

**Freedom of Speech and Human Rights in Lebanon:
A Raging Debate after Flagrant Abuses of Security and Judicial Authorities
Latest Violations against Attorney Rami Ollaik Much Concerning!**

*A facts report prepared by United for Lebanon (UFL) Alliance “United against Corruption” |
Beirut, June 14, 2021*

Rami Ollaik is a Lebanese *Attorney at Law* who has absolute faith in his country, Lebanon, and is adamant on uniting a divided homeland, with a marked focus on freedom of speech and individual liberties as main pillars. He had it overwhelmingly laid down in his first publication in 2008, *The Bees Road: ‘Live free or die trying’*. He was crudely arrested on May 27, 2021 by Lebanese security forces for criticizing the work of some judges on corruption files and lawsuits before Lebanese courts, where his detention, interrogation and trial constituted extreme violations of his individual privacy as a citizen and of his profession’s as a lawyer. Multiple serious infringements on his basic human and constitutional rights are the subject of this report; disgraceful acts blemishing the Lebanese judicial system and the Lebanese State and one of its ‘supposedly leading’ security apparatuses: The Information Division. Ollaik’s ill treatment involved breaches to the Universal Declaration of Human Rights, individual rights and international law treaties, Lebanese Constitution, and the laws protecting freedom of opinion and expression. The issue remains to be beyond Ollaik’s person and is of deep concern, in a nation that has hit rock bottom after being riddled with corruption and its presently associated and unprecedented meltdown.

Who is Rami Ollaik?

Rami Salman Ollaik is a Lebanese citizen, born on November 2, 1972 in southern Lebanon to a family living from agriculture and beekeeping. His parents main concern was providing a decent education for their four children, which had led them to move from one town to another during the Lebanese Civil War in pursuit of good schooling. These circumstances back then had played a prominent role in the formation of Ollaik's personality and the choice of his legal profession, after a diverse education in various undergraduate and graduate fields, culminating in publishing several works of his in Both Arabic and English, foremost of which is *The Bees Road*, which he has been known for. He is a lawyer at the Beirut Bar Association, a published author, a

beekeeper and university professor at the American University of Beirut (AUB) and a civil and human rights activist. He currently resides in Beirut.¹

During his Phd studies in resource economics at the University of Florida, Ollaik came to the conviction that improving Lebanon's *sad* reality had to begin with its transformation into a country where peace and democracy prevail by first creating a platform for dialogue and understanding among its citizens. For this purpose, Ollaik had continuously attempted establishing a national civil ground and various bodies that bring together citizens and independent civil forces, including 'Lebanon Ahead' movement as a manifestation of his Bees Road cry, the *orphan* 'October 10 Revolution' of 2013 as a carryover of the 'October 10 Student Revolution' of 1994 staged at AUB, the launching of and participation in the 'Garbage Crisis' uprising of 2015 and so.

In 2016, Ollaik, with a group of Lebanese lawyers, founded United For Lebanon Alliance 'United Against Corruption' (UFL) to create a renewed context in Lebanon aimed at combatting corruption chiefly through reforming the judiciary and public institutions. The alliance took upon itself to open wide the files of corruption that have plagued the court system and public administration, through filing numerous solid lawsuits in its lawyers' names in order to push for changing a culture of 'lawlessness and lack of accountability' prevailing in Lebanon.^{2 3}

What is UFL?

After starting with a number of lawsuits against acts of corruption, Ollaik and fellow lawyers and civil rights advocates formed UFL in 2016, after having anticipated the scale of the Garbage Crisis of 2015 to escalate dramatically in the following years. They were convinced that the realm of the disaster back then found its roots in the Lebanese judiciary. In Lebanon, the judiciary has been subject to the influence of political and sectarian leaders and emulated their interests, leaving behind a country ruled by an *effectively outlawed* court system. This has become the main ground of UFL's attention which efforts would turn fruitless once the judiciary remains corrupt and biased.

The state of unfairness and abuse of the people has become entrenched as an overall sentiment for the Lebanese, who have been lately the victims of schemes of plundering their assets and severely worsening their livelihoods on most levels. More specifically, the enormous embezzlement of public funds and concluding suspicious monetary transactions by the country's

¹ https://en.wikipedia.org/wiki/Rami_Ollaik

² UFL website - <https://www.unitedforlebanon.com>

³ Mapping of Corruption Practices of Government Control Entries and Legal Reform and Policy Recommendations for Combatting Corruption in Lebanon. Rami Ollaik, October 1, 2020. A study conducted for the EU delegation to Lebanon. *Unpublished Report*.

rulers, influencers and the banking system have left most of the Lebanese appallingly ripped off and humiliated, not only in their homeland but also abroad. The prevailing state of corruption has kept those of highest public ranks and their associates elusively safe from any kind of accountability and thus exposed the judiciary's own corruption turning it to more of an *insurance apparatus* for those high-rank perpetrators. As such, the judicial reform through an effectively independent court system constitutes the main bridge to any other reforms and to the reconstruction of the state's public sector.^{4 5}

