



LGBTQ+ RIGHTS VIOLATIONS REPORT 2021

Table of Contents

Background	3
Glossary of Terms	6
About Helem and this Report	7
Segmentation According to Documented Violations and Needs	8
Demographic and Gender Segmentation	11
Main Findings	
Sexual-Based Violence	16
Physical and Domestic Violence	16
Sexual Harassment	18
Rape	20
Child Abuse	23
Forced Confinement	24
Self-inflicted Harm and Suicide	26
Death Threats, Verbal Violence, and Blackmail	27
Sex Trafficking	29
Labor and Workplace Violations	31
Work Discrimination	31
Arbitrary Dismissal	33
Sexual Harassment in the Workplace	34
Needs of Assistance	37
Legal Assistance (Case Management and Arrest)	37
Psychological Care Provision and SOGIESC Questioning Needs	40
Shelter and Housing: Homelessness, Eviction Risk and Need of Shelter	43
Cash Assistance	45
Medical Assistance	46
Asylum	47
Recommendations	
To Civil Society Organizations	50
To the Lebanese Government	51
To the International Community	52

Background

Two years have passed since the advent of the COVID-19 pandemic, the Beirut blast, and the devastating effects of the ongoing Lebanese economic recession. These overlapping crises have had a significant detrimental effect on the lives and livelihoods of Lebanese people in general and especially on vulnerable and marginalized communities. The Lebanese Pound had plunged to a record of almost 28 000 LBP to 1 USD (the official rate being still at 1 500 LBP to 1 USD) in December 2021 while banks imposed strict capital control measures and denied access to existing funds for all bank account holders in USD throughout the year. Lebanon's reliance on importing most of its goods with little to no production or manufacturing capacity led to an exponentially sharp increase in the prices of food, medicine, fuel, and other basic needs leading to further political polarization and civil unrest as the government failed to resolve the crisis. This situation was further exacerbated by the impact of the COVID-19 pandemic and the intermittent lockdowns that the government imposed which affected the ability of the population to move, work, and make ends meet.

With fuel, gasoline, meds, communication, and food becoming more scarce by the day – largely due to intense monopolization and hoarding of resources and an inept and corrupt political leadership, access to basic needs and the maintenance of previous levels of economic stability have been eradicated for large swathes of the population. This has been further exacerbated by continuous political instability and popular unrest, starting with the October 2019 revolution and continuing well into 2022's parliamentary elections and beyond. Restrictions on freedom of expression, assembly, and civic space have also persisted and contributed to further deteriorating living conditions.

The LGBTQ+ community in Lebanon one of the hardest hits by the tripartite crisis and has witnessed a sharp increase in the number of violations and requirements of basic needs. Already challenged by endemic inequality and violence, many queer nationals and refugees lost their employment at

almost twice the national average¹, were unable to access adequate shelter and housing, and became unable to afford basic forms of healthcare including social security, as prices of medicines surged and thus became unavailable on the official Lebanese market. The mental health and well-being of the community, already heavily impacted by the lockdowns of the COVID-19 pandemic, worsened dramatically as mental healthcare became unaffordable both due to the lack of personal funds as well as the major exodus of some 77,000 Lebanese ²abroad, many of whom were experts in the field of LGBTQ+ inclusive healthcare and social work. This led to a dramatic decrease in the pool of available specialists even further than the small number that existed before the crises.

The events of 2020 and 2021 exacerbated an already entrenched system of violence and discrimination against LGBTQ+ people in Lebanon. New and increased violations of social and economic rights were added to pre-existing violations of LGBTQ+ civil and political rights, being the retention of Article 534 of the Lebanese Penal Code, which criminalizes “any sexual intercourse contrary to the order of nature,” and is commonly used to harass, detain, and violate LGBTQ+ individuals and acts as a legitimizing cover to most institutionalized homophobia and transphobia in the country. Charged victims are commonly subjected to arbitrary arrests and detention as well as highly criticized, degrading, and violent interrogation methods. This article, along with a number of other provisions in the penal code concerning the subject of “morality and public decency” legalize a number of discriminations faced by the community or interpret them in ways that allow the violation against LGBTQ+ individuals. Of these provisions, the most

¹ Oxfam Lebanon, *Queer Community in Crisis: Trauma, Inequality and Vulnerability*; <https://www.oxfam.org/en/research/queer-community-crisis-trauma-inequality-and-vulnerability> ; June 2021.

² Miguel Mendelek, *The Lebanese Trend of Emigration: A New Peak Since 2019?*; <https://soas.lau.edu.lb/news/2022/01/the-lebanese-trend-of-emigration-a-new-peak-since-2019.php>; January 12, 2022.

prominent are articles 523³, 524⁴, 526⁵, 531⁶, and 532⁷ of the Lebanese Penal Code. It is worthy to mention that no other Lebanese body of law, including the labor law, the housing code or any other existing legal provisions mention LGBTQ+ individuals nor provide any protections based on sexual orientation, gender identity and expression, and sexual characteristics – exposing the community to further discrimination, contributing to a culture of impunity for violations, and prohibiting any recourse to justice for victims.

As part of its advocacy, protection, and community engagement work, Helem has established a robust and evolving system to identify and record a large set of human rights violations against the community leveraging its services and community work as conduits to gather information and statistics on the number, type, location, and severity of the violations against the LGBTQ community. This report is a product of the documentation efforts of Helem's services and protections department and an amalgamated resource for the most pressing and prominent challenges facing the LGBTQ+ community in Lebanon in 2021.

³ Article 523 Penal Code: "Whoever incites one or more persons, male or female, who has not yet reached the age of twenty-one years to commit immorality and corruption, or facilitates them for him or helps him to do them, shall be punished by imprisonment from one month to one year and a fine ranging from the minimum wage to three times.

Whoever engages in or facilitates secret prostitution shall be punished with the same penalty. While retaining the provisions of Article 529 coupled with Article 506, the penalty is aggravated in accordance with the provisions of Article 257 of this law if the offense is committed within the family, without taking into account the age of the person against whom the offense is committed."

⁴ Article 524 Penal Code: "A person shall be punished with imprisonment for at least one year and a fine not less than half the value of the official minimum wage whenever he/she, as a satisfaction of the whims of others, entices, attracts or deports a person with his consent."

⁵ Article 526 Penal Code: "Whoever is used to facilitate, with the intention of gaining, the temptation of the public to commit immorality with others, and whoever uses one of the means referred to in Paragraphs 2 and 3 of Article 209 to lure people into debauchery shall be punished by imprisonment from one month to a year and a fine from twenty thousand Lebanese pounds to two hundred thousand pounds".

⁶Article 531 Penal Code: "Infringement of public morals by one of the means mentioned in the first paragraph of Article 209 is punishable by imprisonment from one month to one year".

⁷ Article 532 Penal Code: "The violation of public morals by one of the means mentioned in the second and third paragraphs of Article 209 is punishable by imprisonment from one month to one year and a fine of twenty thousand to two hundred thousand pounds".

Glossary of Terms

Cis-Man: A man whose assigned sex at birth is male, and whose gender identity aligns with that culturally associated with his sex.

Cisgender: Denoting or relating to a person whose sense of personal identity and gender corresponds with their assigned sex at birth

Cis-Hetero: A person who identifies both as cisgender and heterosexual

Cis-Woman: A woman whose assigned sex at birth is female, and whose gender identity aligns with that culturally associated with her sex Female/Feminine.

Gay: A person sexually and/or romantically attracted to a member of the same sex and/or gender, typically a man.

LGBTQI+: An acronym denoting Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and other orientations and identities that are non-normative and/or non-conforming.

Non-Binary: Is an umbrella term for gender identities outside the binary of man and woman.

Queer: An adjective to denote a person with some or all of their SOGIESC as non-normative or non-conforming with societal expectations. Also, an umbrella term for LGBTIQ+ individuals.

SOGIESC: An acronym denoting sexual orientation, gender identity and expression, and sexual characteristics.

Trans-Man: A transgender person who identifies as a man regardless of their sex/gender assigned at birth.

Trans-Woman: A transgender person who identifies as a woman regardless of their sex/gender assigned at birth.

About Helem and this Report

Helem, is the first LGBTQA+ rights organization in the Arab world, officially established in Beirut, Lebanon in 2001. Its mission is to lead the struggle for the liberation of Lesbians, Gays, Bisexuals, Intersex, Transgendered, Queer (LGBTQIA+) and other people with non-conforming sexualities and/or gender identities in Lebanon and the SWANA region from all sorts of violations of their individual and collective civil, political, economic, social, and cultural rights.

In 2021, Helem's case toll has exceeded 4000 cases recorded by documenting the experiences of more than 2330 individual visits. Helem Services and Protection Center processes the entirety of these cases through a specialized case management system that also provides free mental health support, emergency intervention and response, and cash-based assistance programming. These programs have allowed the center to document the violations of all individuals seeking its services and is a large reason why the traditional lack of reliable data about the LGBTQ community in Lebanon and in the MENA more broadly is addressed by the information presented in this report. The Helem team has worked on documenting the cases it has received, filtering them by category and dividing them, for reporting purposes, into different categories of human rights violations and humanitarian/protection needs not necessarily enshrined by domestic or international law.

Segmentation According to Documented Violations and Needs:

Total Number of Incidents	4,033
Total Number of Case Visits	2,133
Total Number of Violations	1,328
Total Number of Assistance	2,393
Other	312

Violation	Description	2 0 2 1 Number	% of Total
Sexual and Orientation Based Violence			
Physical and Domestic Violence	Any physical and aggressive behavior exerted on another person within or without the domestic sphere.	254	19.1%
Sexual Harassment	Any inappropriate action of a sexual or suggestive nature undesired by the recipient.	50	3.77%
Rape	Any action involving forced or wanted sexual intercourse of any nature undesired by the recipient.	30	2.26%
Child Abuse	Any violent treatment, whether physical or otherwise, exerted on a minor.	11	0.83%
Forced Confinement	Denial of another person's physical freedom.	24	1.81%

Self-Inflicted Harm and Suicide	Self-Inflicted Harm: Any form of self-inflicted harm or attempt thereof to cause self-injury. Suicide: Any attempts aimed at ending one's life. Includes suicidal ideation and thoughts of self-harm in this report.	27	2%
Death Threats, Verbal Violence and Blackmail	Death Threats: Any expressed intent to end one's life in person, online or over other means of communication. Verbal Violence: Any expressed verbal attack, in person, online, or otherwise with the intent to intimidate or discriminate against another person. Blackmail: Any attempt to force another person to unwillingly give up information or resources under threat of exposure, violence, or other forms of power.	763	57.45%
Sex Trafficking	The abduction, transportation, and/or recruitment of individuals for the purposes of sexual exploitation.	7	0.52%

Work Related Violations			
Work Related Discrimination	Any unjust treatment of an employee or worker due to their SOGIESC or other identities.	24	1.81%
Arbitrary Dismissal	The act of dismissal from their employment without sufficient cause	6	0.45%

Sexual Harassment in the Workplace	Any inappropriate action undesired by the victim with a sexual connotation occurring in the Workplace.	8	0.6%
------------------------------------	--	---	------

Needs of Assistance			
Legal Assistance	Provision of legal aid, advice, or representation in court for individuals facing discrimination based on their SOGIESC.	102	4.26%
Psychological Healthcare	Provision of necessary mental and psychological care for individuals.	464	19.39%
Shelter and Housing	Provision of shelter and/or housing for homeless individuals or those under risk of eviction.	405	16.92%
Cash Assistance	Provision of emergency cash assistance for various urgent needs including housing, health, food security, and other basic needs.	1090	45.55%
Medical Assistance	Provision of assistance for medication, surgery, testing, examination, and other healthcare needs.	244	10.2%
Asylum	Provision of information regarding standard legal procedures to apply for asylum due to serious threats.	201	8.4%



DEMOGRAPHICS AND GENDER SEGMENTATION

Demographics and Gender Segmentation

Helem's Protection and Services Center is an entity dedicated to providing the necessary protection, mental health support and assistance to members of the community in need. This center provides members of the LGBTQ+ community the required legal assistance, through their free legal counseling services provided to individuals, regardless of their nationality, whenever they face any discrimination related to the gender identity or sexual orientation such as physical violence, blackmail, sexual harassment, or abuse. Moreover, this center provides the required mental assistance as part of their Mental Health Support Program. This program provides members of the community with mental therapy sessions with professionals specialized in the mental and psychological well-being of LGBTQ+ individuals, and refers them to organizations providing the needed support. In addition, the center provides a 24/7 emergency Hotline Support service referring the affected to the necessary protection services.

