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Lebanon: Bar associations are retaliating against critical Lebanese human rights lawyers

On 20 April 2023, the Council of the Beirut Bar Association (BBA) held a hearing on the case of human rights lawyer **Nizar Saghie** for speaking out against the freedom-restricting amendments in the Lawyers' Code of Ethics. In response to the new amendments, 13 lawyers, along with Nizar Saghie, filed an appeal before the Beirut Court of Appeals. Human rights defender Nizar Saghie is currently waiting for the Council of the BBA's decision. As a result of this public criticism, he is facing the risk of sanctions, including possible disbarment from the association under the new amendments.

[Nizar Saghie](#) is a leading Lebanese human rights lawyer, legal researcher and human rights defender. He is one of the founders of the Legal Agenda, a platform that monitors and analyses laws and public policies in Lebanon and the MENA region. He is also a pioneer of social policymaking, especially in relation to judicial independence, public property, the environment, marginalised groups, and public and union freedoms. Since the port explosion in August 2020, and the beginning of the ongoing economic and financial crisis in Lebanon, Nizar Saghie has been a key figure the call for accountability.

On 20 April 2023, human rights defender Nizar Saghie appeared before the Council of the BBA because he spoke out publicly against the amendments made to the Lawyers' Code of Ethics, the code which regulates the work of lawyers. The new amendments put heavy restrictions on lawyers' freedom of expression as it requires the head of the BBA's approval before engaging with the media. Nizar Saghie was questioned for 4 hours by the Council's 12 members who focused on his public criticism of the amendments considering it to be a "campaign to cast doubts on the Bar's national role." His lawyers were not allowed to accompany him despite his request.

The Council of the BBA summoned Nizar Saghie on 11 April 2023 and 28 March 2023 without clarifying the reasons. The human rights defender is still waiting for a decision as of the time of writing. He is facing the risk of sanctions, including possible disbarment from the BBA in retaliation to his public criticism without respect for due process and without referral to the Disciplinary Board.

In Lebanon, all practising lawyers are required to be members of the Beirut or Tripoli Bar Associations, which are regulated under Lebanese law. Violating the Lawyers' Code of Ethics, including the new amendments, can result in referral to the disciplinary Board in addition to penalties ranging from admonition to suspension of membership or even disbarment.

In response to these amendments, 13 lawyers, including human rights defender Nizar Saghie, filed an appeal before the Beirut Court of Appeals, which oversees union-related issues, against the Council's decision to restrict freedom and professional practice of the lawyers who belong to the association. The court held a hearing session on 13 April 2023, and a final decision is expected on 4 May 2023.

On 3 March 2023, the Council of the BBA approved [amendments](#) to the sixth chapter of the Code of Conduct and Ethics of the legal profession, specifically Articles 39, 40, 41, and 42, which cover lawyers' interaction with the media. These amendments prohibit Lebanese lawyers from participating in public legal debates or discussing cases before the judiciary in conferences, legal seminars, or media interviews, without prior permission from the president of the Bar Association.

This also applies to speaking out on any media outlet including television, radio, as well as social media. The amendments also restrict lawyers from criticising members of the Bar Association's council, including the president of the council, particularly during the council's elections.

Although the decision of the Council applies to lawyers registered with the BBA, the Tripoli Bar Association has been equally involved in silencing human rights lawyers, using its disciplinary authority in multiple instances. On 19 December 2022, the Disciplinary Council of the Tripoli Bar Association issued a decision suspending human rights lawyer [Khalid Merheb](#) from practising law for four months. The decision came after he published comments on social media criticising the Minister of Interior's [anti-LGBTQI+ letter](#) to the Directorate of Internal Security and Directorate of Public Security demanding the prevention of any gatherings that promote "sexual deviance".

In a more recent instance, [Mohammed Sabloun](#), a human rights lawyer defending victims of torture and Syrian refugees in Lebanon, was informed that the authorities are putting pressure on the Tripoli Bar Association to silence him. This is in relation to his social media posts which expose human rights violations, including cases of torture, by Lebanese authorities.

The escalating attempts of the Bar Associations to censor human rights lawyers coincides with a surge of [investigations](#) aimed at prominent state figures, including the Governor of the Central Bank of Lebanon and associates involved in the banking scandal, which caused a nationwide crisis that erupted in 2019.

Lebanese authorities have been increasingly taking series of [actions](#) to suppress freedom of expression. Human rights lawyers, judges and journalists in Lebanon have been playing a fundamental role in the protection of human rights, including in the protests and movements of the 17 October uprising in 2019. Lebanese lawyers were at the forefront of defending human rights defenders and activists who were arrested and detained. They also actively participated in various movements for major issues in Lebanon, such as the Beirut port explosion, the depositors' crisis, and international investigations targeting the Governor of the Central Bank of Lebanon and other prominent political figures.

Front Line Defenders is seriously concerned about the use of disciplinary measures and the lack of clear criteria for the imposition of disciplinary sanctions on human rights lawyers. It believes that the harassment and the continued restrictive measures being issued against human rights lawyers, including Nizar Saghieh, are in reprisal for their legitimate human rights work. Front Line Defenders believes that these actions will have a chilling effect on the work of lawyers and human rights defenders and reiterates that these actions undermine access to effective and independent legal assistance.

Front Line Defenders urges the authorities in Lebanon to:

1. Ensure that lawyers, including human rights defender Nizar Saghieh, are free from intimidation and interference in their work, especially those involved in the defence of human rights, the fight against corruption, the defence of the LGBTQI+ community and other issues of public relevance in the Lebanese context;
2. Ensure that the Lawyers' Code of Ethics guarantees freedom of expression and right to participate in public debate without prior authorisation;
3. Ensure that lawyers are not threatened with prosecution or other administrative sanctions for any action taken in accordance with their recognised professional duties, standards and ethics;
4. Guarantee in all circumstances that all human rights defenders in Lebanon are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.