UFL operates upon three pillars: Filing evidence-based lawsuits; creating public awareness through media and social media communications; executing sit-ins and peaceful demonstrations. Since its founding, the alliance has filed numerous anti-corruption suits against public and private institutions, with partly achieving concrete positive results that have helped in reinstating the people's hope in forthcoming change. The alliance does not follow any political party and has no political agenda at all, and it is determined with not fear on telling the truth and identifying the root causes of the Lebanese atrocities. It is now in the pursuit of taking sensitive anti-corruption files to international platforms and judiciary where thorough local judicial follow-ups have turned to no avail, at all costs.⁶

Evidently and with adhering to full transparency, visibility, accountability and uncensored free opinion, UFL has modestly become a reference for many Lebanese citizens, particularly after having publically demonstrated free will, bravery and vigor in its members' quests. A resulting elevated awareness of the public has equipped UFL with recently formed allies and supporters, markedly after steadily pushing forward locally and internationally with exposing significant corruption cases such as those of solid waste, waste water and landfills,⁷ Beirut seaport explosion,⁸ Central Bank, banks and exchange institutions,⁹ persecution of peaceful demonstrators and threats to freedom of expression, abuse of the rule of judiciary and judicial police and so on. UFL simply is the voice of every Lebanese who wants a free, progressive, democratic, just and sovereign Lebanon.¹⁰ Further, Martin Jay, a renowned world journalist,

⁴ "UFL is currently working on documenting seven files regarding the corruption in the Lebanese Public Sector, the alliance is formed by members of the civil movement and its groups, who all agree on the importance of an independent and fair justice system and that a nation could never evolve without accountability." *An article published in Annahar newspaper. November 21, 2017.*

⁵ "United Alliance initiative has the impact of educating people and voters about living defense and promoting accounting through multiple media, including digital media." - *Oxfam, Lebanon, May 2018.*

⁶ UFL website - <https://www.unitedforlebanon.com>

⁷ Garbage Crisis file. UFL website - <https://www.unitedforlebanon.com/en/files/4/the-garbage-crisis>

⁸ Beirut Seaport Explosion file. UFL website - <https://www.unitedforlebanon.com/en/files/64/port-bombing-lawsuit>

⁹ Banking Corruption files. UFL website - <https://www.unitedforlebanon.com/en/files/16/banking-corrption>

¹⁰ "UFL: aims to reach a fair and independent judiciary by alleviating the influence of politicians and promoting effective politicians accountability in various public areas." An article published in Annahar newspaper, November 21, 2017.

elaborates in his article on UFL's efforts post Beirut seaport explosion and the alliance's mode of action and its specific input for uncovering the truth about the blast.¹¹

Rami Ollaik: Prisoner of conscience

Having harnessed all his energy to fighting corruption within the Lebanese state for the past five years, Ollaik continues through UFL with combating judicial, administrative and financial corruption in all its forms and types. Doing so in the absence of true accountability, he has kept organizing and gradually staging bold moves in order to draw the Lebanese attention to the proper and operational anti-corruption means, especially after a state of public *numbness* following the viciousness of citizens' attempts to break through and move forward. This has been the case in particular after countless mishandlings and cruelties have been committed by judges, mainly public prosecutors, who have been in the first place entrusted with acting on behalf of the Lebanese in accordance with the principles of justice and fairness. Hence and on the anniversary of the *blocked* October 2019's uprising, UFL launched its slogan 'Revolution against the Corrupt Judiciary' in an attempt to push biased judges and urge sincere ones to exercise their real duties and issue true verdicts against perpetrators of corruption crimes, away from all pressures.

A recent manifestation of the level of recklessness pushing the cycle of corruption to expand further has been witnessed with the State Attorney General, Judge Ghassan Oueidat, amid his long-lasting determination to prevent any real anti-corruption suit from achieving any breakthrough. A large number of such lawsuits submitted to him by UFL and other parties have not even seen the light of investigating the facts as they were dismissed or *filed* by the Public Prosecutor, Oueidat. Of these suits have been many associated with 'The Burglary of this Era' conducted by the Lebanese Central Bank and banks according to the French President, Emanuel Macron, and the trailing media outlets. Consequently, a campaign was organized by UFL and its allies, primarily under the name of 'The Smart Revolution' and its slogan 'Rising of the Judiciary' with the purpose of questioning the status of filed anti-corruption claims; with the quote, 'What have you done, Ghassan'.¹² A number of banners voicing out this cry for justice have been peacefully raised in some Lebanese areas.¹³ Afterwards, a young college student,

¹¹ "United for Lebanon (UFL), a maverick group of lawyers who are fighting corruption in Lebanon, lodged their unprecedented case this week against 28 judges, government ministers and army commanders." Martin Jay, EU set for deeper intervention plan in Lebanon, August 20, 2020.

