censorship was reinforced. The weekly satire, *al-Dabbour*, which had ceased publication during the war years, resumed its distribution, within the limits of the "red lines". It is worth noting however that unlike President Hrawi's period, there was so far (since 1998) no single caricature (comics), even favourable, of President Emile Lahoud.

As far as the non political publications are concerned, generally the censorship targets what is of a sexual character or that concerns artists prohibited in Lebanon, generally from the Jewish community or who are accused of being pro Zionist. (See details within this report under the classification of artistic censorship).

Following is a non-exhaustive list of attacks on the freedom of the media that have occurred in Lebanon in the recent years:

According to a journalist from the daily newspaper *as-Safir*, the Prime Minister Rafic Hariri had demanded the SG in May 1993 the closure of the daily newspaper.

Joseph Najm, reporter for the weekly supplement to the newspaper *an-Nahar* for youth, *Nahar el-Chabab*, was detained in prison during March 1996 for three days because he had written an article about the anniversary of the Israeli invasion of Lebanon in 1982 and called for the withdrawal of all foreign forces from Lebanon.

In June 1996, three journalists were sentenced by the Court of printings. Youssef Hoyek, the responsible Director for the daily newspaper *ad-Diyar*, was condemned to three months in prison for defamation against a Member of Parliament. The journal's Owner and responsible director were sentenced to one month in prison for allegedly defaming the President of the Republic, Elias Hraoui. The prison sentence was later commuted to a fine.

A journalist of the daily newspaper *an-Nahar*, Pierre Atallah, was accused of publishing material that "threatened civil peace, disturbed relations between Lebanon and a neighbouring country, insulted the honour and reputation of the Lebanese army, and to have shown disrespect against the judicial authorities and the police". He was charged following an interview with the head of a pro-Israel Lebanese opposition party, Etienne Sacre, during the occupation of south Lebanon by Israel, who today is living in Cyprus. Sacre was condemned to death *in absentia* for collaborating with Israel. Atallah was also accused of "cooperating with the enemy". He had been arrested during a wave of arbitrary arrests which targeted the Christian opposition parties as a result of an attack on a Syrian minibus in the area of Tabarja (Kesrouan), on December 18, 1996. He was detained arbitrarily in the Ministry of Defence and tortured all in the space of one week. Following his interrogations in front of the military court on his professional activities and another physical aggression, Atallah sought political asylum in France where he still writes for *an-Nahar*.

In September 1997, the caricature (comics) artist from the daily newspaper, *ad-Diyar*, Elie Saliba, was accused of defamation in accordance with legal decree number 104. Charges were brought against him for the publication of a caricature drawing that suggested the political manipulation of justice. The case was not followed further.

In 1999, several daily newspapers were taken to court for having published excerpts from the book by Robert

Hatem entitled "From Israel to Damascus", a publication about the life of former minister Elie Hobeika and that is banned in Lebanon.

On October 11, 1999, some fifteen journalists, mainly from press photo agencies and television crews, accompanied the green activist group, Greenpeace, to Selaata (in the northern region of Lebanon) in order to protest the use of chemical materials at a factory that is located near the coast. The group was violently harassed, the journalists' material was damaged, and some journalists were arrested for several hours.

The journalist Paul Khalifé, who is currently the Editor in Chief of a French weekly publication, *Magazine* and, for a period a journalist of the daily *L'Orient-Le Jour*, was physically assaulted near his residence one evening in 1999 by unidentified individuals. Five days before, he has criticised the then current Prime Minister Rafic Hariri in an article. M. Khalifé brought a complaint; The investigation, however taken seriously, did not lead to any finding.

The Editor in Chief of the journal *al-Moustaqbal*, Youssef Bazzi, was arrested on February 21, 2000 for "identity proclamation" his position as an Editor", and for "defamation against the (then) Minister of Defence Ghazi Zeayter". He was freed after being placed in provisional detention in the jail of the Justice Palace in Beirut.

On March 17, 2000, several journalists (Ramzi Haïdar of AFP and Hassan Manla of the Associated Press) were hit by anti-rioting police during a demonstration of students who were protesting against the expulsion of four members of the Japanese red army to Japan; moreover, the journalists' film was confiscated.

During a demonstration Aoun's supporters (anti-Syrian opposition), which took place in front of the National Museum, in April 2000, a journalist from *L'Orient-Le Jour*, Michel Georgiou, was questioned by an agent of the civil police while he took photos of the demonstration. The agent confiscated his equipment. The journalist revealed his identity. The agent tried event to arrest him but he was pushed back by the demonstrators. Another photographer was knocked down by soldiers from the army.

Agents from the Lebanese intelligence service broke into the office of the daily *as-Safir* in March 2000 to demand more information about the origin of a flyer diffused by a leftist group.

The responsible director Joseph Nasr and the Assistant Editor in Chief Ounsi el-Hajj of the daily newspaper *an-Nahar* were convoked and then freed under bail on Friday December 8, 2000 by the General Prosecutor. The reason for their detention was the publication of an article written by a former army officer, Colonel Adnane Chaabane, which dealt with the unbalanced relations between Lebanon and Syria, particularly at the level of intelligence co-operation. They were convoked previously by the SG but refused the convocation because it did not come from a judiciary authority.