Below are the main demographic and gender segmentation results:

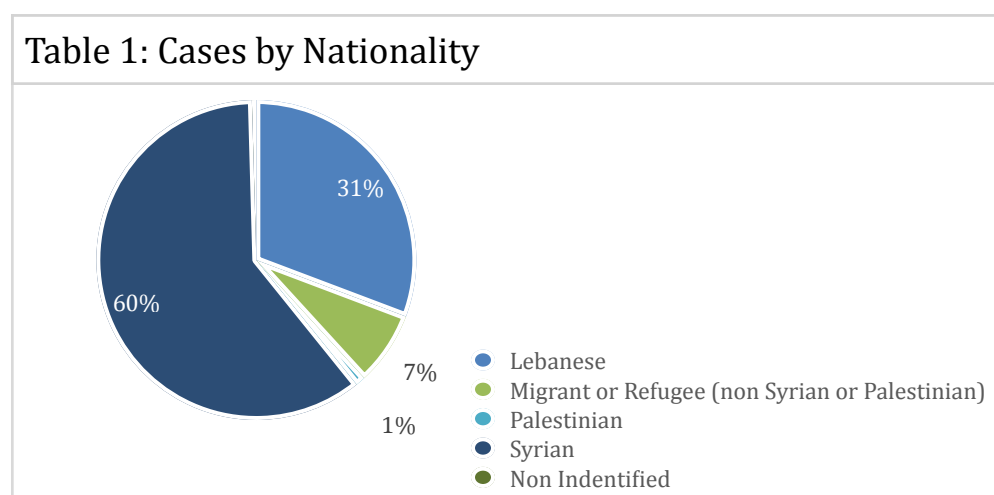
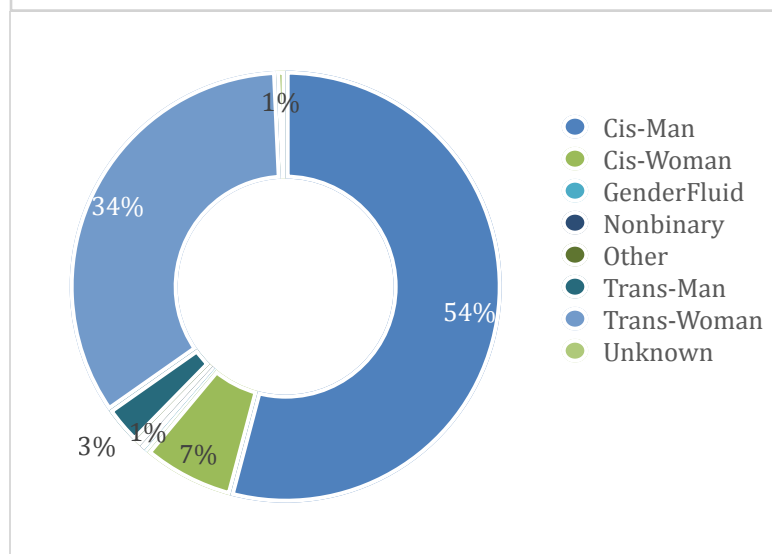


Table 1 provides the main demographic and gender segmentation results by nationality. The majority of applicants to Helem's services hold the Syrian nationality, at around 60% of the total. The remaining cases are divided between Lebanese nationals at 31%, 8% being non-Syrian or Palestinian refugees and around 1% holding the Palestinian nationality.

Table 2: Cases by Gender Identity



The above table presents the distribution of the documented cases by gender with more than half identifying as cis-men (54%). As for the remaining 46 %, they comprised individuals identifying as trans-women at 34%, cis-women at 7% and trans-men at 3%. The remaining 2% are distributed amongst individuals who identified as being non-binary, gender fluid and individuals whose gender was not disclosed.

Table 3: Cases by Age Range

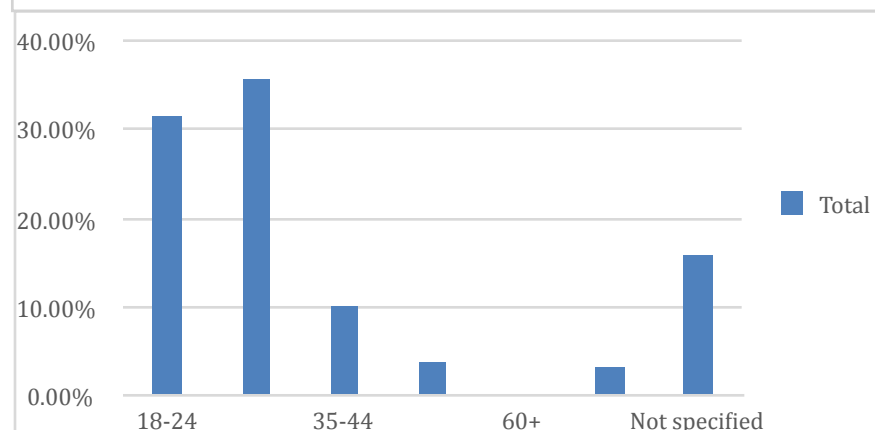


Table 3 shows the number of cases amongst different age ranges. Early adulthood age groups are the largest age demographic that Helem served in

2021, with the age range of 18-24 and 25-35 comprising the largest number of case count at around 31% and 36% respectively. Older age groups appear to have less recorded cases whether it was for the 35-44 (around 10%) or 45-59 (3.62%) or 60+ (approximately 0%) age ranges. It should be noted that the under 18 age range had a low percentage of reported cases at around 3% especially as Helem does not provide any services or programming for minors and refers all cases of underage individuals to partner organizations specializing in protection and services to minors. Approximately 16% of the cases recorded did not identify in any of the above-mentioned age groups or their ages were not recorded.

Table 4: Cases by Location (Governorate)

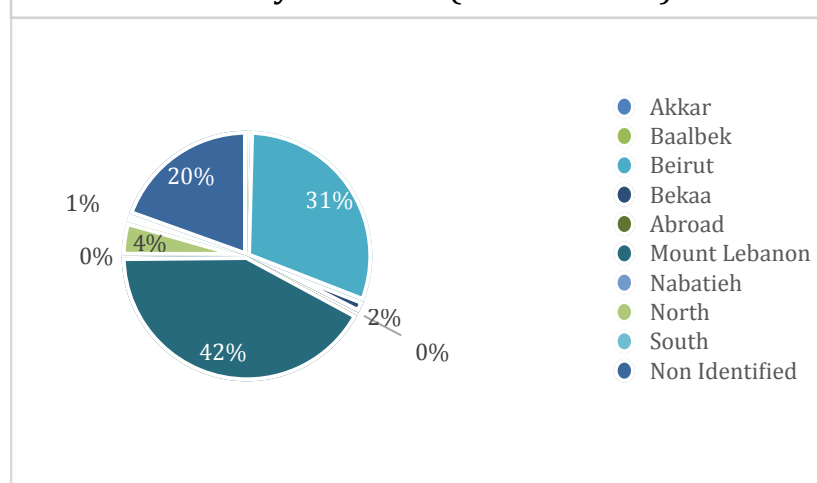


Table 4 shows the case distribution among the different governorates in Lebanon. As documented, the governorates of Beirut and Mount Lebanon had significantly higher cases recorded with percentages of 31% and 42% respectively compared to the remaining governorates. This could be attributed to a higher LGBTQ population density in and around the capital city and an increased awareness of Helem services and offices which are based in Beirut. In contrast, the other remaining governorates showed a lower-case number as only 4% of the entire cases were recorded in the North, 2% in the Bekaa and 1% in the South. 20% of the entire number of cases did not identify their living address in any governorate – choosing not to disclose that information.

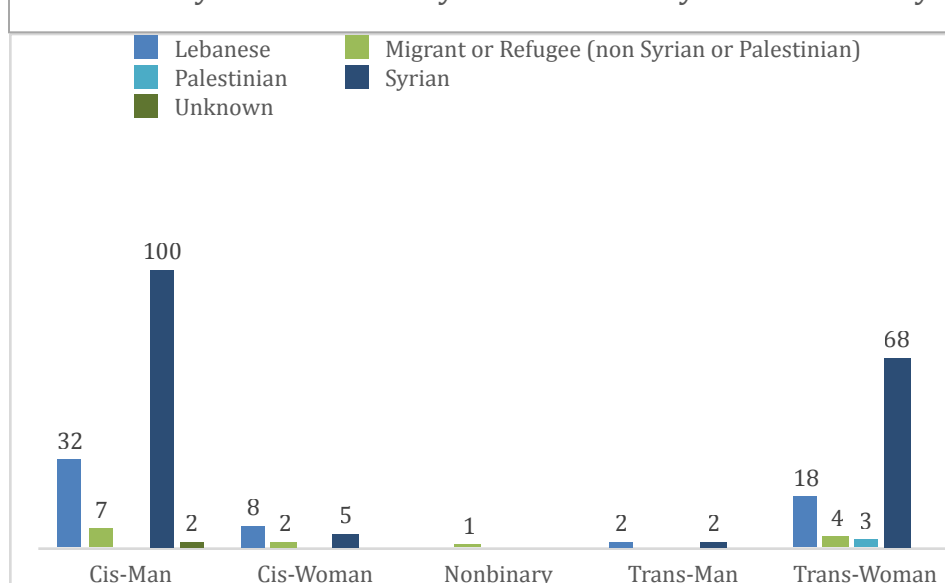


MAIN FINDINGS

Sexual-Based Violence.

Physical and Domestic Violence.

Table 5: Physical Violence by Gender Identity and Nationality



The results show an alarming number of cases involving physical violence aimed against the community in 2021. Around 254 individuals have reported being victims of physical violence of any type. From these numbers, Syrian refugees were the most vulnerable, comprising approximately 70% of the total cases recorded. Syrian refugees in general already struggle to survive and meet basic needs in Lebanon, but it should also be known that LGBTQ refugees face added violence and discrimination resulting from institutionalized homophobia and transphobia from both existing Syrian refugee communities as well as host Lebanese communities and institutions. Refugees are particularly vulnerable to state violence, especially when and if detained by Lebanese General Security, and are also more vulnerable to exploitation and harm by both Lebanese and Syrians individuals with a higher likelihood of their violations going unreported and unchallenged in court.

One major manifestation of physical violence recorded is specifically connected to domestic and/or intimate partner violence, both of which remain a largely underreported and covered crimes due to their perception of these incidents being private or family matters that do not require outside interference. The extended pandemic lockdowns in 2021, coupled with many LGBTQ individuals forced to relocate back to family homes and outside urban settings exacerbated cases of domestic violence. Unfortunately, the new law 204/2020 against domestic violence does not adequately provide protection for individuals as it leaves the burden of proof on those at the receiving end of violence and is largely subject to the culture of privacy and impunity that permeates domestic violence cases generally.

Outside the scope of domestic violence, articles 554 till 557 of the Lebanese penal code target crimes related to physical violence or abuse against individuals. The severity of the penalties assigned in these articles vary according to the seriousness of the injury exerted on the victim. To be more specific, articles 554⁸, 555⁹ and 556¹⁰ take as a ground for conviction the time-period in which the victim was not able to perform their work. On the other hand, article 557¹¹ of the same law worsens the conviction when the violence exerted results in the amputation of one of the victim's organs or damage to any of their senses.

⁸ Article 554 Penal Code: "Anyone who intentionally beats, injures or harms a person and did not result in sickness or disabling a person from work for a period of more than ten days shall be punished, based on the complaint of the aggrieved party, with a maximum of six months' imprisonment or a precautionary arrest, and a fine of ten thousand to fifty thousand Lebanese pounds, or one of these two penalties. The complainant's waiver forfeits the public right, and it shall have the same effect as the personal claimant's pardon for the penalty."

⁹Article 555 Penal Code: "If the harm caused results in illness or a person being disabled from work for a period of more than ten days, the offender shall be punished by imprisonment for a period not exceeding one year and a fine of one hundred thousand pounds at most or by one of these two penalties. If the complainant waives his right, the penalty shall be reduced by half".

¹⁰ Article 556 Penal Code: "If sickness or disability from work exceeds twenty days, a penalty of imprisonment from three months to three years shall be passed, in addition to the aforementioned fine."

¹¹ Article 557 Penal Code: "If the act leads to the amputation of an organ or a limb, or to the disruption of one of them, or to one of the senses, or to causing severe disfigurement or any other permanent disability, or has the appearance of a permanent disability, the offender shall be punished with temporary hard labor for ten years at most".