<https://www.trtworld.com/magazine/exclusive-eu-set-for-deeper-intervention-plan-in-lebanon-39280>

¹² "What have you done, Ghassan?" A campaign involving the question, 'What have you done with over 35 anti-corruption files; what happened to them?' The link to a video showing this is found at UFL's Facebook page - <https://fb.watch/5YqcpU2h8x//>

¹³ The campaign of 'What have you done, Ghassan' was launched to urge the Lebanese judiciary, particularly the Attorney General, to take an active role and follow up on the filed cases before him; the campaign has turned into a

Charbel Razzouk, was arrested on the night of May 25, 2021, followed by the arrest of the campaign activist and teacher, Tony Orian. Vocal support to both was offered by Ollaik and UFL, especially after Judge Oueidat sent a threatening text message via WhatsApp to one of the campaign activists post Razzouk's detention, which literally stated, "Pay time." It was outrageous and utterly disappointing to have such a threat in such a way coming out of Lebanon's Attorney General for the mere fact of questioning his unlawful dismissal of anti-corruption suits, with the relevant crimes against the Lebanese people as evident as sunshine. It was only a matter of time for Ollaik to loudly adopt the campaign, with raising many questions and concerns about Oueidat's actions and ulterior motives, political and such, behind the arrests,¹⁴ as well as the level the judiciary had stooped into.¹⁵ Ollaik later filed a lawsuit, added to many earlier that went in vein, against Oueidat before Judiciary Inspection Council.¹⁶

In light of the above, Oueidat asked for the prosecution of Ollaik on May 26, 2021, and through the former's political influence the Higher Judicial Council was implicated in supporting the prosecution on the count of issuing verbal offences of slander against the judiciary. Accordingly, Ollaik was asked by a phone call that day from the judicial police, Information Division, to show up before the Division officers for interrogation. Ollaik in turn told the calling officer, Captain Jad Daou, that he was at the full disposal of the Head of Beirut Bar Association, in accordance with the law that clearly prohibited the interrogation of an attorney before a police officer and limited that to be exclusively carried out before a judge. A half hour afterwards, Ollaik received another couple calls from Daou, this time asking him again to show up but on behalf of Assistant Attorney General, Ghassan Khoury, as it turned out that Oueidat could not act as a plaintiff and a ruling judge at the same time in the same case; still this was ironically illegal as well, Khoury being Oueidat's assistant which did not lift the conflict of interest issue. But this did not seem to matter in a lawless state with deliberately illicit 'law enforcement', save the applicable laws and regulations entitling the prior notification of the Bar Association, which was not the case. Alternatively and in view of Ollaik's adherence to the rule of the law, Oueidat and Khoury issued two subpoenas requesting to forcefully bring in Ollaik for questioning before police officers, further breaking the law and violating the fundamental basis that fosters the cooperation and coordination between the judiciary and the bar association to ensure the proper practice of justice.¹⁷

trending topic and hashtag and can be found on UFL Facebook page, among other media landings. The specific wording of the campaign's main images is shown at the end complementary references to this report.

¹⁴ "Bar Association protests against 'Police State.' An article published in Al-Akhbar newspaper on political conflicts and their impact on the judiciary. May 29, 2021.

¹⁵ Ollaik defending activists Tony Orian and Charbel Razuk and demanding his release. A video from UFL Facebook page - <https://fb.watch/5Ysp-DhpGL//>

¹⁶ Complaint before Judicial Inspection Council against Judge Oueidat and his aides - <https://www.unitedforlebanon.com/ar/article/632>

¹⁷ Ollaik's attorney Cynthia Hamawi's statement about violations of Ollaik's arrest. A video at UFL Facebook page - <https://fb.watch/5Yrv4Yo0Fz//>

On the afternoon of May 27, 2021, Ollaik was at his law office when received a phone call from Head of Beirut Bar Association attorney Melhem Khalaf asking him to meet him at the bar building, across the street from Ollaik's office. While moving right away, Ollaik was illegally captured (*abducted*) in front of his office in Adliyah area by members of Information Division in a manner violating his basic human and constitutional rights and was beaten physically and morally assaulted and forcefully taken to the headquarters of the Division.¹⁸ Surprisingly, after contacting the officials in the Information Division to check if Ollaik was detained there, Khalaf was informed that Ollaik was not in there, just as they did with the previous detainee, Charbel Razuk who had been in turn further assaulted and who's whereabouts had been falsely reported to attorneys Khalaf and Ollaik; he had been also referred to as a criminal of 'prostitution and drug dealing,' all unfounded and summoning to 'abduction by law enforcement officers.'¹⁹

During the arrest, Judge Khoury issued an order to transfer Ollaik's cellphone to 'technical analysis' for the sake of breaking into his private information, contrary to the pledge made the Division's officers for law enforcement, which constituted as well a violation of Ollaik's professional confidentiality protected by law, as an attorney; let alone the violation of his privacy as an individual, which was by no means justified. Ollaik then declared his full hunger strike in protest, as of the start of May 28, 2021.²⁰

A first interrogation session for Ollaik was held before Judge Khoury. The session started with a statement by Ollaik pointing out the unlawful procedures proceeding the session. He demanded as well as attorney Hamawi and the Bar's representatives, Bazerli and Martinos, nullifying the session, accordingly.

Khoury appeared confused, and he stumbled over the illegal issuing of his subpoena. Yet he insisted to have the session held. He told Hamawi and Bazerli of his intention to release Ollaik after being convinced that no crime justified his arrest as such. Unfortunately, he retracted his decision to release Ollaik under pressure from the State Attorney General, Oueidat, and Head of Higher Judicial Council, Judge Suhail Abboud, who both, according to Khoury, asked to "keep Ollaik arrested at any cost." Khoury then decided to step aside and send the file to Beirut's Appellate Public Prosecutor Judge Ziad Bou Haidar. The latter decided to persecute Ollaik, and he sent the file on the same day (Friday May 28, 2021) to his assistant Judge Yahya Ghaboura,

¹⁸ The incident of Ollaik's violent arrest, as shown by videos at UFL Facebook Page -

<https://fb.watch/5YqVJ5f44h/>, <https://fb.watch/5Yr39TM0Ng/> and <https://fb.watch/5Yr8kA39ri/>

¹⁹ Through means of extortion, the other detainee, Tony Orian, was also threatened by the Division's officers to break into his house and humiliate his wife and newborn, if he did not deliver his cellphone to the Division.