The Editor in Chief of the journal *an-Nahar*, Gebran Tuéni, was prevented from holding a Conference on Lebanese-Syrian relations at the college of Saint-Coeurs in Zahle in the year 2000. Unknown individuals "recommended" to the conference organizers cancelling the conference. It is worth noting that a security cordon was installed around the school where M. Tuéni was to speak.

In March 2001, the SG seized the passport of Samir Kassir, a journalist for the daily *an-Nahar* upon his return from the Arab Summit in Jordan. According to the SG, certain legal papers related to his naturalization (dating from the 1960s) of Kassir's family (who are of Palestinian origin) were missing. In fact, Kassir criticised in an article published some days earlier the General Director of the SG, General Jamil Sayyed and accused him of being behind "the state emergency measures" taken on the 14th of March during a country-wide demonstration

of Aoun's supporters and being behind the military intervention within the premises of the LBC TV station. Kassir was kept under surveillance for several weeks by civil agents of the SG. His passport was finally returned.

Several journalists and photographers were beaten on August 9, 2001 in front of the Justice Palace. They were filming a demonstration organised by anti-Syrian opposition parties that was severely repressed by the intelligence agents of the Lebanese army. Yehia Houjeiri, a Kuwait TV cameraman, was arrested by the police. It needed the intervention of the President of the Photographers' Union to obtain his liberty. Sami Ayad, a photographer for the daily *an-Nahar*, was struck by the police when he refused to hand over his films. Hassan el-Manla, of the Associated Press, was punched by a police agent when he refused to stop filming. An army soldier broke the camera of a journalist working for *L'Orient-Le Jour*, Karim Harfouche, for the same reason. All of these offences were not objected to any legal action.

In 2002, the SG sued and exercised censorship over several newspapers. On Thursday January 3 2002, the daily newspaper "*Asharq el-Answat*," which is based in London and simultaneously published in several capitals, was subjected to prior censorship (this prerogative is supposed to be the Minister of the Information's responsibility). The SG claimed that it was "a foreign publication" and retained it for several hours before its delivery. Three days earlier, the daily newspapers' front cover revealed an attempt to assassinate the President Emile Lahoud on December 28 in Monte-Carlo. In addition to receiving a delivery permit from the SG, the newspaper used to automatically receive an export permit. Permits began to be given on a day-to day basis. The daily newspaper's Saudi Editor in Chief Rahman Hamad Abdallah el-Rached was sued. He was arrested in Beirut airport and banned from leaving Lebanon. However, the matter was settled the following day and the man got on the plane. Finally, on January 10, the SG lifted the ban and indicated that the newspaper was Lebanese and as a result it could not be subjected to prior censorship.

On January 8, legal proceedings were initiated against the head of the daily newspaper ad-Diyar Youssef Hoyek because he published a former MP's (Jamil Chammas) complaint against Beirut's examining magistrate Sakr Sakr and "damaged the reputation of the justice and of this judge."

On January 28, Beirut's investigating judge called for a sentence of one month to three years against Mr. Mohammed Walid Zaki, the head of the magazine named *al-Watan el-Arabi*. He also initiated an investigation of Said Kaiss' complete identity. Said Kaiss wrote an article that mentioned the presence of several thousands of Syrian soldiers in the Lebanese Army and at the head of some Lebanese military units. The accusation says that "the article presents false information, damages the Lebanese and Syrian soldier's dignity, morale and reputation, and incites confessional dissensions."

Six journalists were hit on March 23, 2002 in Mazraa (Beirut). Wael Ladki (photographer at *As-Safir*), Ali Lamaa (photographer at *Al-Chark*), Mohammad Assi (*An-Nahar*), Samir and Said Baytamouni (LBC) and Khalil Hassan (*Daily Star*) were at the ruins of a recently collapsed building in the Mazraa when police agents started beating them, pushing them and later confiscating their equipments.

Legal proceedings were initiated against Saada Aalao, who is a journalist for the daily newspaper *as-Safir*, because she denounced the slowness and ill functioning of the judicial system. She was referred to the printings' court on April 8, 2002.

On July 2, a sentence of one to three years of prison was requested against two figures of the opposition: Rafi

Madayan and Joseph Nasr, the head of the daily newspaper an-Nahar. Both men were referred to Beirut's Court of printings. On August 9 2001, An-Nahar published an article written by Rafi Madayan, which "offended the army's reputation."

2 - International Press

Theoretically, the same standards and limitations are applied to international newspapers and magazines as that of the Lebanese media. A high level of attention is given to articles concerning Israel. In practice, international press is subject to preliminary control by the SG, who decides whether or not to authorize their distribution within the country. The SG can decide to ban or to censor (partially) any newspaper or magazine by giving or holding the permit for exportation or distribution. Several magazines are prohibited in Lebanon because they contain subjects of a religious or sexual nature.