Table 6: Sexual Harassment Cases by Gender Identity

A pie chart illustrating the distribution of sexual harassment cases by gender identity. The chart is divided into three segments: a large blue segment representing Trans-Women at 75%, and two smaller green segments representing Cis-Men and Cis-Women, each at 13%. A legend to the right of the chart identifies the colors: blue for Cis-Man, green for Cis-Woman, and light blue for Trans-Woman.

Gender Identity	Percentage
Cis-Man	13%
Cis-Woman	13%
Trans-Woman	75%

While the Lebanese law continues to create exceptions to escape rape charges or assaults in public spaces, rape and violence against the LGBTQ+ community continue to be an ongoing issue. It was up until December 2020, that Lebanese laws did not convict offenders of sexual harassment as this act was not criminalized and no legal repercussions or protection was provided to victims. However, though the new law previously mentioned, the Lebanese legislature, has addressed the issue in a landmark law long awaited by activists but that unfortunately did not address the chronic problem of sexual harassment and assault to the required degree.

¹² Law 205/2020; Criminalization of Sexual Harassment and Rehabilitation of Victims; <https://lebanon.saderlex.com/category/205>; (أخبار قانونية/11511/نص قانون-تجريم-التحرش-الجنسي-وتأهيل-ضحايا-ه) (قانون رقم-205/2020).

Article 1¹³ of this law defined sexual harassment as “any repeated improper behavior, undesired by the victim and with a sexual connotation violating his moral and physical wellbeing.” Unfortunately, article 2 allowed harassers to be convicted with a misdemeanor instead of a felony.¹⁴ The sentence for violating this law is comprised of prison time between one month to one year and a fine set at three to ten times the minimum wage (675,000 LBP) which, given Lebanon’s current currency devaluation, can be as little as 30 USD.

With the absence of mechanisms for monitoring and application control of the law, the lack of training of ISF members in welcoming and dealing with reporting victims, the culture of impunity that permeates government institutions, and the lack of political and executive will, this serious violation

¹³Article 1 of law number 205/2020: “Sexual harassment is any repeated, out of the ordinary, unwanted behavior from the victim, with a sexual connotation, that constitutes a violation of the body, privacy, or feelings of the victim wherever it is found, through sexual or pornographic words, actions, signs, suggestions, or insinuations by any means including electronic means. Sexual harassment is also considered any act or endeavor, even if it is not repeated, that uses any kind of psychological, moral, material or racial pressure that actually aims to obtain a benefit of a sexual nature that benefits the perpetrator or others.”

¹⁴ Article 2 Law No. 205/2020: “A- Anyone who commits a crime of sexual harassment shall be punished with imprisonment from one month to one year and a fine ranging from three times to ten times the official minimum wage or one of these two penalties.

B- A penalty of imprisonment from six months to two years and a fine of ten to twenty times the official minimum wage or one of these two penalties shall be imposed on:

-1 If the crime of harassment occurred within the framework of the bond of dependency or the work relationship.

-2 If the harassment occurred in an official or military administration, public institutions, municipalities, universities, schools, nurseries, institutes, or clubs or transportation.

-3 If the harasser is an employee according to the definition stipulated in Article 350 of the Penal Code, and has abused the authority he enjoys by virtue of his duties entrusted with it, or in view of the performance of the job or because of it.

C- A penalty of imprisonment from two to four years and a fine of thirty to fifty times the official minimum wage in the following cases:

-1 If the offense was committed against a juvenile or a person with additional needs, or a person who was unable to defend himself due to his physical or psychological health condition.

-2 If the offender has material, moral, occupational or educational authority over the victim.

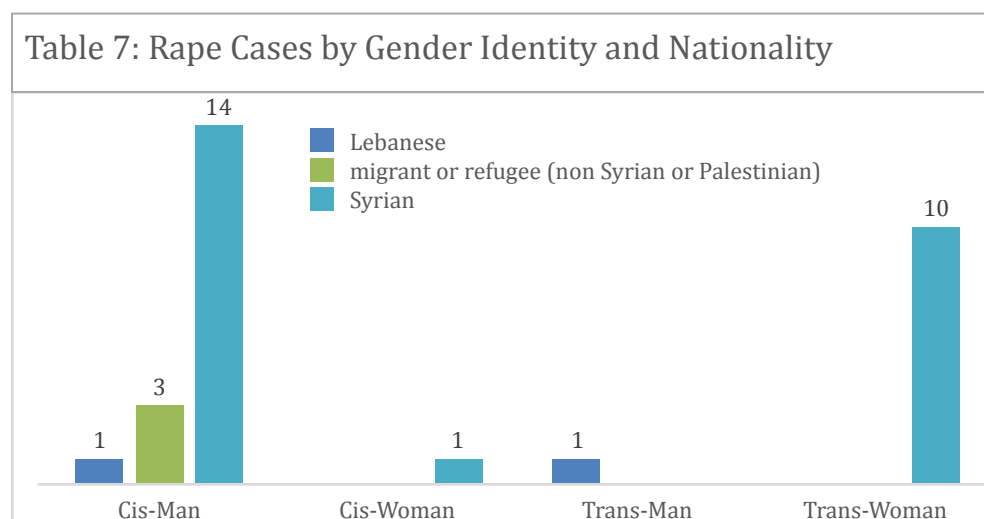
-3 If the act of harassment is committed by two or more persons.

-4 If the offender used extreme psychological, moral or material pressure to commit the offense to obtain a benefit of a sexual nature.

In the event of repetition or recurrence, the two penalties of imprisonment and a fine shall be doubled in their minimum and maximum limits in all the cases mentioned above, and both imprisonment and fine penalties shall be imposed in the cases stipulated in Paragraphs (b) (f) and (c) of this Article.

cannot be properly addressed, and its harmful measures mitigated. Even with the new law criminalizing sexual harassment as an individual crime, the burden of the proof still lies on the victim, which means that LGBTQ+ individuals must therefore unavoidably risk the ramifications of their own SOGIESC coming into question, and even simultaneously used against them when and if they report a case of harassment. Even if article 3 notes that steps must be taken to protect the victim during investigation and prosecution, the article remains vague and does not explicitly mention SOGIESC as a protected status. LGBTQ+ survivors of sexual harassment risk both re-traumatization and stigmatization when seeking help of the law due to discriminatory attitudes of police, prosecutors, and judges.

Rape



In the past year, Helem reported 30 individual cases of rape. 25 out of those cases involved Syrian nationals, and 60% of those cases were reported by cis-men while 10 were reported by trans-women and one by each of cis-women and trans-men. Being forced outside of their country due to war and safety concerns, refugees are more vulnerable to sexual assault due to lack of protection, deteriorating living conditions, and the lack of extensive safe public spaces that exacerbate attacks against them based on their gender expression and/or identity.

Rape and various forms of sexual assault are some of the most under-reported in Lebanon due to fear of retaliation by perpetrators or by society, or due to the lack of belief that anything can be done about it. Rape, as defined in article 503 of the Lebanese penal code, is “the act where the abuser forces any individual, other than his spouse, through the use of violence or threats to sexual intercourse.”¹⁵ Current Lebanese laws regard rape as a felony with the severity of the sentence varying in accordance with the situations surrounding it. For instance, rape was originally punishable by hard labor for a period of at least five years. However, if the victim happens to be a minor below 15 the penalty applied cannot be lower than seven years of hard labor. Articles 503 through 506 of the above-mentioned law precisely discuss the different situations punishable by law with their respective penalties taking into consideration the age of the victim and his ability to resist such actions. The current laws, however, do not provide any kind of special protection to LGBTQ+ people as they fall under the general provisions set in the mentioned articles. The recently abolished article 522 of the penal code had allowed and obtain accountability for the victims poses a serious threat for the security and survival of LGBTQ individuals in Lebanon.

¹⁵ Article 503 Penal Code: "Whoever forces other than his wife with violence and threats to have sexual intercourse shall be punished with hard labor for a period of five years at least. The penalty shall not be less than seven years if the victim is under fifteen years of age".

rapists to escape charges if they married their victims was a welcome step to addressing, concerns remain till day about articles 505¹⁶ and 518.¹⁷

Additionally, the absence of evidence that can be provided when presenting a complaint, the incapability of identifying the rapist and the lack of resources available at the ISF centers, but also the will to investigate rape cases, provides a serious threat on the level of reporting and accountability for victims and survivors. Even if Helem and some other local and international

¹⁶Article 505 Penal Code: “Whoever has intercourse with a minor under the age of fifteen shall be punished with temporary hard labor for a period of no less than five years, and the penalty shall not be less than seven years if the minor has not yet completed twelve years of age.

Whoever has intercourse with a minor who has completed fifteen years of age and has not yet eighteen years, shall be punished by imprisonment from two months to two years. In this case, if a valid marriage is concluded between them, the prosecution or trial shall cease, and if a judgment was issued in the case, the execution of the sentence imposed shall be suspended, provided that the judge’s decision to suspend is not issued except on the basis of A report prepared by a social worker that takes into account the minor’s social and psychological conditions.

If the decision is issued to stop the prosecution or trial or to suspend the punishment because of the marriage, the judge shall assign the social assistant to submit a report to him on the psychological and social situation of the minor after marriage, every six months within a period of three years from the date of his decision.

The prosecution or trial shall continue or the execution of the penalty shall continue before the expiry of the three-year period if the marriage ends in divorce without a legitimate reason or because of the perpetrator, or if it is found that there is any other legitimate reason that justifies the pursuit of the prosecution or trial or the execution of the penalty in light of the periodic reports referred to in this article” .


¹⁷ Article 518 Penal Code: “Whoever seduces a girl with the promise of marriage and breaks her virginity shall be punished, if the act does not entail a more severe punishment, by imprisonment for at least six months and a fine of between three million and five million Syrian pounds, or one of the two penalties. The penalty shall not be less than five years’ imprisonment if the assaulted minor is over fifteen and has not yet eighteen years of age.

In these two cases, if a valid marriage was concluded between them, the prosecution or trial ceased, and if a judgment was issued in the case, the execution of the sentence was suspended. If the victim was a minor, the judge’s decision to suspend is not issued except on the basis of a report prepared by a social assistant that takes into account the minor’s social and psychological conditions.

If the decision is issued to stop the prosecution or trial or to suspend the punishment due to marriage, the judge, if the victim is a minor, shall instruct the social assistant to submit a report to him on the minor’s psychological and social situation after marriage, every six months within a period of three years from the date of his decision.

The prosecution shall continue or the execution of the penalty shall continue before the expiry of the three-year period if the marriage ends in divorce without a legitimate reason or because of the perpetrator, or if it is found that there is any other legitimate reason that justifies the pursuit of the prosecution or the trial or the execution of the penalty in light of the periodic reports referred to in this article.

If the minor is under fifteen years of age, the penalty of hard labor shall not be less than seven years. With the exception of the confession, the evidence against the criminal shall not be accepted except what arose from them from the letters and other documents he wrote.”



organizations do provide legal, psychological and CMR assistance for victims of rape, the need is still great and largely unaddressed outside the capital city and in cases that do not come to Helem directly. Failing to adequately criminalize sexual assault in all of its forms and failing to punish perpetrators

Child Abuse

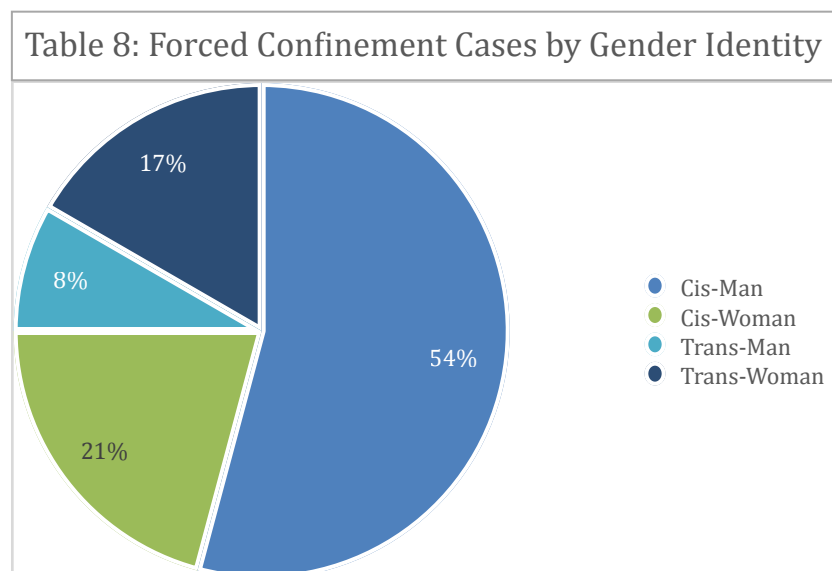
With the lack of awareness on gender identity, sexual orientation, and sex education in general, within Lebanese educational curricula, and not enough information circulating through accessible public channels including media and civic spaces; LGBTQ+ children remain extremely vulnerable to cases of abuse and very rarely report incidents of physical, sexual, or other forms of violence to others. In 2021, Helem reported 11 cases on child abuse based on their sexual orientation and/or gender identity. Law No. 422/2002 also known as the law for the 'Protection of Juveniles in conflict with the Law or Exposed to Danger' protects children or victims at risk though it still lacks many of the definitions that are essential for addressing cases of violence and abuse against children. The law requires judicial intervention only when “the best interests of the child are at risk”.