²⁰ The break into and disclosure of attorney Ollaik's private and concealed information despite being illicit acts was voiced out through a press release on June 3, 2021.

<https://www.unitedforlebanon.com/ar/press-juridical/648/%D8%A7%D9%84%D8%AA%D9%85%D9%86%D8%B9-%D8%B9%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D9%85-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D8%B9%D9%84%D9%91%D9%8A%D9%82-%D9%87%D8%A7%D8%AA%D9%81%D9%87-%D8%B1%D8%BA%D9%85>

with a missing signature on the cover page. Ghaboura expressed his discontent after Bou Haidar had left his office for the weekend, which led to Ollaik being arbitrarily detained until Monday May 31, 2021.

In addition to the above violations, Ollaik's attorney, Cynthia Hamawi, obtained a court order to meet her client privately to prepare for his defense, where it was found out later that they were being spied on verbally and visually through surveillance recording, save the sudden cutting of an agreed on half hour visit time to only ten minutes. When confronted by Ollaik, a Division officer claimed that it was Appellate Public Prosecutor of Beirut Ziad Bou Haidar who rather issued the order. This shocking incident of May 30, 2021, noontime, prompted Ollaik to extend his hunger strike to include any water intake, in protest against such means of 'extreme moral coercion.'²¹ Article 47 of the Code of Penal Procedures, in its amended form, emphasized the *sacred* right of defense, also emphasized by constitutional and international doctrines. This article is the explicit legal text that enshrines the minimum guarantees enjoyed by all suspects or detainees from the first moment of their custody and throughout the investigations conducted by the judicial police. Article 47 specifically guarantees the right of the defendant to meet privately with their attorney.

Ollaik's second interrogation on 31 May 2021 took place contrary to all laws and principles of confidentiality of such investigation, which stipulates that only the defendant, their attorney, members of the Bar (as the defendant is a lawyer), and the plaintiff could attend. A security officer of the Information Division was present during the interrogation before Beirut's Investigative Judge, Asaad Beiram, and a request to lawfully deny him attendance was overruled. Further, the Bar representative, attorney Elie Bazerly, had to protest the many violations of the law by stepping out of the interrogation session at its beginnings, again amidst chiefly protesting the unlawful denial of the Bar's request to refer the file to it before proceeding with any investigative steps.²² Moreover, the exploitation violations stretched to having Ollaik blackmailed and asked for a public apology as a condition for his release, which he categorically rejected, as he had committed no crime but rather in full support of a proper judiciary at all times.²³

Judge Bayram ordered Ollaik to two-months 'judicial supervision' with being banned from practicing law and entering 'Palaces of Justice,' in addition to a payment of one million Lebanese pounds, in alleged substitution for his detention. Bayram furthered his sentence by

²¹ Revelations of spying on Ollaik and his attorney, Hamawi, despite the issuance of an opposing court order. May 30, 2021. UFL Facebook page -

<https://www.facebook.com/UnitedforLebanon/photos/a.138445176810116/806771873310773/>

²² Statement by Beirut Bar Association's member, attorney Elie Bazerly, after his withdrawal from the interrogation session. <https://fb.watch/5YpHqrsUMy//>

²³ Ollaik refusal to apologize on lawful grounds. May 31, 2021. UFL Facebook page

<https://www.facebook.com/UnitedforLebanon/photos/a.138445176810116/807197986601495//>

issuing a decision on June 7, 2021 rejecting Ollaik attorneys Hamawi and Haitham Ezzo's request to lift judicial oversight and ban from practicing law.

On May 31, 2021 and after the judge's decision of Ollaik's release on the previously mentioned grounds, the Council of Beirut Bar Association held an urgent and open meeting condemning the illegitimate practices of the judiciary and the abuse of the powers bestowed upon it in the name of the Lebanese people, along with the infringement on the authorities of the Bar Association, as stipulated by law, through unlawfully preventing a lawyer from practicing the profession. The Council agreed on an extension of the full strike announced against the arrest of Ollaik on May 28, 2021 as a warning, which had constituted a *bold* step in an effort to put an end to such prevailing dangerous breaches of the law.²⁴ The full-strike extension was renewed on the day of Ollaik's release, and it was further renewed on June 4 and the on June 8, 2021, for another period of twenty days, bearing a *historical* connotation: No retreat this time, even if it would lead to closing the Justice Palaces, before the ratification of a Law on Independent Judiciary by the parliament.²⁵

The Judiciary and Judiciary Police violates the Constitution and the Declaration of Human Rights among other local and international codes and treaties in Ollaik's case

Sadly under the impact of such practices, Lebanon has been bound to move towards a sugar-coated oppression of basic human rights and freedom of expression and opinion. And even worse, this oppression has found prey in a lawyer who's professionally and vocally active in the fight against a state of detrimental corruption of the Lebanese public institutions. It has become evident enough that with such a case of a 'prisoner of conscience' protesting the Judiciary's corrupt practices,²⁶ the claims of the Lebanese government of 'combatting corruption' have shown to be void and falsified. Further, it has become evident as well how the Lebanese government that has always expressed its commitment to preserving the citizens' fundamental rights has fallen into or is associated with the trap of a corrupt court system, and the present maladies have been a mere reflection of this alarming fact. The recent unparalleled level of the resulting absence of the rule of law and of accountability has turned the Lebanese more into 'survivors of an apocalypse.'