On December 21, 1998, the *International Herald Tribune* was censured following the publication of two articles: one on the controversial film of the civil war showing the sectarian differences, the other an analysis completed by John K. Cooley of ABC about the peace process between Syria and Israel.

During the year 2000, the SG banned several foreign publications because of articles critical of Lebanon or Syria, namely articles related to the death of Syrian President Hafez el-Assad, the placement into power of President Bachar el-Assad, and Israel's withdrawal from south Lebanon. Several editions of the *Times*, *Paris-Match*, *Courrier International* (several articles contained in edition numbers 502 and 503), the *Herald Tribune*, *Le Monde*, *Le Figaro*, *Libération*, *Newsweek*, *The Economist* or *Financial Times* were not permitted to be distributed by bookstores. Often, those articles, or photos considered to be indecent, were simply torn out of the publications.

On another hand, during the Francophone summit of Beirut in October 2002, a French journalist, Gédéon Cotz, was declared *persona non grata* within Lebanon and was asked to leave the country within 24 hours. According to the official version, he was asked to leave because he was working on behalf of Israeli media. According to the unofficial version, which is unconfirmed, Cotz was expelled because he was a member of the Jewish community.

C - Audio-visual Media

At the end of the war, Lebanese TV channels reached the number of 52 and 100 radio stations due to the anarchy that prevailed within the country. Media distribution was rather communitarian (based on religious communities) in a way that every party, community, or influential figure owned a TV channel. In September 1996, the Hariri government decided to apply a controversial media law. The purpose of the law was to reduce and to regulate the number of television channels and radio stations, and thus reduce the sectarian and political tensions within the country. Many people, however, saw it more as a supplementary measure to control public life within the country.

The number of TV channels was reduced to four and the number of radio stations dropped to 11, among which only 3 were granted the right to broadcast news programs. The four television channels that were allowed belonged to prominent loyalist political figures, including the National Broadcasting Network (NBN), which was not functioning at the time of obtaining permission. TV channels that were close to the opposition were refused an operating license, (for example ICN). TV channel, New TV, which opposed the Prime Minister Rafic Hariri, was able to get the permission only under the government of Prime Minister Sélim Hoss in 1999 although it fulfilled all the legal conditions necessary to obtain a license in 1997, while Hariri was in office.

1 - Television

At the legal level, Decree number 7997, dating from 1996, prohibited the broadcast of information that may arise or incite sectarian or religious racism or that contains defamatory or disgraceful content. All programs and advertisements broadcasted by television must be viewed by the SG, a process that often takes one to several weeks thus resulting in broadcast delays. This constitutes often a mean of pressure used by the SG towards some TV channels, particularly in what concerns advertisements.

Prior to this preview by the SG, the TV channels practice self-censorship decided by an internal committee operational within every media. In principle, censorship on live broadcast is not allowed or practiced. However, the Council of Ministers can meet to decide if the program is acceptable or unacceptable. The criteria for censorship are the same as that applied to other media: material that addresses in a more or less favourable way towards Israel or the Jewish community is censored. The same applies to what concerns the allowed communities in Lebanon (for example the film « Jesus-Christ Superstar », a rock-opera dating from the 1970s, about the life of Jesus, has never been shown on Lebanese television). The Jewish comedy actors and artists, no matter what their nationality is, or of Israeli nationality, are theoretically banned. Among them: Paul Newman, Elisabeth Taylor, Patrick Bruel, Elie Semoun, Elie Kakou, Enrico Macias, Frank Sinatra, Jane Fonda, Jerry Lewis, Sophia Lauren, Louis de Funès (*Les Aventures de Rabbi Jacob*), Juliette Greco, Adamo, Mike Brant, and all that relate to hard rock music, such as: Iron Maiden, AC /DC, Guns N' Roses, Metallica, Ozzy Osbourne, and Nirvana.

Films that contain scenes of a sexual nature are censored. Only some seconds of such scenes are left to suggest the rest of the scene. The film rating system (smart censorship) does not exist in Lebanon.

As far as programs and news bulletins of a political character are concerned, TV stations subject themselves to self-censorship, in addition to the systematic harassment by intelligence agencies, except for live broadcasts. Within some TV stations, intelligence agencies place their own representative(s) within the news department to control the diffusion of information through news bulletins. Some information is completely banned of such news bulletins.

Several political opposition members do not have the right to appear on TV. This was the case of the late anti-Syrian opposition MP, Albert Moukheiber. Some months before his death in April 2002, Moukheiber participated in the talk show "Hiwar el-Amr" (LBCI) and proclaimed a series of political positions. The show was extensively censored that it was not broadcasted.

The former Prime Minister, General Michel Aoun, overturned in October 1990, waited seven years before coming on a new Lebanese talk show on MTV. The emission was at first prohibited by the then Minister of Information, Bassem Sabeh. But under pressure of the student movement, followed by a political crisis, the emission was authorized. Since 1990, General Aoun was not allowed to pass on TV but four times, three times on MTV and one time on LBCI. Several opponents were struck with the same prohibition and their participation in political programmes is a high risk for the related TV channels to be the victims of a legal action if they do not abide by the well known "rule of the game".