Treating cases of sexual abuse of minors is very complex and difficult. The mechanism for proving sexual abuse remains unspecified, and the law requires evidence such as witness testimonies and clear signs of abuse that sometimes do not exist. Moreover, due to the fear of reprisals and the reactions of societies, many prefer to remain silent, especially in light of possible repercussions on them should their gender identity and/or sexual orientation be revealed to any external party and used against them either within the confines of the specific case or externally through many other means including repercussions on their relationships with their families. From a legal perspective, the testimony of children is not taken for granted before courts and does not stand as reliable evidence. This is an important obstacle because in many cases children are the only victim and witness and at the same time do not have enough support in the law to protect themselves.

With regards to abuse and neglect, the Child Protection Working Group in Lebanon indicated in their 2021 report¹⁸ the high rate of children exposed to abuse and neglect in Lebanon.¹⁹ The Committee reminded Lebanon of the need to adhere to the Sustainable Development Goals to end child abuse, exploitation, trafficking and all forms of violence and torture targeting them.

While Law No. 293/2014 allowed women and their children to obtain protection from an aggressor, the law only applies for children up to the age of twelve and leaves younger children with even less protection. Lebanon does not have a national action plan to combat sexual exploitation and abuse, nor are there mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation, and to ensure that acts of sexual abuse and exploitation are effectively investigated, and perpetrators brought to justice.

Forced Confinement



¹⁸ Child Protection Working Group – Lebanon; *Monitoring Children's Situation - End of Year 2021 Dashboard*; February 2022

Forced confinement is the act through which a person denies another his freedom using any means possible. This crime, as mentioned in Article 569 of the Lebanese penal code, is penalized with temporary hard labor originally however, this penalty is elevated whenever one of the seven instances stated in the same article occur.²⁰ The ongoing economic crisis, as well as the time spent in lockdown due to the COVID-19 pandemic has led many young LGBTQs to be forced to live in close quarters with their families due to economic dependence, and many have no other choice but to endure it and cannot report it for fear of repercussions that could include homelessness, hunger, and lack of access to healthcare.

During 2021, Helem reported 24 cases of forced confinement of LGBTQ persons. While number seems significant, they can be easily be vastly understated. Victims of forced confinement recorded were most commonly children or young adults who were confined by their parents after their SOGIESC being revealed, either on purpose through coming out or through other means without the consent or knowledge of the person. With conservative and reactionary responses against any declarations of non-normative SOGIESC, addressing the harm that confinement results in remains a taboo. 71% of victims of forced confinement reported collectively identified as either trans-men and women, both being especially vulnerable due to being targeted for their gender expression and/or identity.

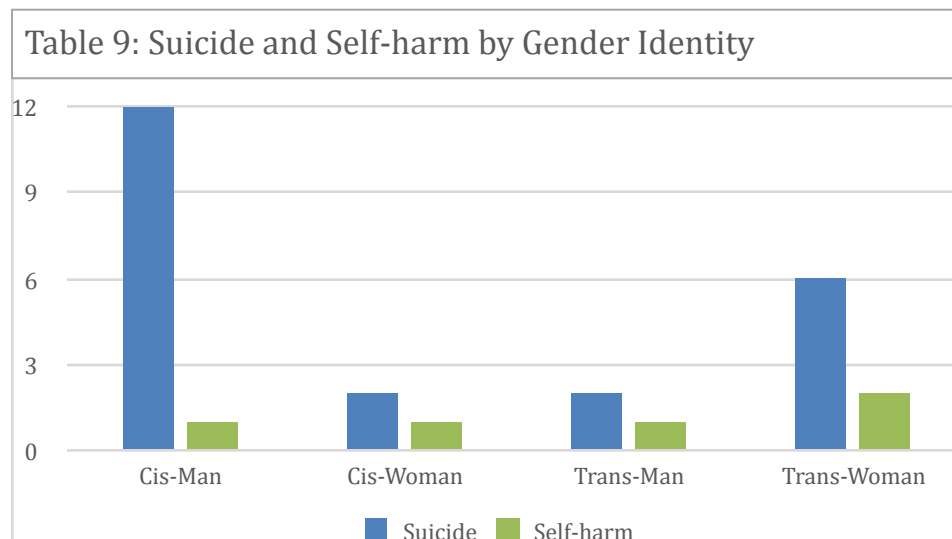
²⁰ Article 569 - amended according to Legislative Decree 112 dated 9/16/1983: "Whoever deprives another person of his personal freedom by kidnapping or any other means shall be punished with temporary hard labor.

The perpetrator shall be punished with life imprisonment with hard labor in each of the following cases:

- 1- If the period of deprivation of liberty exceeds one month.
- 2- If someone who is deprived of his freedom is inflicted physical or moral torture.
- 3- If the offense is committed against an employee while he is performing his job or in the course of performing it, or because of his affiliation with it.
- 4- If the motives of the crime were sectarian or partisan, or if the victim took revenge for an act committed by another of his sect, partisans or relatives.
- 5- If the perpetrator uses his victim as a hostage to intimidate individuals, institutions or the state in order to extort money or
- Coercion to carry out a desire, to do an act, or to abstain from it.
- 6- If, as a consequence of the attack, the criminal committed an assault on a private or public motorized means of transportation, such as a car, train, ship, or plane.
- 7- If the offense was committed by a group of two or more persons, who at the time of its commission were armed.

The penalty is increased in accordance with Article 257 if the crime results in the death of a person as a result of terror or any other cause related to the accident."

Self-inflicted Harm and Suicide

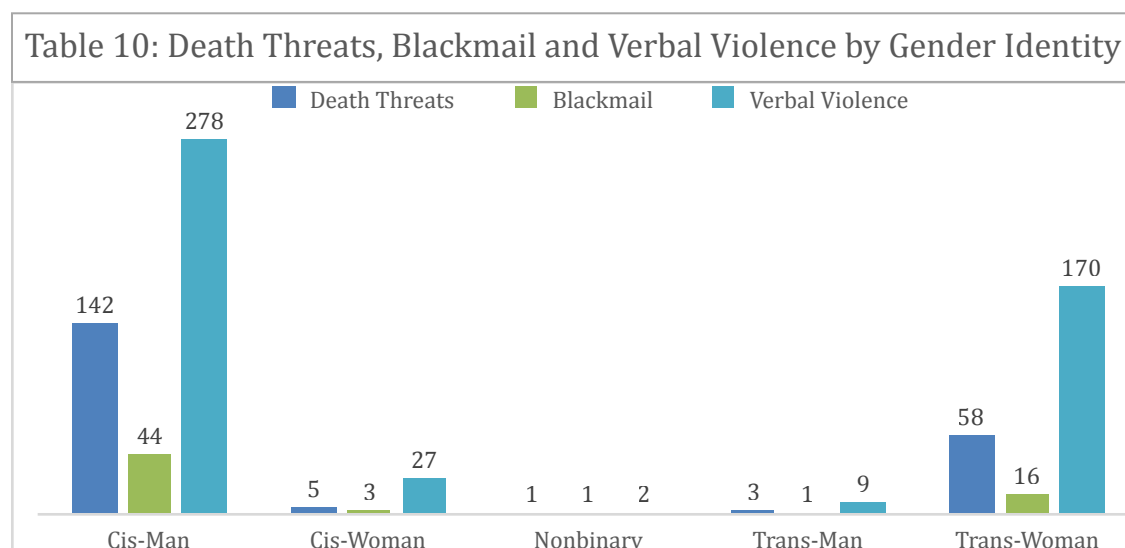


Due to the effects of the COVID-19 pandemic, the aggravated economic situation, the negative ambiance circling the life of Lebanese, but also due to endemic discrimination and violence, many LGBTQ+ individuals are disproportionately affected by high rates of depression, suicidal ideation, and suicide attempts. Throughout 2020/2021 Helem recorded a record 30% increase of individuals calling its hotline with suicidal ideation and thoughts of self-harm - and had more than 100 individuals on the waiting list for its free Mental Health Support program. It is therefore important to identify factors that influence suicidal risk, particularly in rural areas of Lebanon, less welcoming for queer societies. Suicide attempts were recorded among 22 LGBTQ+ individuals in Lebanon. Albeit the received counseling by Helem or its trusted referral partners in response to the attempted suicide, victims who have attempted suicide or self-harm reported having received low general social support, low social integration, and low support from peers, which had associated them with a history of attempted suicide. These findings suggest that discrimination on gender orientation can have unintended consequences related to mental health and suicide risk exacerbated by the ongoing situation, and the lack of life-saving social support systems which can mitigate the impact of mental health problems remains severely lacking especially outside of the capital city.

According to Article 554 of the Lebanese Penal Code, one of the major factors necessary to punish any kind of harm inflicted is the exertion of violence upon another individual. This does not factor in any individuals or circumstances that lead to self-harm of victims and is not generally prosecuted and/or listed under rights and protections of individuals in Lebanon.

For suicide, the Lebanese penal code has not taken upon itself to criminalize suicide or the attempt to commit suicide taking for pretext the personal freedom of each individual to do as he sees fit with his body and is silent on the matter.

Death Threats, Verbal Violence and Blackmail



Members of the LGBTQ+ community are often blackmailed, threatened, or verbally abused, with knowledge of their sexual orientation or gender identity, or with any audiovisual material depicting them in intimate contexts with other people or by themselves, such violations against the community are extremely common & prevalent, particularly on social media platforms.

In 2021, Helem documented 66 cases of blackmail, comprising approximately 1.6% of all of the violations we have recorded over the year. 60% of individuals who reported being blackmailed were Syrian nationals where most incidents involved extorting them for money or sexual favors by clients, sex traffickers (pimps), employers, or individuals they were in a relationship with. Another important number is that 34% of those blackmailed were Lebanese citizens, and the majority of those incidents involved threats from previous or existing relationships and/or family members to publicly disclose their SOGIESC (out them) for revenge or for the settlement of debts through sexual favors and/or provision of drugs – but rarely for money.

The reason for the disproportionate number of incidents with Syrian nationals is that they are mostly comprised of refugees formally registered with UNHCR and thus live and work in Lebanon without any formal social or economic safety net other than what UNHCR provides as monthly or emergency cash assistance. Syrian refugees are exponentially more vulnerable to blackmail and all other violations mentioned in this report due to their susceptibility to socio-economic rights violations – especially with access to housing, shelter, and employment. The current economic crisis has also affected many Lebanese members of the community, who despite their increased vulnerability can still access basic and rudimentary means of social support from families or friends when needed – unlike refugees who often come to Lebanon with nothing and knowing no one.

Blackmailing per the Lebanese penal code is the action by which a person threatens another to reveal or expose or inform about a matter that may harm the honor or dignity of that same person or anyone of their relatives so that he or she provides them or others with an illegal benefit. Article 650 of the above-mentioned law also considers this crime to be a misdemeanor with a penalty ranging from two months to two years along with the payment of a fine.²¹

²¹ Article 650 Penal Code: “Anyone who threatens a person to expose, divulge, or inform about a matter and which would harm the dignity or honor of that person or of one of his relatives or honor in order to force him to bring an unlawful benefit to him or others, shall be punished by imprisonment from two months to two years and a fine of up to six hundred thousand pounds.

The penalty is increased in accordance with Article 257 of penalties for the perpetrator if the matter that threatens to expose him is related to his work by virtue of his position, profession or art.”