²⁴ Statement issued by the Beirut Bar Association condemning the attack on attorney Rami Ollaik, read out by Bar's Head Melhem Khalaf. May 27, 2021. <https://fb.watch/5Yvrym-Lsc//>

²⁵ A statement issued by the Beirut Bar Association on June, 4 2021. <https://www.facebook.com/bbalebanon/photos/a.371893356315966/1816602025178418/>

²⁶ Ollaik's statement in front of the interrogation room saying, "I am a prisoner of conscience." Video of May 31, 2021. <https://fb.watch/5YykdeNV7F//>

What has happened with attorney Ollaik is at odds with the Lebanese Constitution regarding the protection of any citizen's right to freely express their opinions, especially since Article 13 of it guarantees the exercise of this right:

“The freedom of the individual to express his or her views orally or in writing, freedom of the press, freedom of assembly and freedom of association are guaranteed within the limits specified by law.”

It is also in contradiction with the Universal Declaration of Human Rights, mainly Articles 1, 3, 7, 10, 12 and 19.²⁷ The Declaration is stipulated and embraced in the Constitution, which protects and guarantees freedom of expression within the limits set by law. As well, the International Convention on Civil and Political Rights, signed by Lebanon in 1972, emphasizes the importance of freedom of expression. In the first part of the Lebanese Constitution, the basic provisions of the preamble states:

“Lebanon is a founding and active member of the United Nations, and it abides by its covenants and the Universal Declaration of Human Rights. The Government should enshrine these principles in all areas and regions without exception.”

Further, freedom of expression was defined in article 19 of the Declaration, as:

“Everyone has the right to freedom of opinion and expression, which includes freedom of opinion without interference and the pursuit, receipt and transmission of information and ideas through any media, regardless of borders verbally, in writing, in print, in artistic form or through any other media they choose.”

Ollaik’s case is only one among many many others; it is about time to stand firm against such blatant abuses; add to the flagrant violations of Articles 75 and 79 of the Law regulating the legal profession of lawyers and other articles.²⁸

²⁷ Declaration of human rights, **Article 1**: “All people are born free and equal in dignity and rights. They have given reason and conscience and they have to treat each other in a spirit of brotherhood.”

Article 3: “Everyone has the right to life, freedom and safety.”

Article 7: “All people are equal before the law, they are equal in the right to enjoy the protection of the law without discrimination, and they are equally protected from any discrimination that violates this declaration and from any incitement to such discrimination.”

Article 10: “Every human being, on a full equality with others, has the right to have his case heard by an independent and impartial court, fairly and publicly, to adjudicate his rights and obligations and any criminal charge against him.”

Article 12: “No one shall be subjected to arbitrary interference of his privacy, family, home or correspondence, nor to be attacked upon his honor and reputation. Everyone has the right to be protected by law against such interference or such attacks.”

²⁸ **Article 75** of the Law Regulating Lawyers Profession stipulates: “It is not permissible to pretrial arrest a lawyer for statements or writings made in the course of his profession...”

The second paragraph of **Article 79** states: “The lawyer may not be prosecuted for an act arising during his profession except by a decision of the Beirut Bar Association Council that shall assess whether the act arising from the profession deserves to be tried.”

The physical, moral and *legal* coercion practiced against Ollaik by the Judiciary and law enforcement officers throughout the subpoenas issuing, his detention and the violence exercised on him, criminal access to his cellphone data contrary to the law and to his basic human right to privacy and freedom of speech, under an alleged complaint of ‘slander’, are all totally in contrary to the Lebanese Constitution and applicable local and international laws and treaties. The gravity of the issue remains in a *deadlock* situation of no accountability at all for those in charge of such violations. This said, nothings would stop individuals or citizens from being summoned for questioning on issues related to freedom of expression, individual privacies or even acts of anti-corruption by the Public Prosecutor's Office, the Information Division of ‘law enforcement’ or other security forces. The authorities’ intolerance of criticism, especially of their deeply rooted corruption, and their false claims to fight corruption in the face of international pressures are of much concern when the court system in particular becomes an accomplice to crime. More importantly, the present actual shift of Lebanon towards a security state and police society is a major threat to democracy.