Following is a selected list of violations against the television channels that have occurred in recent years:

On February 11, 1999, Mohammed Jalloul, cameraman for the official TV channel, *Télé-Liban*, was kidnapped in the southern suburbs of Beirut. He was detained by the Lebanese intelligence services and accused of collaboration with Israel. He had to be judged *incommunicado* but he was freed six months later. No charges were ever filed against him. He resumed his work with *Télé-Liban*. Jalloul confirmed that he was tortured

during his imprisonment in the ministry of defence.

In August 1999, the National Council of audio-visual threatened to suspend the transmission of the TV channel LBCI because it broadcasted an interview with the then Israeli Minister of Foreign Affairs, David Lévy, in Jordan. The government finally gave up its pursuit of the accusation of LBCI. The TV Channel promised to take disciplinary measures against its office in Amman.

During the summer of 1999, a talk-show with the retired Magistrate Sélim Azar, prepared by TV channel al-Moustaqbal - then in opposition- was cancelled without any justification.

The cameraman of the satirical television program, « Taali" Si Assi », Georges Chidiac, was severely beaten in August 2000. The individuals beat him and left him to death in an olive grove near Jbeil. M. Chidiac suffered severe injury as a result of the attack.

Political pressure was exercised against the private TV channel LBCI by Minister Sleiman Frangié and MP Nader Souccar, who used to control the political programs of LBCI and the channel's news department through direct intervention with the administration and the employees. In March 2001, M. Frangié, in disagreement with the CEO of the channel, Pierre Daher called the army who invaded the premises of the TV channel.

The television channel MTV, close to the opposition risked legal proceedings at least two times during the year 2001, and was closed in September 2002. In February 2001, during the live broadcast of, « Sajjel Maw'af », General Michel Aoun, proclaimed hostile political positions towards President Emile Lahoud, and compared him to « Marshall Petain under the Vichy Regime ». The SG demanded the next day that MTV deliver an apology, and threatened court action. The SG equally requested an apology from the journalist in charge of the programme, Elie Nakouzi and decided to commence legal action against General Aoun for defamation. A copy of the program was immediately transmitted to the General Prosecutor to determine if legal action should be taken. A source from the SG had confirmed to the daily newspaper *L'Orient-Le Jour* on February 15, 2001 that "*Nakouzi should have been more affirmative and direct in his critique*" and further that "*he should have protected not only himself but also the head of State. (...)*".

In August 2001, after the wave of arrest that targeted the opposition parties and the aggression of students in front of the Justice Palace (August 6-7, 2001), MTV launched a series of campaign ads on civil liberties and publicly questioned the wave of arrests itself. This has caused a series of reaction from loyalist political figures who demanded MTV's immediate closure. The issue was finally resolved in the Council of Minister with MTV discontinuing its campaign without further legal action. The National Council of audiovisual criticized MTV and asked her to remain within the limits.

On September 4, MTV station *Radio Mont-Liban* and Jabal Loubnane radio stations (they all belong to Gabriel Murr, who is the opposition candidate at Metn partial elections) were closed by the Printings' Court because they were accused of electoral propaganda during Metn partial elections. The Supreme Court of Appeal confirmed this act in December. The police (ISF) expelled by force all the TV station personnel. Several employees were interrogated for a few minutes. Some employees, like Michel Aache, were beaten and trampled. The interior security soldiers did not have the authorization to close the TV station when it happened.

Demonstrators who protested against the closing of the station were knocked over by ISF soldiers and Intelligence agents in plain clothes. Tony Orian, who is one of the demonstrators, was hit on the head and was transported to the hospital. The Minister of Information Ghazi Aridi said it was a political decision. The Printings' Court built its decision upon Article 68 of the electoral code. This article allows the court to immediately close any media that violate electoral law. MTV was accused of broadcasting clips in favour of

Gabriel Murr during Metn partial elections three months earlier. The court that reached this decision was on judicial vacation when the file was transmitted. It brought in an arbitrary verdict without the presence of the lawyers for the TV station thus depriving the station of its defence rights. The matter was referred to the Printings court, on mere administrative transmission from the Prosecutor although the latter did not initiate public action and no complaints had been lodged against the station. This violates the penal procedure code and makes the judgment "inexistent" according to several Lebanese lawyers. This judicial theory indicates that a judicial act of which one element is missing is considered as inexistent, despite the fact that no text says this and that no court is needed to investigate (in this case, the absence of complaint and the disrespect of the defence's right). Moreover, the article of the legal code, which forbids electoral propaganda from the date of convocation of voters through the result proclamation, was specifically created for the electoral period, in order to assure elections' good unfolding. Therefore, this text is only applicable during the electoral period, which ends with the results' proclamation. Once the elections are over, the court does not have any reason to apply this article. Since this measure is preventive, it cannot be introduced three months after the end of the elections. However, the formulation of Article 68 is ambiguous and could allow any media's arbitrary closing. It is therefore necessary to amend this article in order to avoid any interpretation that could lead to an arbitrary decision. Finally, Justice Ghada Aoun, who is one of the three members of the Printings' Court, said the clips that MTV broadcasted during the elections were aimed at promoting the electoral process and encouraging people to vote, without advocating one specific candidate. The closing of MTV station created a real social and economic issue by throwing 453 families out on the streets.