Lebanese legislation has penalized any kind of threat exerted on another person and considers such actions as crimes occurring on the freedom and dignity of an individual. Per article 574 of the Lebanese Penal Code, threatening to commit a crime is considered to be a felony shall be sentenced between one and three years of imprisonment. Concerning death threats, the main crime being threatened with is intentional murder which, according to this law is sentenced to hard labor between 15 and 20 years. In our case then, the death threatening is punished with the penalty mentioned in article 574 of the Lebanese Penal code i.e., one to three years jail time making of this crime a misdemeanor and not a felony

Sex Trafficking

Table 11: Sex Trafficking Cases by Gender and Nationality

	Lebanese	Migrant or Refugee (non-Syrian or Palestinian)	Syrian	Grand Total
Cis-Man	1	1	2	4
Trans-Woman			3	3
Grand Total	1	1	5	7

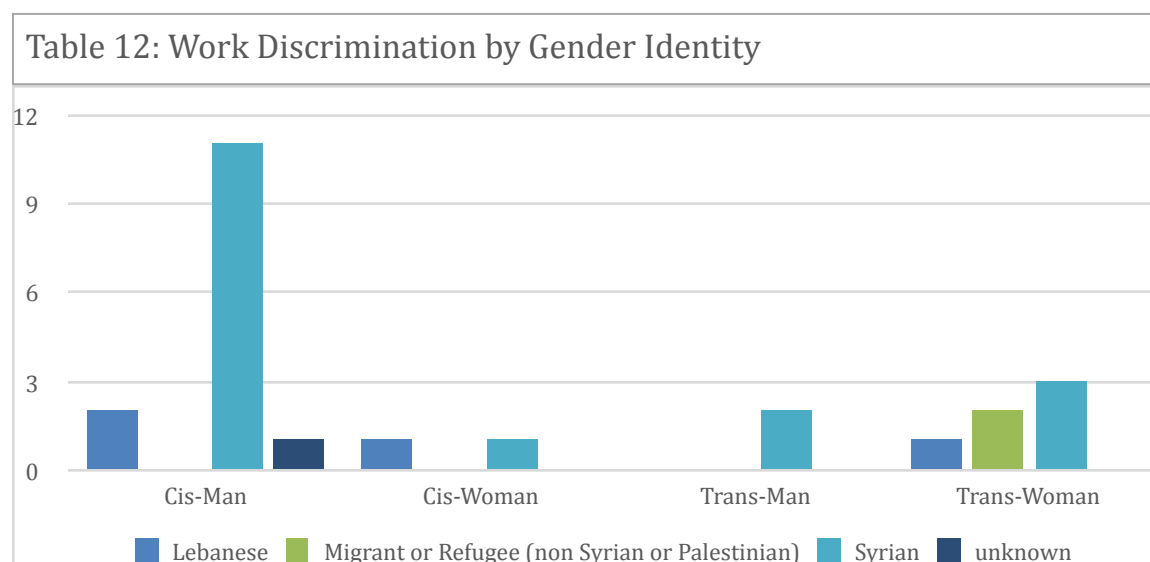
Lebanese legislation addresses the issue of sex trafficking through Law 164/2011 also known as the Lebanese Anti-Trafficking law which provide legal protection for victims and sets the necessary repercussions for the convicted.²² This law also added to the Lebanese penal code a chapter specified for the crime of human trafficking from article 586 (1) till article 586 (11). In this chapter traffickers are penalized with varying punishments which may start with the offender's arrest for 5 years and the payment of a fine and can reach up to 15 years of arrest.

²² Article 574 Penal Code: "Whoever threatens another with a felony punishable by the death penalty, or life imprisonment with hard labor or more than fifteen years, or life detention, whether by writing, even anonymously, or by a third person, he shall be punished with imprisonment from one to three years if the threat includes an order to perform an act, even lawful, or to abstain from it."

As of 2021, a total of 7 sex trafficking cases have been reported by Helem. Of the cases reported, the majority were individuals holding Syrian nationalities with a total of 5 recorded cases in contrast to Lebanese nationals and non-Syrian or Palestinian refugees as only one case was noted for each. These cases included cis-men and trans-woman with a total case count of 4 for the former and 3 for the latter. Numbers thus appear to be more prominent among communities struggling economically or socially. Furthermore, members of the LGBTQ+ community especially, trans-woman and cis-men, are the most likely to resort to survival sex especially due to endemic discrimination in access to labor and in the workplace. Such discriminations may be either during their tenure of a certain job or in the acceptance process as they are more likely to be denied a certain position because of their gender or sexual orientation. The fact that no actual protection is provided to them whenever they are performing their basic duties as employees has left many of them helpless and vulnerable thus deviating into illegal activities that are criminally penalized. If the minimal protection from any kind of discrimination is provided and they are treated equally with their colleagues, the resort to illegal activities would dramatically decrease thus resulting in a decrease in the levels of criminal activities.

There is a great deal of complexity and obscurity surrounding the sex trafficking industry in Lebanon, which has been expanding & becoming more prevalent since the advent of the Syrian conflict in 2011 where many sex work traffickers often operate between both countries illegally & with impunity having connections to both law enforcement as well armed non-state actors on both sides of the border to facilitate the trafficking of human beings. Both Syrian cisgender men and transgender women are equally vulnerable to sex trafficking, with methods and reasons varying widely and evenly among those who reported the incidents in 2021.

Labor and Workplace Violations



Article 26 of the Lebanese Labor law forbids the employer from discriminating on the basis of sex between men and women whether that be concerning the type of work performed, salary, employment, promotions, or dress code.²³ Thus, this article provides the necessary legal protection for employees from any sex-related discrimination through the formation of a new obligation for the employer to abide by. This obligation whenever not respected, gives the employee the right to resign before the end of his contract and without the need to provide prior notice according to article 75 subsection 2 of the Lebanese labor law.²⁴ Discrimination in the workplace

²³ Article 26 Labor Law: “The employer may not discriminate between working men and women with regard to: type of work, amount of wage or salary, employment, promotion, professional qualification, and apparel.”

²⁴ Article 75 Labor Law: “The wage-earner or salary-earner is entitled to leave work before the date provided for in the contract and without prior notice in the following cases:

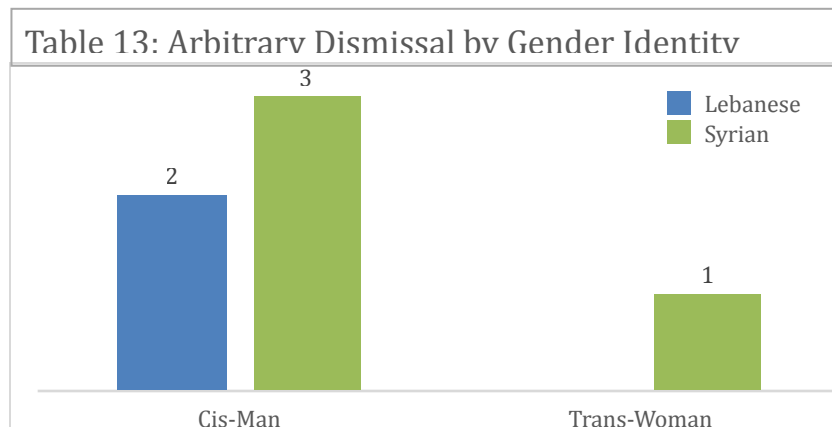
- 1- If the employer or his Agent has deceived him as to the conditions of work at the time when the contract was concluded. But the wage-earner or salary-earner forfeits his right from such argument if thirty days have elapsed since his engagement;
- 2- If the employer does not honor their obligations towards the wage-earner or salary-earner, in conformity with the requirements of the present law;
- 3- If the employer or his Agent commits a misdemeanor offence on the person of the wage-earner or salary-earner or on a member of his family;
- 4- If the employer or his Agent is guilty of assault or battery on the wage-earner's or salary-earner's person.”

may target the salary of the employee – when one individual performing the same work is given a higher wage because of his gender. In addition, such violations can occur on the multiple benefits employees are granted whether be it medical, transport or housing benefits.

Even though the Lebanese labor law has targeted work discrimination in the above-mentioned articles, such actions are still being recorded as they are not being enforced especially when such actions occur against members of the LGBTQ+ community. The labor code has not been updated since 1959 and contains no protections based on SOGIESC or any other vulnerable status outside a binary recognition of sex/gender. Table 12 shows that LGBTQ+ community members are more likely to be discriminated against in the workplace, and especially when they are of Syrian nationality where 11 cases were recorded against Syrian cis-men compared to just two amongst Lebanese men. Employers tend to exploit queer workers, especially those within the working class and those who are not legally allowed to work in Lebanon by offering lower wages, little or no benefits, no contracts, and thus no social security or health insurance. Cases of harassment, exploitation, and blackmail based on SOGIESC in the workplace are also underreported for fear of being outed or of losing access to a stable source of income. A study conducted by OXFAM and Helem in June 2021 saw that unemployment within the LGBTQ community was 78%, almost double the then national average of 40%.²⁵

²⁵ Oxfam Lebanon, *Queer Community in Crisis: Trauma, Inequality and Vulnerability*; <https://www.oxfam.org/en/research/queer-community-crisis-trauma-inequality-and-vulnerability> ; June 2021.

Arbitrary Dismissal



The Lebanese labor law has discussed arbitrary expulsion in article 50 subsection “d” in which it specifies some of the cases that form ground for the occurrence of such expulsion.²⁶ These cases are not absolute as the Lebanese legislature allows room for interpretation and has left it up to Lebanese courts the option to determine whether other cases should be deemed as arbitrary expulsion. Of those cases mentioned, subsection d(1) considers dismissal as an arbitrary expulsion whenever it occurs for a non-valid reason or for reasons not related to the employee’s performance. Moreover, subsection d(5) protects employees from such dismissal if it has occurred due to the employee exercising his *“individual and public liberties within the framework of the laws in force.”*²⁷

²⁶ Article 50 Labor Law subsection (d): “Dismissal shall be considered as being the fact of misuse or abuse of right if it should occur in the following cases:

1- For a non valid reason or for reason in no way pertaining to the worker’s fitness or behavior within the establishment or to the sound management and smooth running of the establishment.
 2- For having adhered or not to a given trade union, or for having engaged in a legal trade union activity, within the laws and regulations in force or within the framework of a group or individual labor agreement.
 3- For having stood for elections, or for having been elected as member of a trade union office or having represented the establishment’s labor force, throughout the period of such representation.

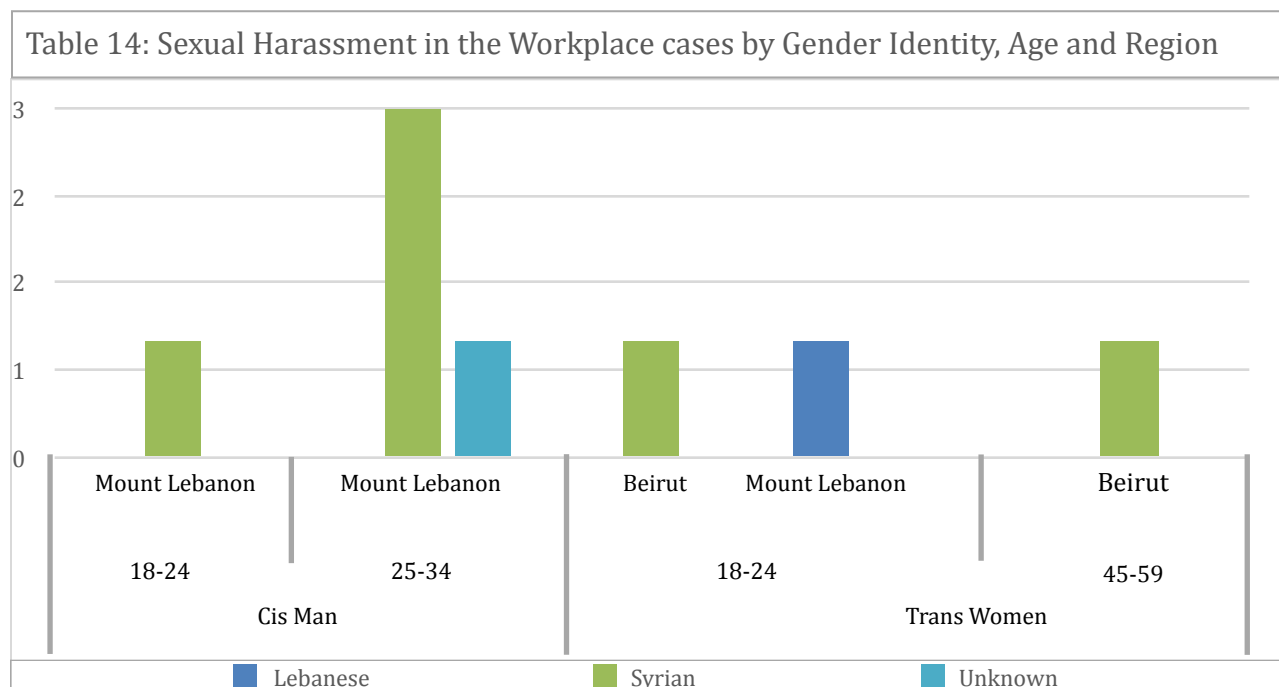
4- For having lodged, in good faith, with the competent Services, a complaint regarding the implementation of the provisions of the present law and of texts referring thereto, or having brought a case against the employer on the same basis.