After his violent arrest, arbitrary detention and unlawful interrogation and sentencing, Ollaik was yet subject to another violation: The refusal to hand him over his cellphone after his release, despite an explicit court order that was approved in writing by the Public Prosecutor's Office and delivered to officers of the Information Division by Ollaik’s attorney, Hamawi.²⁹ Following this incident, a statement of resentment to see his country at such a lawless stage was issued by Ollaik, after which Hamawi refused to pick up the cellphone the next day as she considered it to have become a ‘criminal item’ used for appallingly breaking the law and violating her client’s basic rights. Ollaik demanded that his cellphone be picked by a representative of a human rights international court or organization.³⁰

On a related account, breaches against Ollaik constitute serious violations of the Lebanese Penal Code by members of the Judiciary itself and of law enforcement, with Article 329, paragraph 2, stating:

²⁹ “Ollaik denied access to his cellphone despite a court order.” June 3, 2021.

<https://www.unitedforlebanon.com/ar/press-juridical/648/%D8%A7%D9%84%D8%AA%D9%85%D9%86%D8%B9-%D8%B9%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D9%85-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D8%B9%D9%84%D9%91%D9%8A%D9%82-%D9%87%D8%A7%D8%AA%D9%81%D9%87-%D8%B1%D8%BA%D9%85>

³⁰ “Ollaik's attorney, Cynthia Hamawi, refuses to be handed over his cellphone as it has become the subject of an international human rights pursuit.” June 4, 2021. UFL Website <https://www.unitedforlebanon.com/ar/press-juridical/650/%D8%B9%D8%A7%D8%AC%D9%84:-%D8%A7%D9%86%D8%AA%D9%87%D8%A7%D9%83-%D8%A7%D9%84%D8%AE%D8%B5%D9%88%D8%B5%D9%8A%D8%A9-%D8%A8%D8%B1%D8%B3%D9%85-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D9%88%D8%A7%D9%84%D9%85%D9%86%D8%B8%D9%85%D8%A7%D8%AA-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9>

“Any act that would hinder the Lebanese from exercising their civil rights or duties shall be punishable by one month to one year’ imprisonment if they commit a threat distress or by any other means of physical or moral coercion.”

Articles 554, and 371, 377 and 257 of the same code punishe forceful violations and assaults, as well as abuse of authority or influence.³¹ Article 367 stipulates:

“Any employee who arrests or imprisons a person in cases not provided for by law shall be punished by temporary hard labor.”

As well, amended Article 47 of the Penal Procedures Code guarantees the practice of the right to defense by the defendant through an attorney, which was also subject a *deceptive* violation of this article as mentioned erlier.

Further and on withholding Ollaik’s cellphone and accessing the information of a practicing lawyer, Article 92 of the Law Regulating Lawyers Profession stipilates:

“A lawyer may not disclose a secret that he has entrusted or identified through his profession, even after the end of his power of attorney...” The decision of the Investigative Judge of Beirut, Asaad Bayram, regarding the expansion of his powers to prevent a lawyer from practicing their profession is in clear violation of Articles 75 and 79 of the same ‘specific’ law which supersedes any ‘general law.

What happened with Ollaik leaves a serious indication about the situation of human rights and freedom of expression in Lebanon, as well as the deterioration court system and its implications on the state of accountability across the nation. Keeping the perpetrators of such hideous crimes loose and having the outlaws free from any punishment constitute an alarming threat to democracy itself, worldwide. **This calls for holding those in charge accountable by all domestic and international means possible; also for immediate reforms of the conditions of detention and imprisonment, as well as the violation of the rights of detainees and prisoners by members of law enforcement security forces.**

It has become clear that the present court system, with high-rank public prosecution judges manipulated by Lebanese politicians in particular, are extensively abusing their authorities in the existence of many legal loopholes and many *smokescreen* amendments due to pressures by the international community to combat the dangerously prevailing corruption of state institutions.

³¹ Article 554 of the Lebanese Penal Code is incriminates those who intentionally beat, injure or harm a person. Article 371 stipulates: “Any employee who uses his authority or influence directly or indirectly to obstruct or delay the application of laws or regulations, the collection of fees or taxes, the execution of a judicial decision, a judicial warrant or any order issued by the authority shall be punishable by imprisonment ...” Article 377 of the same law states: “Except in cases where the law imposes special penalties for crimes committed by employees, those who, in their said capacity or abuse of power or influence derived from their functions, are subject to the severe penalties imposed by article 257.”

Present applicable measures of breach have impoverished the public sphere of free debate on the pressing issues of the Lebanese people, opening the way for further violations of the citizens' right to expression, even of their agony and suffering. This *theopolitical* powers of those bearing influence is evident with regards to judicial appointments; it is a form of grave corruption that cannot stay untreated.³²

Finally, **the current facts report is an appeal to all states associated with any form of support to the Information Division, as well as any governmental or non-governmental funding body, to immediately cease providing any assistance or contribution by any means to the Division and to any member of the Judiciary implicated in the heinous violations aforementioned. This is specifically true as such support inevitably encourages the violation of citizens' basic and constitutional human rights and their right to a fair trial and defense, particularly that practiced by lawyers.** Otherwise, justice would be severely compromised, and this would be destined to go beyond any county's borders under today's open communications.

Table 1 below sums up the violations against attorney Ollaik, as well as the articles violated:

Table 1: Highlights of the abuses against attorney Rami Ollaik and the legal articles violated.