The Nahar daily newspaper CEO, Gebrane Tueni, member of the opposition group Kornet Shehwane, was banned from a local talk show on LBC TV station in November. The programme was cancelled and other speakers were invited to replace Mr. Tueni.

Legal proceedings were initiated against the opposition TV stations (LCBI and MTV). They were accused of "inciting confessional discord" the day following Maazra massacre at the Fund for private school teachers' benefits on August 31.

A presenter of a cultural program, which is broadcasted on local TV (W.S.), was suspended until the end of the year because he denounced the police behaviour towards USJ students who demonstrated during the French-speaking world Summit. His program was suspended until the end of the year.

In December 2002, the Minister of Information Mr. Ghazi Aridi banned the broadcast of a program about Muslims' daily life in the United States, which had been prepared by an American Association (Council for American Muslim Understanding - CAMU), because of the "American political propaganda conveyed in the film." Despite Aridi's decision, the Future Television station broadcasted the program and received a "warning" by Aridi. The following day, the Minister justified his position by saying that "the United States are at war with Muslims and Arabs and that his decision was similar to the Egyptian authorities' and that it was previously confirmed by the President of the Republic and by the Prime Minister" (who yet owns Future Television channel). Aridi's justification was restricted to political motives and did not refer to any valid motives to ban a TV broadcast.

Legal proceedings directed at New TV station satellite transmission were initiated in late December. After the channel advertised a program on Saudi Arabia (which was supposed to be broadcast live), the Prime Minister himself interceded with the General Prosecutor in order to stop the program satellite broadcast, without any judicial proceedings. The General Prosecutor said his decision was "preventive" because the program was intending to insult the Saudi Arabian royal family and, consequently, it could jeopardize the relations between Lebanon and Saudi Arabia and he could not wait for the end of the broadcast to initiate proceedings. After being stopped for 4 days, New TV satellite broadcast was re-established at the beginning of January (2003) by

the Ministry for Telecommunications without any judicial proceedings. According to the (contested) law on television and radio, such a decision falls within the competence of the Council of Ministers. The Prime Minister Hariri justified his "personal and preventive" decision by the urgency of the affair (consequences on the relations between Lebanon and Saudi Arabia).

Censorship at the municipal level appeared this year for the first time in Lebanon. On January 28, the president of the town council of Kornet Chehwane, Ain Aar and Beit el-Kikko (Metn) decided to ban the broadcasting of pornographic movies on cable TV channels in his local administrative area. It should be noted that his prerogatives do not give him this power and an official censure already exists.

2 - Radio

What goes for television is equally applied to radio, especially for political material. In terms of music, hard rock is prohibited as well as music by Jewish artists, Israeli artists, or those in favour of Israel, such as pro-Zionists (see below).

With MTV, two radio stations belonging to the opposition candidate (at the Metn partial elections) Gabriel Murr, were shut down during 2002. Radio Mont-Liban, which only broadcasted music, was located in the same building as MTV, and Jabal Loubnane, that re-broadcasted MTV's political programs. Radio Mont-Liban continued its transmission 20 days later. Jabal Loubnane was shut down indefinitely as MTV.

D - Artistic Works

The SG has the authority to authorise or ban the entry of books, theatrical works, films (DVD and video cassettes), and laser disks and their distribution within the Lebanese market. Additionally, SG has the authority to censor all cinema productions, especially those that refer directly or indirectly to Israel or to the Jewish religion.

1 - Music:

The censorship targets particularly what could undermine religious feelings or what is linked, or could have a link with the Jewish religion, Zionism, or the state of Israel.

A "black list" exists that identifies artists' works that are not permitted to perform or sell disks in Lebanon. The artists on this list fall under one or more banned classifications: "satanic", judged to be immoral, of Jewish origin, or having performed with Jewish or Israeli artists.

Voices were raised to prevent Cheb Khaled from giving a concert in Lebanon in 2002 because he had performed with the Israeli singer, Noa. But at the end, the concert was held without disturbance.

The artists who have an Israeli visa on their passport are not allowed to enter Lebanon. Some of them were prevented even entry at Lebanese borders. _

a) CDs:

All music disks that enter Lebanon are subject to arbitrary censorship by the SG. This latter established a committee composed of community representatives, particularly from the Christian and Muslim communities, to decide which disks might interfere with religious sentiments. For example, a compilation of songs by *Buddha Bar* was prohibited because it contained versus that referred to Muslim music, which is prohibited by the

Muslim religion. Moral reasons can also form a basis for prohibition. For example, one music disk of the singer *Him* was prohibited because the disk cover photo could be interpreted as "a call to suicide ". Every disk that is suspicious is opened, meticulously examined, to the level of the photos and lyrics, and often listened to. Occasionally, certain photos are removed. If it is a question of nudity, the bodies are masked over with a felt pen. Those disks that are blocked by the SG are often not returned to their commercial owner. The system of « explicit lyrics » (selling the appropriate CD to appropriate categories of ages) is not applied in Lebanon.