5- For having exercised his individual or public liberties within the framework of the laws in force.”

²⁷ Lebanon, Labor Law 1946, Art. 50 d (5)

While Lebanese legislation has made sure to discuss arbitrary expulsion cases, frequent reports of such expulsions are being recorded. According to Helem, 6 cases of arbitrary expulsion were recorded with more than half of them targeting Syrian refugees (3 men and 1 trans-woman) while there were 2 cases related to Lebanese individuals. Syrian workers are especially vulnerable to this as many works in Lebanon without any written or verbal contract and thus there is little to no recourse for justice in the case of dismissal. Cases involving individuals whose SOGIESC was outed at their workplace have also led to immediate dismissal from the employer, often without compensation or even notice period. Cases of labor violations in general are grossly underreported, by refugees and nationals alike, and further information on the extent of labor rights violations against the community can be found in Helem's 2021 labor rights violations report.

Sexual Harassment in the Workplace



Article 1 of law No. 205/2020 begins by defining sexual harassment as “any repeated improper behavior, undesired by the victim and with a sexual connotation violating his moral and physical wellbeing.”

Through this law, harassers are convicted with a misdemeanor without having this crime rise to the level of a felony. The original sentence applied is time served in prison ranging between one month and one year and a fine set at three to ten times the minimum wage (675,000 LBP), which if one considers the end of year devaluation of the Lebanese currency amounts to roughly 30 USD. In addition, this sentence can be increased within two stages. Firstly, the penalty increases to imprisonment between six months and two years with a fine ranging from ten to twenty times the minimum wage or either of those penalties. This sentence is applied whenever the crime is committed in the workplace or due to the dependency association between an employee and his employer or when it occurs in any administration, public or military institution, municipality, or university.

The absence of legislation on sexual harassment and exploitation in the workplace particularly is an additional issue. A draft law on sexual harassment in the workplace was approved by the cabinet in 2017 but is still pending approval in parliament. Although showing an effort in advancing safe work environments, the draft law falls short on decreasing the burden of proof on the victim, as well as protecting those who are not covered by the labor law and are most vulnerable to harassment and exploitation, such as domestic workers. Neither of these laws have any protections based on SOGIESC nor do they take into account that the burden of proof on queer individuals is much costlier and much more dangerous than normative and cis-hetero individuals experiencing the same violations. In addition, and according to Human Rights Watch, the laws mentioned that only criminalizes sexual harassment doesn't include or address the need for monitoring and prevention practices of these crimes, as well as it not extending protection to labor and health laws and is limited to criminal law only.²⁸

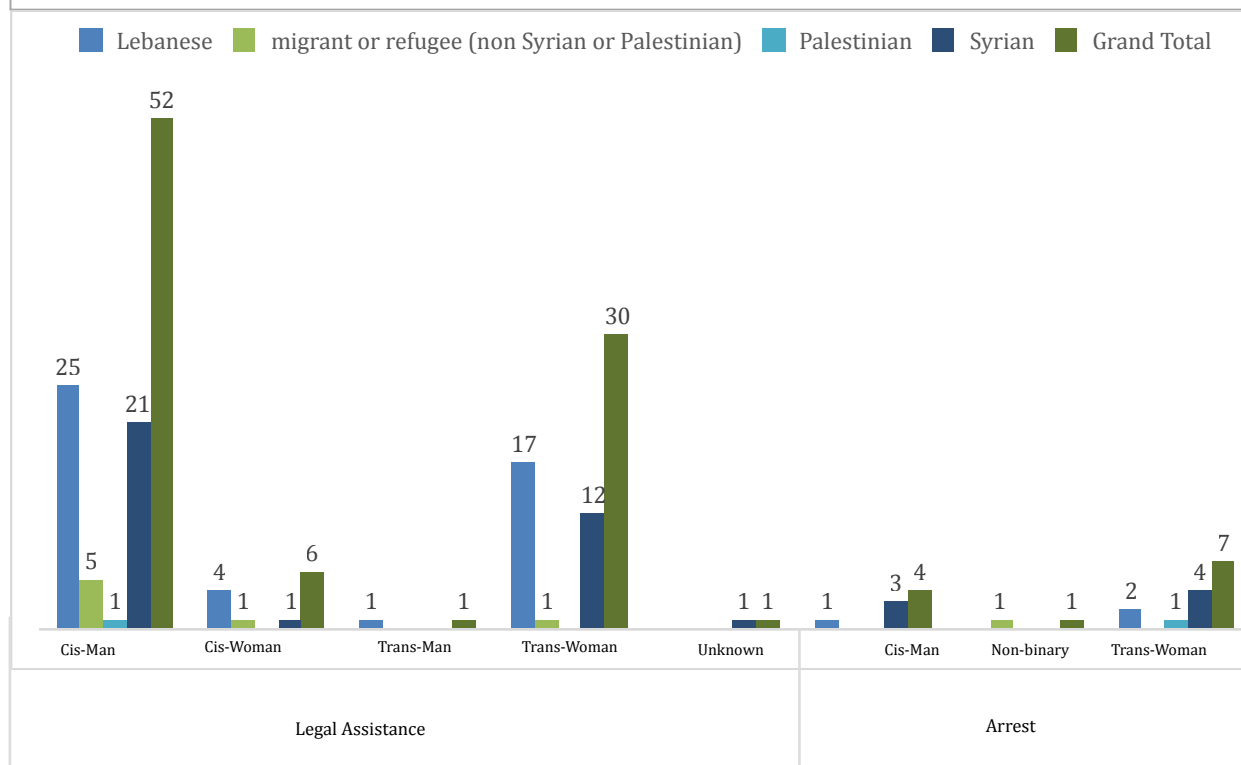
²⁸ Human Rights Watch, Lebanon: Sexual Harassment Law Missing Key Protections; <https://www.hrw.org/news/2021/03/05/lebanon-sexual-harassment-law-missing-key-protections> ; 2021

Concerning sexual harassment in the work place, the Lebanese labor law hasn't clearly addressed the issue however article 75 of the law, which states the different situations through which the employee can resign even if his contract's time-period hasn't elapsed and without prior notice, has given each employee the right to resign if the employer or his representative committed a crime that violates public morals on the employee or a member of his family. In addition, law 205/2020, which targets the criminalization of sexual harassment, has made sure to worsen the penalty implemented on such an action whenever it occurs in the workplace or due to the dependency association between employer and his employee. This dependency demands of the latter to abide by all the instructions provided by his employer during the entirety of his work schedule and the failure to do so may be considered as grounds for dismissal.

Table 14 shows the number of reported sexual harassment cases in Mount Lebanon and Beirut between the different age ranges. The cases gathered in this table show that the those experiencing the most harassment identified as Syrian cis-men aged between 25 and 34 with three cases being reported. The rest of the incidents collected show that one sexual harassment case per each segment was recorded within the different age ranges, governates and genders included. Much like arbitrary dismissal and discrimination, cases are seriously underreported for largely the same reasons.

Needs of Assistance

Table 15: Needs of Legal Assistance by Gender Identity and Nationality



In 2021, Helem responded to 90 calls for legal assistance and to 12 cases of arrest among the LGBTQ community.

In regard to case visits to Helem requiring legal assistance, the main category reported was comprised of individuals summoned for an investigation whether they were already detained or at an increased probability of being arrested. Additionally, legal assistance was also recorded for cases of sexual and gender-based violence who are seeking pressing charges against perpetrators and demanding the provision of the necessary police protection. Of the reported arrested cases, 58% were Syrian refugees followed by Lebanese nationals which consisted around 25% of the recorded cases. For the first category, most cases were detained under the pretext of not holding the necessary residency papers or due to them not being registered with the UNHCR while interrogation attempts, mistreatment, and other engagements with investigators and police officers revealed consistent discrimination and targeting based on their SOGIESC.

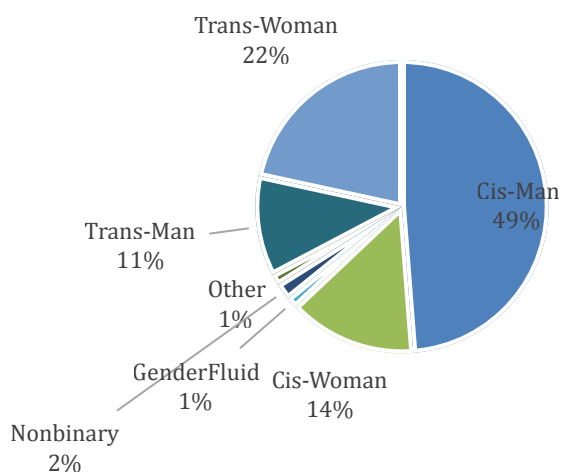
It should be noted that the above-mentioned data may not present the exact case of the LGBTQ+ community's arrest. This is due to several factors of which the most prominent is the occurrence of a vast number of arrests without the knowledge of Helem as detainees fear being identified as LGBTQ+ especially in a country such as Lebanon where such an identification is still considered to be "shameful". In addition, the majority of arrests reported to Helem tend to come from the Mortality Protections Bureau at Hobeich Police Station in Ras-Beirut for this department is the one concerned with the processing of all cases arising from the breach of article 534 of the penal code. This means that most cases occurring outside the scope of this bureau are usually not reported to the organization due to a multitude of reasons of which we mention the general dysfunction and lack of resources throughout Lebanon's security apparatus which results in the complete disregarding of set protocols and the reporting process to Helem. These cases are often witnessed in other urban and rural areas outside of Beirut. Throughout 2021, detainees who reported their arrest to Helem stated their subjection to verbal abuse and general mistreatment by police officers, but no physical violence incidents were recorded in any of the 3 different police stations where these violations occurred. Moreover, all individuals mentioned being coerced in giving false

testimonies as part of the interrogation process. They were also told that such a testimony would result in the reduction of their sentence and result in improved treatment conditions - a common tactic used by police officers and investigators to reduce investigation time and to intimidate detainees. Furthermore, the majority of the documented cases - around 90% of the total number - involved cisgender gay men and trans-women, traditionally the most vulnerable members of the LGBTQ+ community. This is caused by the fact that these categories are being disproportionately affected by the criminalization of same sex relations as well as sex work and non-conformity in terms of gender expression. Also, most of the arrests involving trans women were on the grounds of suspected involvement in sex work, without any evidence whatsoever due to the endemic discriminatory perception of Lebanese law enforcement and the public at large that being trans and engaging in sex work are synonymous – a factor in the systemic arrest, detention, and mistreatment of trans women in Lebanon through the criminalization of their gender expression and identity, and not any specific act or action that violates (or does not) existing Lebanese laws.

Compared with the 2019 reported cases, 2021 has seen a decrease in the number of arrests from 32 cases in the prior year (6% of the total number of violations) to 12 arrests in the latter (0.3% of the entire cases). On the other hand, between 2021 and 2022 a slight increase was witnessed as 2021's documented cases were 14 arrests comprising 0.6% of the entire violations recorded. While this at face value might indicate more knowledge and tolerance of LGBTQ related concerns by state authorities, it is more likely connected to the general lack of resources & functionality within all state institutions in Lebanon as a result of the financial crisis, as well as the prioritization of maintaining security in the face of rising street mobilization and popular tensions in the country – decreasing the time and prioritization of targeting the LGBTQ community and other vulnerable groups as well.