Legal violation	Offending party	Law violated	Articles	Reviews
Ollaik arrested for expressing his opinion	State Attorney General, Ghassan Oueidat, together with the higher Judicial Council	Lebanese Constitution Universal Declaration of Human Rights Lebanese Penal Code	A. 13 / Constitution A. 1, 3, 7, 10, 12 and 19 / Declaration of Human Rights and International Conventions A. 329 / Penal code	Videos documenting the violent method of detention
Request for the arrest of Ollaik without notifying the Beirut Bar Association and the exploitation of power	State Attorney General, Ghassan Oueidat	Lebanese Penal Code Law Regulating Lawyers Profession	A.367, 371 and 377/ Penal code A. 75 and 79 / Lawyers law	A statement issued by the Bar Association and the strike announced condemning the abuse on May 27, 2021

³² "Justice as a Social Priority," by the Legal Agenda. An EU-funded project; See also the 2018 Conrad Adenauer Steffona Conference report on "Judicial independence under threat?"

A subpoena of the arrest of Ollaik without reference to the Bar	Assistant Attorney General, Ghassan Khoury	Penal Code Law regulating Lawyers Profession	A.367, 371 and 377/Penal Code A. 75 and 79 / Law of the Legal Profession	A statement issued by the Bar Association and the strike announced condemning this abuse on May 27, 2021
Failure to identify who arrested Ollaik / failure to show an arrest warrant	Judicial Officers	Universal Declaration of Human Rights International Covenant on Civil and Political Rights	A. 9 A. 9	Same happened with the activist Charbel Razuk, when masked men stormed his house Arbitrarily arrest and deprivation of liberty
Use of violence by members of the Information Division during Ollaik's arrest	Judicial Officers	Lebanese Penal Code	A. 554	Documented arbitrary detention
Ollaik referred by the Judge Khoury before a security agency and not before a judge contrary to applicable laws and regulations	Assistant Attorney General, Ghassan Khoury	Law Regulating Lawyers Profession/ Procedure of interrogating a lawyer	A. 79 Memorandum of Director General of the Internal Security Forces	
Referring Ollaik's phone to 'technical analysis' without legal justification	Assistant Attorney General, Ghassan Khoury	Universal Declaration of Human Rights Law Regulating Lawyers Profession	A. 12 of the ad. A. 92 / Career Regulation	Individual and lawyer's privacy flagrantly violated
Spying on Ollaik and his attorney despite court's order to meet in private and exercise of moral coercion	Beirut's Appellate Public Prosecutor Ziad Bou Haidar	Universal Declaration of Human Rights Law Regulating Lawyers Profession Code of Penal Procedures	A. 92 / Law Profession A. 47 amended	Violation of the universally enshrined right of defense and the set of principles on the protection of all detainees - adopted by UN General Assembly Resolution 43/173 of 9 December 1988 - Principle 18/paragraph 3: The right of a detainee or prisoner to be visited by their lawyer without being monitored

Interrogation session with no reference to the Bar Association	Investigative Judge of Beirut, Asaad Bayram	Law Regulating Lawyers Profession	A. 75 and 79	Bar representative exits interrogation session, statement on violations on May 31, 2021
Violation of the <i>sacred</i> right of defense observed in all laws	State Attorney General, Ghassan Oueidat Assistant Attorney General, Ghassan Khoury Beirut Appellate Attorney General Ziad Bou Haidar Judicial Officer	Lebanese Constitution International conventions Domestic laws	Article 5 of the Universal Declaration of Human Rights: No torture and cruel, inhuman or degrading treatment or punishment A. 184 of the Lebanese Penal Code	
Public Prosecutor as ruling judge and plaintiff	State Attorney General, Ghassan Oueidat	Conflict of interest		The principle of conflict of interest globally enshrined
Suspending Ollaik from practicing law for two months on counts of slander Specific law prohibiting taking action relating to the practice of law	Investigative Judge of Beirut, Asaad Bayram	Law Regulating Lawyers Profession	A. 99	Meeting of the Bar Council on May 31, 2021 and issuing a statement to continue the full strike until June 4, 2021
Fabricating and spreading falsified money laundering claims against Ollaik in an attempt to justify the conduct of crimes by judges and the judicial officers, especially breaking into his cellphone data		Universal Declaration of Human Rights	A: 3,7,10 particularly article 12	Article 12: No one should be subjected to arbitrary interference in their private life, family, residence, correspondence or to campaigns attacking their honor and reputation

Further References:

1. Sample banners used for the campaign organized for the purpose of raising the question about the status of *filed* anti-corruption claims, with translation of the text from Arabic.



‘What have you done, Ghassan, with more than 35 files...?! Dismissing corruption files is partnership in crime.’



‘The savings of over two million citizens are hostage to the banks cartel. What have you done, Ghassan?’



‘One and a half million *socially secured* under the Mercy of a scratch of your pen. What have you done, Ghassan with the Social Security file?’



‘What have you done, Ghassan?
200 martyrs
500 wounded
Beirut destroyed
What have you done, Ghassan?’

2. Summary translation from Arabic of a press release protesting the infringement on attorney Ollaik's privacy through illegal access to his cellphone data.^{33 34}

Information Division officer rejecting a court order requesting the delivery of Ollaik's cellphone: Law enforcement halted and citizens subject to malicious schemes in a lawless state!