The SG follows the rules of the Arab Bureau for the boycott of Israel. This was formerly common in Arab countries, but no longer exists except in Lebanon and Syria. These rules prohibit the works of several singers, musicians, and orchestra leaders, on the basis that they are « *pro Zionist* », or Israeli. But this does not practically mean that all artists of Jewish origin are prohibited. The SG had made progress in this area, particularly during the years 2002 and 2003: when the music of Frank Sinatra and d'Enrico Macias, two previously banned artists for several years, were allowed to be distributed within the country.

To this black list were added some hard-rock groups including *heavy-metal, doom, death, black, gothic...* In fact, since the second half of the 1990s, the youth who listen to this music were subject to purchase and considered by the State to be followers of Satan. The origin of these measures was the 1996 suicide of a son of a Lebanese General, who shot himself in front of other pupils at school. According to his friends, he listened mostly to hard rock music, particularly a 1980s group named Savatage. His suicide took place some time after the suicide of Kurt Cobain, of the American rock band *Nirvana*. Since then, this music was considered "devilish" and an incitement to suicide. The owner of the store where the officer's son purchased his music, Vittorio Tommardini, was taken to court and his store closed. Tommardini ended up fleeing from Lebanon. Overnight, hard rock became prohibited music in Lebanon and a black list was established by the authorities.

Several raids were carried out in the record shops to confiscate the music disks considered to be prohibited. The main target was groups most widely known and thus listened to within Lebanon. These included; *Iron Maiden, Nirvana, Metallica, Savatage* and *Guns N' Roses*. Several youth who listened and played this music were questioned during the second half of the 1990s. They returned to their home with shaved heads after several hours of being at the police station. The raids that were most widely carried out were within the clubs that played this type of music.

T. A., now living in Canada, was arrested and taken to court for the veneration of Satan. He had testified during a TV programme as to a feeling that he had when listening to Pink Floyd during his youth in the 1970s. He felt a hand pick him up and lift him within the air. He concluded that this hand could be none other than that of Satan's. T.A., who is approximately 35 years old, immediately was questioned. Several political personalities ended up intervening so that the charges against him would be dropped.

Hard rock music, with the exception of some groups from the 1970s, is still under censorship in Lebanon. One could say, without exaggeration, that only half of the rock music that is available on the market ever makes it into Lebanon.

Following is a sample list of artists included on the black list of music prohibited in Lebanon. They include Israeli singers, musicians from Israel, artists that are pro-Zionist: Benjamin Angorski, Amroni Hanna, Joe Amar, Ralph Bellam, David Hedra Galiantari, Diken Goralm Effi Metzger, Galia Atari, Gianni Morandi, Golubery, Gurion Inraël, Hadary, Hedva David Galiantary, Jeantal Robert, Mike Brant, Marti Eddie, Richard Anthony, Tsadok Savir, Theodor Bikek, Tova Gorati, Vincent Maria, Frank Sinatra (prohibited in Lebanon due to Zionist tendencies), Enrico Macias (prohibited in Lebanon as well as his other artistic works), Cantor Eddie, Esther Ofarim, Abdullah Ibrahim (songs that suggest attacks on Islam), Harry Belafonte (prohibited in Lebanon due to Zionist tendencies), Mires Vincent, Nissos Mathatias (Zionist tendencies), Barya Lancet, Rika Zarai, Micky

Morgan, Joamar, Juliette Gréco, Jules Rubin, Marino Marini (Zionist tendencies), Helen Shapiro (Zionist tendencies), Arik Einstein (Zionist tendencies), Manna Ahroni (Zionist tendencies), Yaffa Yarkoni (Zionist tendencies), Salvatore Adamo (Zionist tendencies), Gaston Ghenassia (Zionist tendencies), Theodore Bikel (prohibited in Lebanon as well as his other artistic works), Josie Katz, Sam Krauz (Zionist tendencies), Shoshana Damari (Zionist tendencies), Tova Porat (Zionist tendencies), Yossi Kouri (Zionist tendencies), Nehama Lipschitz (Zionist tendencies), Eris San (Zionist tendencies), Hedva Amouni (Zionist tendencies), David Taru (Zionist tendencies), Jennie Tourel (artistic work prohibited in Lebanon an account of Zionist tendencies), Isaac Stern (Zionist tendencies), Jack Lawrence (Zionist tendencies), Zubin Mehta (Zionist tendencies), Daniel Barenboim (Zionist tendencies), David Melech Israël (Zionist tendencies), Hevenu Shalom Aleichem (Zionist tendencies), Izhar Cohen (Zionist tendencies), the work of *Hava Nagila* (Zionist tendencies), Ilan Wirizberg (Zionist tendencies), Raoul Yourno (Zionist tendencies), Abi Ofarim, Jackie Amob (Israeli singer), Batya Lancet (Israeli singer), Rinat Yaron (Israeli singer), Marc Lavry (Israeli singer), David Krivoshei (Israeli singer), Jerry Lee Lewis (on the order of the Managing Director of the General Security dated December 30, 1999), Gali Atali, Jack Amon, Walter Maydan, Zima Omat.