Psychological Care Provision and SOGIESC Questioning Needs

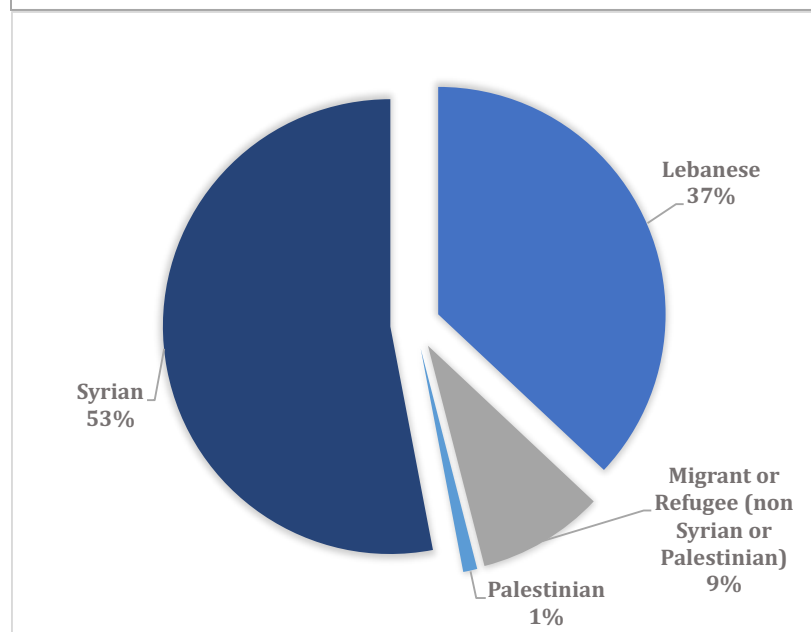
Table 16: Provision of Psychological Care by Gender Identity



Due to many of the afore-mentioned crises, there has been a sharp increase in the demand for mental healthcare by the LGBTQ community in Lebanon, culminating in almost 73% of all respondents to the OXFAM report in June 2021 stating that their mental health has considerably worsened in the past year. Helem has received 434 cases of psychological assistance in 2021 alone, with the majority of cases related to suicidal ideation, clinical depression, and

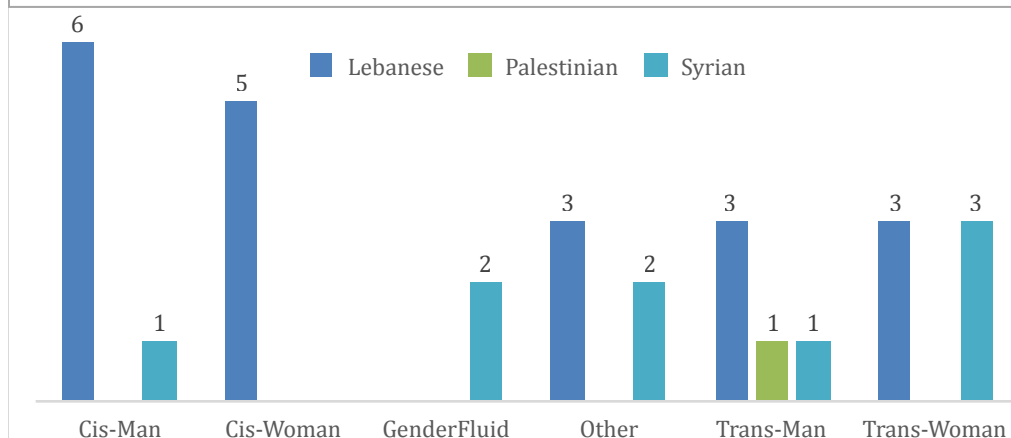
post-traumatic stress. The numbers are not only alarming, but they also reflect the deteriorating nature of mental healthcare provision in Lebanon and the inability of a majority of the community to access it or even afford it. Mental healthcare, especially medication and psychiatric care, is very expensive in Lebanon as medicine is costly and not always available and therapists/counselors, and/or psychiatrists are not always professional in their practice and follow the guidelines of the Lebanese Psychological Association and the Lebanese Association of Psychiatrists – both of whom dropped homosexuality from their list of diseases and disorders in 2012. SOGIESC change efforts, also known as conversion therapy, remains commonly practiced by mental health care givers in Lebanon.

Table 17: Provision of Psychological Care by Nationality



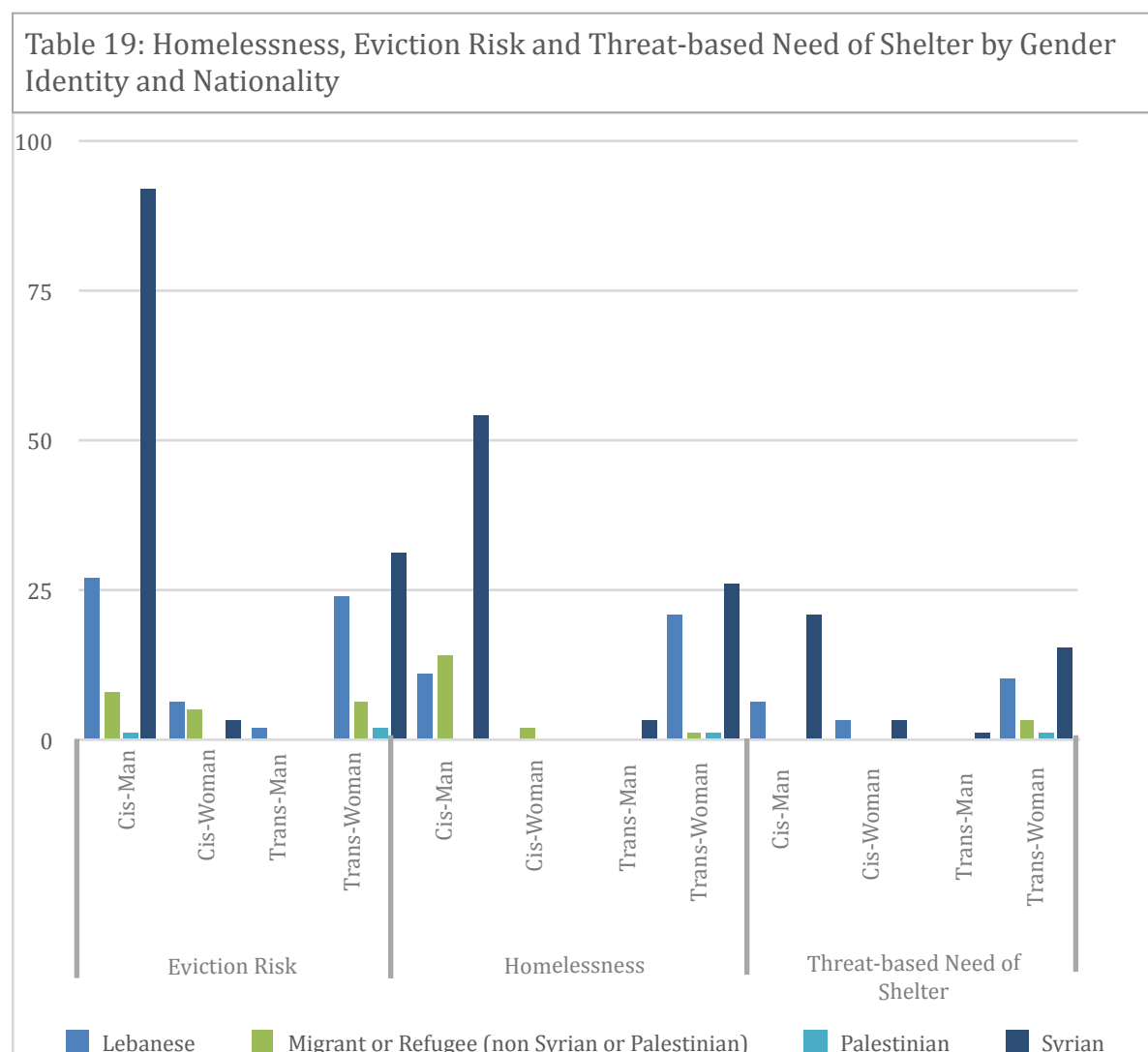
LGBTQ+ community members who came to Helem seeking mental health care, were divided according to the findings in Table 17. Syrian refugees were the most at risk, with the added impact of the effects of institutionalized xenophobia in addition to homophobia and transphobia – especially individuals that have not registered officially with UNHCR and are without a reliable safety net.

Table 18: SOGIESC Questioning by Gender and Nationality



SOGIESC questioning involves the number of case visits to Helem of individuals who were uncertain about their sexual orientation, gender identity and expression or sexual characteristics and sought support or counseling from Helem's Mental Health Support program. SOGIESC diversity primary guidance offered by the program is usually followed by referral to specialized mental health services that aims to provide the individuals with a safe space to discuss their SOGIESC or to health referrals related to sexual characteristics. The lack of reliable, available, and affordable mental health counselors in Lebanon has led to increased demand for this service in 2021.

Shelter and Housing: Homelessness, Eviction Risk and Need of Shelter



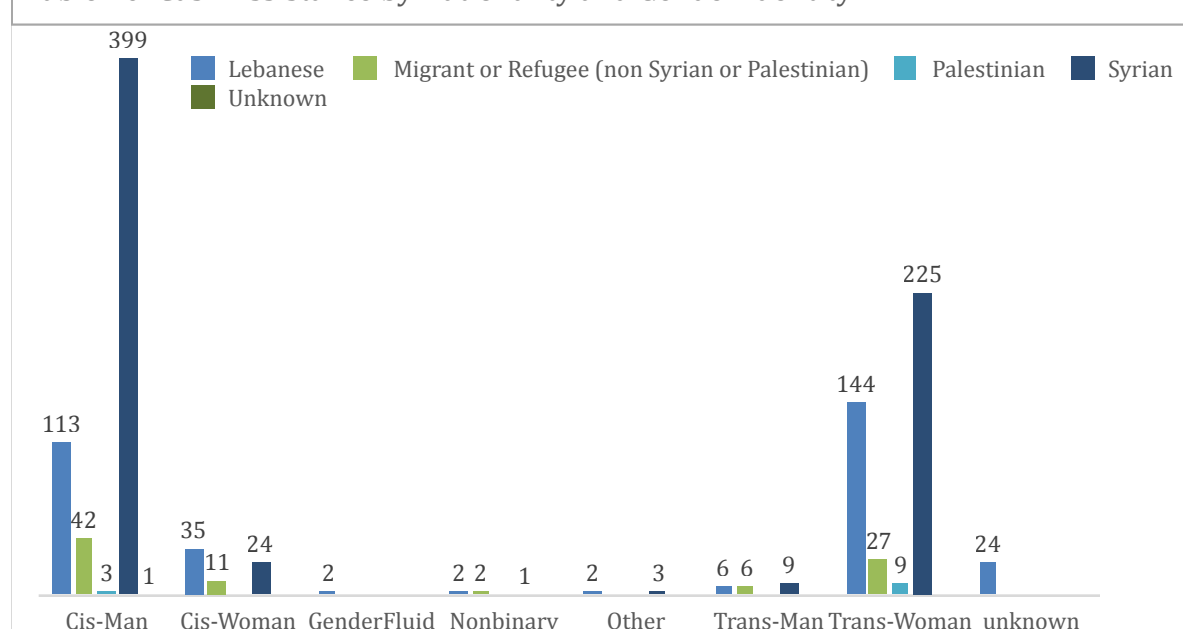
As represented in Table 19, of the cases recorded by Helem, 133 cases in 2021 were experiencing homelessness at the time of their visit to Helem, with the majority of those being Syrian nationals and more specifically Syrian cis-men (54 cases) and Syrian trans-women (26 cases). Syrian cis-men who mostly identified as gay or bisexual were also the most in danger of being evicted from their home with 92 reported cases at risk of eviction followed by trans-women with 31 reported cases. Helem recorded around 250 cases of

individuals who were at imminent risk of eviction, and among them 41 who were under immediate threat. Additional reasons for eviction also included some cases where younger community members revealed their SOGIESC to their families or escaped domestic violence they were victim of. As part of Helem's activities in 2021, the organization has provided shelter for a total of 383 LGBTQ+ individuals who were either already homeless or under threat of becoming so.

The deteriorating economic situation has left many individuals without access to employment and/or income – especially individuals who cannot move back to their families' homes either due to safety concerns related to their SOGIESC or because they are refugees or migrant workers with no other place to go to. Additionally, the effects of the Beirut Port Explosion in August 2020 left many queer individuals, especially those in poorer areas close to the explosion epicenter, extremely vulnerable to eviction due to the devastation of housing units in these areas as well as many landlords attempting to capitalize on reconstruction efforts by kicking out existing tenants in favor of those who can pay in USD.