The serious physical, moral and psychological abuses that have been exercised on attorney Rami Ollaik during his detention at the Information Division (a branch of the Internal Security Forces) building from 27 to 31 May, 2021 has reached its highest moral coercion. This constitutes a flagrant violation of the Lebanese Constitution and law and of the Universal Declaration of Human Rights. The following focuses on serious and outrageous infringement on his individual and professional privacy as a lawyer, among many violations that are currently being documented for international human rights tribunals and organizations.

Upon Ollaik's detention, Colonel Dory Nakad from the Information Division (law enforcement police) and Captain Jad Daou made an explicit pledge not to touch Ollaik's cellphone, in line with the law. Colonel Nakad brought an envelope to place the cellphone in it so that it could be sealed and signed in fulfillment of his pledge.

Later at night of that day (May 27, 2021), a meeting with Head of the Division, General Khaled Hammoud, in the presence of a representative of Beirut Bar Association, attorney Elie Bazerli, accompanied by Ollaik's attorney Cynthia Hamawi at Hammoud's office. Bazerli asked Ollaik then if he wanted to hand over his cellphone to him, but Ollaik responded, "The law enforcement officers pledged to keep my mobile phone in a sealed envelope and not to touch it, and I take their words as officers of law enforcement that I respect."

But the surprise, rather the shock, was when attorneys Bazerli and Hamawi left the building. Colonel Nakad accompanied Ollaik to his office and then asked him in the presence of Captain Daou to hand over his cellphone for 'technical analysis.' When Ollaik protested the request, recalling Bazerli's offer in the presence of Nakad, and asked for officially documenting it, Nakad referred the request to an order issued by Assistant Attorney General, Ghassan Khoury!

In a written statement then, Ollaik strongly objected this serious moral abuse as a violation to the Constitution and the law and the Universal Declaration of the Human Rights together, and he voiced out

³³ "Ollaik denied access to his cellphone despite a court order." June 3, 2021.

<https://www.unitedforlebanon.com/ar/press-juridical/648/%D8%A7%D9%84%D8%AA%D9%85%D9%86%D8%B9-%D8%B9%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D9%85-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A-%D8%B9%D9%84%D9%91%D9%8A%D9%82-%D9%87%D8%A7%D8%AA%D9%81%D9%87-%D8%B1%D8%BA%D9%85>

³⁴ "Ollaik's attorney, Cynthia Hamawi, refuses to be handed over his cellphone as it has become the subject of an international human rights pursuit." June 4, 2021. UFL Website <https://www.unitedforlebanon.com/ar/press-juridical/650/%D8%B9%D8%A7%D8%AC%D9%84:-%D8%A7%D9%86%D8%AA%D9%87%D8%A7%D9%83-%D8%A7%D9%84%D8%AE%D8%B5%D9%88%D8%B5%D9%8A%D8%A9-%D8%A8%D8%B1%D8%B3%D9%85-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D9%88%D8%A7%D9%84%D9%85%D9%86%D8%B8%D9%85%D8%A7%D8%AA-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9>

that he did not committe any crime that justified this *scandalous* act by a *law enforcement* officer. Colonel Nakad's response was that they would have to take the mobile phone by force if Ollaik refused to hand it over to them. Ollaik referred in his statement to what he had witnessed at the Division as a 'jungle of serious violations of the law, the Constitution and the Universal Declaration of the Human Rights,' after his 'right to proper litigation and defense' had been unashamedly compromised.

Ollaik's cellphone unlawfully seized and the Bar Association's interference to no avail and an appeal to stop supporting violators of citizens' rights

The blatant encroachment on Ollaik's basic human rights had led him to start a full hunger strike, which was followed by a complete cessation of water intake as of May 30, 2021 in protest of elevated moral coercion. On June 3, 2021 and after his release, Ollaik was even denied handing back his mobile phone to him by Nakad after presenting an explicit court order by Beirut Investigative Judge, Asaad Bayram, who was in charge of Ollaik's full file and asking to do so. This came with the approval of the Appellate Prosecutor's Office of Beirut as well. Referring to the Beirut Bar Association by Ollaik and Hamawi did went to no avail.

Ollaik raises his concerns and grievances to the United Nations Commission on Human Rights and urges human rights and legal organizations worldwide to observe the facts and to put and immediate end to the 'humanitarian and legal massacre' executed presently upon Lebanese citizens. With such violations of basic individual rights as a human being and a lawyer, Ollaik calls on all those concerned, being member states of the UN and governmental and non governmental rights groups, to take the matter upon themselves and help push forward with the proper follow-ups and litigation before international courts and authorities against any person or local or international institution that has any direct or indirect connection to the violations.

Being a matter of human rights beyond just one person's case, in a country getting shattered by misconduct of the 'law keepers,' taking action has become of dire urgency. Requesting assistance from all those involved, Ollaik urges all states involved in supporting the Information Division, along with any government or non-governmental donor to immediately cease providing any assistance or contribution to the Division and to the part of the Judiciary concerned with the violations in any way. Any such support shall inevitably encourage the violation of human and citizen's rights that are universally protected. Ollaik, who demands that his cellphone be received by a representative of the United Nations Commission on Human Rights or any relevant human rights organization. He also places what is happening in the context of committing atrocities against the Lebanese and slandering an entire population.

Figure 1. Screenshots showing the illegal access to Ollaik's cellphone files.