The following is a sample list of rock bands that are prohibited in Lebanon, and thus "black-listed". At times there are groups that otherwise are permitted, but are prohibited due to the perversity of photos on their album covers. Some artists on the list are not related to hard rock music, but are included on the list for other reasons : Alice in Chains, Belly (only one album "Super Connected"), Black Sabbath, Bush, Carcass, Cinderella, Danzig, Dream Theater, Faith No More, Fishbone, Godspeed, Gun, Hole, Judas Priest, Kyuss, Machine Head, Manowar, Metallica, Mötley Crue, Motorhead, My Dying Bride, Paradise Lost, Quiet Riot, Anthrax, Black Crowes, Corrosion of Conformity, Deicide, Sepultura, Pearl Jam (the albums « Flame Pic », "Human Body", "Puppet" et "Headed Child"), Ozzy Osbourne, Pantera, Skunk Anansie (the album "Selling Jesus"), Slayer, Suicidal Tendencies, Terrorvision, The Almighty, Rollins Band, White Zombie, Kiss, Life of Agony, AC/DC, B-Thong, Biohazard, Body Count, Cannibal Corpse, Cemetery, Clawfinger, Def Leppard, Entombed, Gwar, Green Day, Helloween, Iron Maiden, L7, Megadeth, Morbid Angel, Napalm Death, Testament, Bad Religion, Candlebox, Dead Kennedys, Dio, Guns N' Roses, Obituary, Blue Oyster Cult, Poison, Skin, Slash (the guitarist from Guns N' Roses), Skyclad, Rage Against the Machine, Therapy, W.A.S.P, Helmet, Jane's Addiction, Ministry, Nirvana, Savatage, Tool, Soundgarden, Smashing Pumpkins, Rush (the album "Roll the Bones", because a skull is on the cover), Rancid, Melvins, Nine Inch Nails, Weezer, Sonic Youth, Sepultura, Pink Floyd (the album collection "Time Metal Head")...

It is however, worth noting that in practice not all of the aforementioned names are always prohibited. The albums of Juliette Gréco can be found on the Lebanese market, as well as those of Frank Sinatra, Salvatore Adamo, or d'Enrico Macias. It is important to note that in December 2002, the SG authorized a recent release by the group Nirvana to enter Lebanon on the basis that the album cover was non-offensive. This was done, without re-authorizing the group's earlier disks.

The SG often includes comments in his report to suggest why some disks were prohibited. Examples of his comments include: *"The record The Dogs D'Amour was prohibited because it contains hard rock songs that revere the devil. Within one of the songs, the singers speak through the mouth of Satan. Or, the album Punk Rock Essential Album was prohibited because it contained rock and roll and punk style songs that extol the suicide and denial of God and of Christ. Additionally, the singer of the Sex Pistols claims that he is an antichrist. Three records of Rainbow: Love Boat were prohibited because they include the actress Sophia Loren, who sings a song entitled Zoo Be Zoo Be Zoo, and is on the official black list of artists. Five records The Crooners Collection were prohibited as they included works by the singer Frank Sinatra"*.

On January 4, 2002, a number of music disks were seized from the Virgin Mega-store in Beirut by the Security General. Nearly all of the titles seized were rock titles, specifically hard rock.

As far as the local production of music is concerned, a copy of the music lyrics must be presented to the SG, who reserves the right to grant or not his approval to the groups.

b) Concerts and Musical performances

Singers and artists that are black listed are not able to enter to Lebanon. Further, any musician or singer who has an Israeli visa included in his or her passport is not allowed to enter the country. One of Anouar Barhem's musicians experienced this prohibition recently and Brahem performed the concert without him.

Musical performances must obtain a prior approval from the SG. Hard rock concerts are prohibited, as well as all those that could incite confessional hatred.

The *heavy-metal* group Iron Maiden had scheduled a performance in Lebanon at the end of the 1990s. The concert was not permitted by the Lebanese authorities.

In the autumn of 1999, the SG demanded that Maurice B jart makes some modifications to some of his ballet shows for confessional reasons.

In 1999, the Lebanese singer Marcel Khalif  was taken to court by the Muslim clergy for having used a verse from the Koran in one of his songs. The justice finally decided in favour of Khalif .

A debate was provoked around a performance in Baalbeck of the "Hymn of Hymns". Some suggested the show's prohibition for mentioning Israel many times. However, the show finally took place.

The rap group 666 was scheduled to perform at a festival in Lebanon in 2000, but was prevented from doing so because its name suggested a relation to a satanic group.

Voices were protesting against a concert in 2001 by the singer Patrick Bruel who is of Jewish origin. The concert was cancelled although the Lebanese authorities did not ban it officially.

2 -Film:

a) - Cinemas:

The SG issues "exploitation licenses" for films. It has the right also to censor a given film, either by cutting certain scenes from the film or by completely banning the film in cases where it contains scenes related to Judaism, Israel, sexual content or references to religion.