Cash Assistance

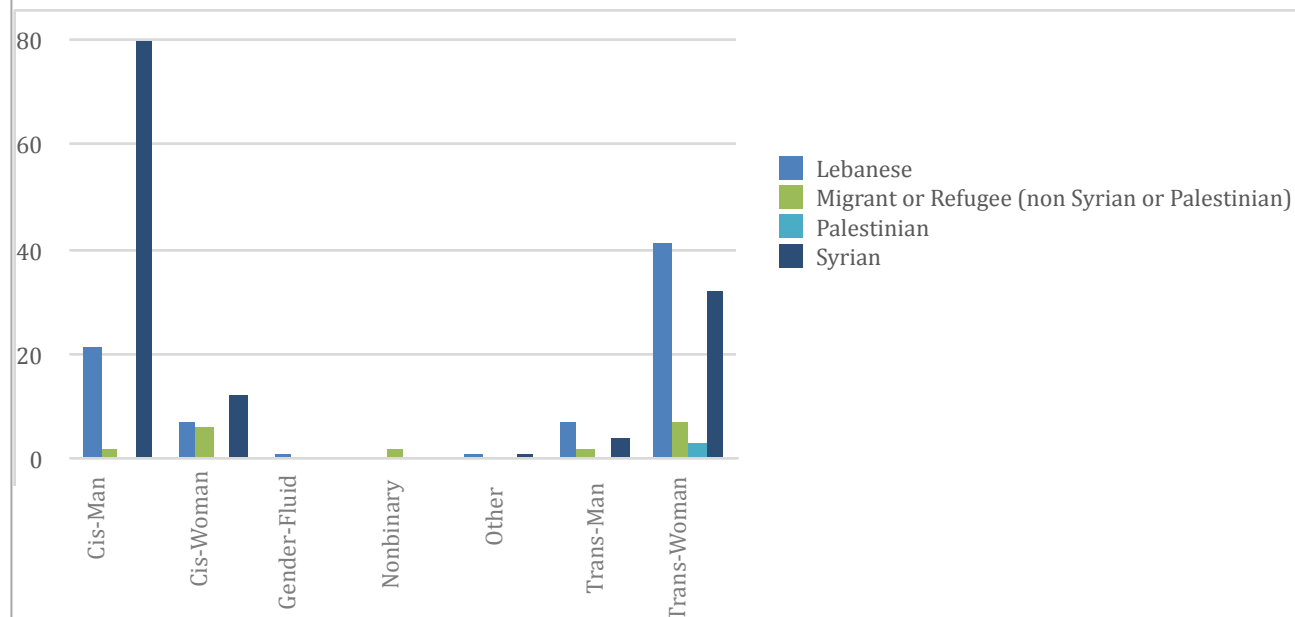
Table 20: Cash Assistance by Nationality and Gender Identity



Cash assistance at Helem can be dispensed for various reasons involving imminent risk or threat for an individual's life safety, security, or health. Victims of threats, sexual and orientation-based violence, verbal and physical abuse, work discriminations and other intimidations lead to needs that would vary from basic needs mostly related to food or rent, relocation of victims of violence or targets of violence, transportation, but also to medical or mental health admissions. Due to the dire economic situation, many applicants find themselves in need of medical fees for urgent tests and medications, hospitalization, shelter, or other types of spendings needed. This type of assistance is usually given after the case management plan that is set by protection officers with agreement with the applicant.

Medical Assistance

Table 21: Medical Assistance by Gender Identity and Nationality



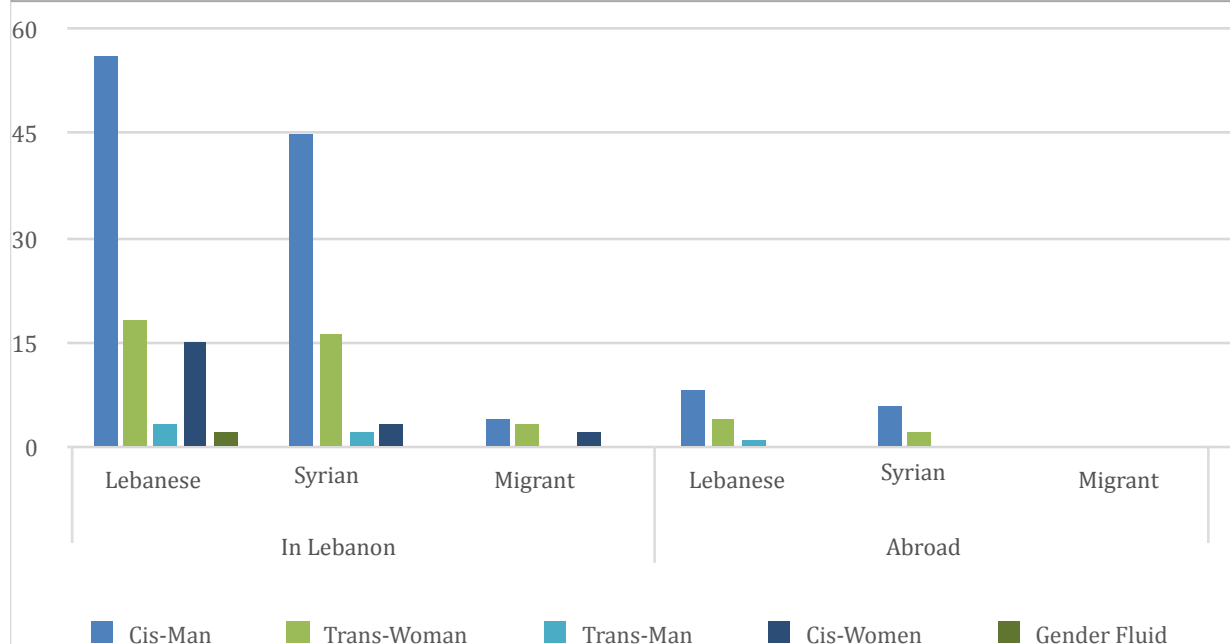
The tri-partite crisis in Lebanon has also led to the increase in the cost and decrease in availability of healthcare – especially those not related to SRHR and more related to general healthcare provision. With the inability of the government to provide any form of social security and healthcare, and with private health insurance companies unwilling and unable to cover LGBTQ-specific healthcare needs – access to healthcare has emerged to be one of the most pressing and serious threats to the lives of LGBTQ persons in Lebanon. Furthermore, the ongoing situation in Lebanon has forced large swathes of healthcare professionals to emigrate from the country, thereby decreasing the already scarce availability of healthcare providers with the knowledge and experience of attending to the specific healthcare needs of the LGBTQ community – especially in areas related to endocrinology, gynecology, and mental health. The decrease in trusted and vetted HCPs has led to increased demand from the few remaining clinics and practitioners -

especially as it will take a long time to be able to train, engage with, and vet new healthcare providers to refer the community to. The remainder of the Lebanese healthcare sector has been under extreme stress due to both the COVID-19 pandemic as well the economic crisis²⁹, and existing healthcare options that might be available to cis-hetero persons are often unsafe and unschooled in how to service and treat non-conforming and non-normative bodies and people.

In 2021, Helem received 229 cases in need of medical assistance, only 15 of which were related to sexual health and sexually transmitted infections. These cases varied between needs of chronic or one-time needs of medicine, needs to cover operations, medical consultations, and other needs.

Asylum

Table 23: Asylum by Gender Identity, Nationality and Type of Asylum



²⁹ RUBIN TUTENGES; LEA POLVERINI; *Lebanese Hospitals can't breath anymore*; <https://www.slate.fr/grand-format/dernier-souffle-hopitaux-beyrouth-liban-crise-economique-sanitaire-systeme-sante-libanais-hopital-rafic-hariri-213777>; 21 August 2021.

Perhaps most alarming has been the number of individuals who have come to Helem seeking assistance in applying for resettlement or asylum abroad. In 2021, Helem recorded that 190 individuals sought the organization's help and advice to seek asylum or to be resettled in countries in the global north. 169 of the 190 were individuals residing in Lebanon seeking resettlement or counsel about asylum procedures. Approximately 55% of them were Lebanese seeking inquiries about resettlement or asylum in a different country for multiple reasons most common of which involving being targeted by others with a credible threat, decreased safety levels, oppression, violation of their basic human rights, etc. The remaining 45% of the 169 who are residing in Lebanon were mostly Syrian refugee most of them being registered with UNHCR, noting that the actual number of LGBTQIA+ refugees reporting a need for resettlement was much higher the number recorded, the numbers recorded were for refugees whose durable solution was restricted to resettlement after a period of case management, When compared to the numbers in 2020 and 2019, numbers in 2021 have increased exponentially mostly due to the deteriorating living conditions in Lebanon and especially the lack of spaces, resources, and protection for LGBTQ individuals. The remaining 21 were cases originating outside of Lebanon, they were individuals who are applying for asylum mainly in European countries who reported going through difficulty to prove to asylum courts that Lebanon is unsafe to LGBTQIA+ individuals, most of these asylum seekers reported that their assigned judges in other countries claimed that Lebanon is safe for LGBTQ+ individuals and does not criminalize based on their SOGIESC. This perception is unfortunately quite misinformed and inaccurate and is based on largely inaccurate portrayals of Lebanon as a tolerant and vibrant space for LGBTQ+ populations when in fact that portrayal is mostly hyperbolized, authored by non-Lebanese journalists and authors, and mostly covers communities that are protected by their own individual wealth, social status, or multiple nationalities, LGBTQ+ individuals in Lebanon still struggle to receive police and judicial protection against their perpetrators while SOGIESC-based violence has been on an unprecedented rise especially in the past three years due to the ongoing crises. While Helem does not provide any legal assistance in cases involving asylum, it does provide access to publicly available information as it pertains to legal applications for asylum for individuals under threat due to their SOGIESC.



RECOMMENDATIONS



To Civil Society Organizations

- Ensure through policy and practice that all existing humanitarian or economic aid efforts are LGBTQI+ inclusive and do not discriminate or curtail people's right to access basic services including but not limited to food provision, access to healthcare, access to mental health services, shelter, education, and capacity building.
- Ensure through policy and practice that all development or human rights initiatives have a mandatory gender impact analysis that recognizes a non-binary and diverse view of gender identity and expression.
- Ensure that groups and/or individual actors organizing around sexual and bodily rights are included in coalition building and systemic reform efforts around civil, political, social and economic rights and that all resulting legislative and policy advocacy acknowledges their participation, reflects their needs, and offers protection.
- Refrain from acquiescing to or collaborating with public, private, or non-state actors and entities that target or have targeted LGBTQ+ communities and spaces, including organizations, events, and/or their advocacy.
- Ensure that all leadership, personnel, and partners have been exposed to LGBTQ+ persons and/or issues and have been sensitized and/or educated about LGBTQ+ rights and persons especially as front liners and actors involved in humanitarian response.



To the Lebanese Government

- Offer proper assistance to victims of physical violence, sexual harassment, rape, and forced confinement. In addition, the Ministry of Justice and the security bureaus undergo proper investigations with respect of complaints presented by the victims.
- Instruct the Ministry of Interior and Ministry of Social Affairs to create a monitoring mechanism that would receive complaints and monitor the work of ISF on receiving SBGV victims and assisting them.
- Instruct the Ministry of Justice and security bureaus, on enforcing application of Laws 205 and 206/2021 related to sexual harassment and domestic violence.
- Develop a housing policy that is inclusive of the LGBTQI community to solve the current housing issue, ensuring that individuals are protected from evictions based on their sexual orientation and gender preferences.
- Repeal articles 534, 521, 526, 531, 532, and 533 of the Lebanese penal code that are used to criminalize same sex relations and nonconforming gender identities and expression; criminalize impersonating women and entering women only places; criminalize sex work; criminalize breaking public decency and morality norms; and criminalize the promotion or sale/purchase of items considered contrary to public morals respectively.
- Ratify ILO convention 190 which protects workers from violence and harassment in the workplace and also a comprehensive employment anti-discrimination law that includes protections against discrimination based on gender expression and sexual orientation.
- Facilitate the procedure of submitting claims and accessing medications for LGBTQI+ persons for social security at the Ministry of Health and Ministry of Social Affairs.
- Ratify ILO Convention 44 that secures unemployment allowances to the involuntarily unemployed and expand the coverage of the National Social Security Fund to ensure the right to social security for all, as stipulated in Article 9 of the ICESCR.



To the International Community

- Ensure that all existing humanitarian, development, and human rights programs funded include a gender impact analysis gender impact analysis that recognizes a non-binary and diverse view of gender identity and expression.
- Ensure that funding and support for LGBTQ+ targeted services and advocacy not only prioritizes decriminalization and political participation but also social and economic reforms in the branches of government including but not limited to the labor law, the housing code, healthcare policy, sanitation, and education.
- Ensure that LGBTQ+ targeted funding prioritizes protection and support for survivors of violence, exploitation, and sex trafficking and that it prioritizes the establishment of shelters, health clinics, and other safe spaces.