Since the beginning of the 1990s, a rating system has been in place that prohibits youth under a certain age from entering movie theatres to view films deemed to be inappropriate. The system is not widely enforced. Films containing scenes of a sexual character are prohibited to viewers less than 18 years of age. (Examples during the 1990s include *Basic Instinct* by Paul Verhoeven and *Fatale* by Louis Malle...)

It is, however, worth to point out that as of the beginning of 2002, notable progress was made at the censorship level. Nudity scenes were not anymore harshly censored, and the prohibition of minors less than 18 years of age from seeing designated films appeared to be being enforced. Films subjected to this ban are no more often censored when they contain nudity or sex scenes. An example is « *Killing Me Softly* », a film about the history of passion with sexual undertones with Joseph Fiennes and Heather Graham was not censored. Alternatively,

movies open to public are always censored when applicable, which is a violation to the art work itself.

In 1999, the SG censored almost one third of the Lebanese film of Director Randa Chahhal Sabbagh, entitled "Civilisées", a film that tells the history of migrant house workers during the war in Lebanon. In a letter, the Security General stated that certain scenes contained material that attacked religious beliefs and aroused religious intolerance.

In the beginning of the 1990s, the same fate hit the film « Le Tourbillon », which was also about the war in Lebanon and produced by the Lebanese Samir Habchi.

b) - DVDs

At the beginning of January 2002, the General Sureté organized police raids in *Virgin Megastore*, Beirut. They seized DVDs and CDs under the pretext that they "offended religious sentiments, customs and the regulations of the boycott against Israel." Among the seized movies, there were "My Fair Lady," "Ben-Hur," and "Jesus of Nazareth." These movies are regularly played on Lebanese TV channels (and TV programs are controlled by the General Sureté). The reasons for seizing the movies are the following ones: either names of actors, directors, producers, who have been banned for their "pro-Zionism" by the Office of Boycott against Israel, appear in the naming of these movies - among them, figure Stanley Kubrick, Paul Newman, Elisabeth Taylor, Jerry Lewis, Edward Robinson (Ben-Hur producer), and Merrish Corporation (which used to make movies with MGM but does not exist anymore); either some scenes are related to Israel's Jewish community, Hezbollah and Christian or Muslim rituals (*Keeping the Faith*, by Edward Norton, Strip-Tease with Demi Moore, because Burt Reynolds wears a Jewish yarmulke in one scene, *The Insider*, in which Al Pacino interviews a Hezbollah cheikh in Beirut...); either comprise erotic scenes (*Sense Empires*, by Nagisa Oshima).

All in all, 300 movies were seized, and more than 1000 DVDs. Additional titles that were prohibited include the film *Boy's Don't Cry* with Hillary Swank, a true story about the life of a transvestite teenage girl, *Caligula* with Tinto Brass, *Exotica*, with Atom Egoyan, *The Adventures de Rabbi Jacob*, *Life is Beautiful* with Roberto Benigni, *Romance* with Catherine Breillat, *The Siege*, which is about Islamist terrorism in the USA, *Shindler's List*, by Steven Spielberg, *The Last Temptation of Christ*, by Martin Scorsese with Willem Dafoe.

In December 2002, the film *Lucia y el Sexo* by Julio Medem was prohibited from being shown in Lebanon on the basis that a sexual erection appeared in one of the scenes. On the other hand, the showing of the latest film by Pedro Almodovar *Hable Con Ella* (Speak with Her) was permitted.

At the administrative level, it is necessary to note that the SG charges 50,000 Lebanese Pounds (USD 33) for each DVD, and not for each title. For every new import of the same title, the fees must be paid again.

3 - Theatre:

Play scripts must first be approved by the SG, who decides whether or not to grant the exploitation license. The criteria against which the work is judged are generally the same as that for other media works (attack on religious sentiments, incitement of religious intolerance, nudity scenes or immoral material).

The "Chansonniers de la Route", a Lebanese comedy musical-theatre group that used to perform comedies about Lebanese political life during the war, tried to show a new spectacle during the mandate of President Elias Hrawi. Almost half of the show was cut by the censorship.

The musical comedy *Hair*, which played in Beirut in 1999, contained a nudity scene that was eliminated from the

show.

E - Books:

Several works judged to contain material that attack religious beliefs or refer to the Lebanese war (particularly the period of General Michel Aoun) are prohibited. Censorship and surveillance is more frequent in works within the Arab language than that of books written in French or English. It is not known whether there exists a list of works prohibited by the Lebanese authorities. The book stores are not generally very cooperative in this regard.

In February 2003, the book "When my name became 16" written by Professor Adonis Akra (Lecturer at the Lebanese University and anti-Syrian political activist) was banned. The author was arrested for several hours, the ceremony cancelled and the books seized. The publisher was also convoked for interrogation. The book was about Akra's period of detention in the Ministry of defence in August 2001, in the frame of the wave of arbitrary arrests that targeted the opposition parties.

END OF DOCUMENT