The “Chez Maurice” Case: Media and NGOs’ Legal Debates on “Prostitution” and Sex Trafficking in Lebanon

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The apprehension of the largest sex trafficking ring in March 2016 sent shockwaves through Lebanese society, leading to a public debate in media, as well as within civil society institutions about “prostitution” and sex trafficking. The incident became known as the ‘Chez Maurice’ case, which exposed the plight of 75 Syrian and Iraqi women, who were held captive, coerced into sex slavery, and tortured. This Article presents an overview of the Lebanese ‘prostitution’ and human trafficking laws, from the Ottoman Empire rule until the present day. Subsequently, it analyses the legal debates in Lebanese media outlets following the ‘Chez Maurice’ case. In doing so, the Article draws the two sections together, arguing that the NGOs’ debate reproduces the divisive international one regarding sex trafficking and ‘prostitution’; while it overlooks the ‘Artiste’ visa scheme, which functions as a state-facilitated sex trafficking system, as well as the persistent targeting of
vulnerable Lebanese and Syrian refugees by “prostitution” and new trafficking laws.

Introduction

Outrage erupted in March 2016, following the discovery of the largest human sex trafficking network operating in Lebanon: 75 Syrian and Iraqi women were forced into sexual slavery and tortured, some for more than five years.¹ TV stations, online and print media published women’s testimonies, portraying the level of inhuman treatment they were subjected to: being forced to have sex about ten times a day, after being sold into the sex trade by their families or husbands, or held captive after accepting an offer to work at a restaurant.² They were tortured whenever they refused to ‘work’, did not collect enough tips, or when a customer was not satisfied. Approximately 200 abortions were performed

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² Rania Hamzeh, ‘Women Trafficking in Lebanon: The Torture Chambers of Chez Maurice’ (The Legal Agenda, 14 April 2016)
on them over a period of four years by the gynaecologist Riad Boulos.³

The exposure of the ring in March 2016, after four of the trafficked women managed to escape, led to two police raids of the ‘Chez Maurice’ and ‘Silver B’ hotels, and apartments and cabins owned by trafficking ring suspects, where the women were imprisoned.⁴ Both of the hotels were located 20km north of the capital and owned by Maurice Geagea.⁵

Many Syrian women were trafficked into Lebanon following the war in Syria, while numerous international organisations reported an increase in the vulnerabilities of Syrian women and girls both in Syria and Lebanon⁶. Syrian and Lebanese

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³ Shaheen (n 1).
⁴ Hamzeh (n 2).
citizens who participated and led the trafficking cell were arrested in these raids, except for two trafficking cell leaders who managed to escape.7

The ‘Chez Maurice’ case is one of the first cases to be qualified as human trafficking since the passage of the 2011 Trafficking Law.8 Previous cases were charged with ‘facilitation of prostitution’,9 as per Article 523 of the Penal Code (hereinafter ‘PC’),10 which criminalised both the ‘prostitute’ and the male or female who ‘incited her [to] debauchery or the immoral act’.11 However, the 2011 Trafficking Law exclusively criminalises the trafficker, as it considers women forced into ‘prostitution’ to be victims, not criminals. In contrast to the PC’s Article 523 of ‘facilitation of prostitution’,12 the new trafficking law charges the human trafficker with a higher sentence.13 Nevertheless, this law also presents drawbacks which will be discussed within this Article.

The ‘Chez Maurice’ case initiated legal debates concerning the different and contradictory trafficking and ‘prostitution’

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7 Shaheen (n 1); More details on arrests will be discussed in section 2.
8 Media sources named the case of the 75 women trafficked after the name one of the hotels ‘Chez Maurice’. The same name will be used to refer the case throughout this Article.
10 Article 523, Penal Code, entered into force 1 March 1943 [Hereinafter ‘Article 523 of PC’].
11 Ibid.
12 Ibid.
laws. Before the criminalisation of “secret prostitution” under the 2011 Trafficking Law and PC’s Article 523, ‘prostitution’ was legalised and regulated by a law, issued in 1931, giving licenses to establishments and to ‘prostitutes’. However, the act of ‘prostitution’ existed far before the French Mandate, though it lacked a legal basis. Following the criminalization of ‘prostitution’ at the end of the Civil War, the 1931 Prostitution Law was not terminated. However, during the Civil War in the 1970s, the government stopped issuing licenses, consequently making the practice of ‘prostitution’ unlicensed, and therefore unlawful. Nevertheless, ‘prostitution’ remains a lucrative business in Lebanon. It is regulated by the “Artiste” visa scheme, which orders the entry, the stay, and the contract of foreign women working in licensed super nightclubs, massage parlours, and clubs.

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14 Law of Preserving Public Health from Prostitution, entered into force 6 February 1931 [Hereinafter ‘1931 Prostitution Law’].
18 Regulation 10267, entered into force 6 August 1962 [Hereinafter ‘Regulation 10267’].
19 A legal definition of super night club and massage parlours will be provided in section 1’s legal overview.
20 Regulation 1756, entered into forced 18 September 1964 [Hereinafter ‘Regulation 1756’].
According to the “Artiste” visa scheme and Article 523, having sex in exchange for money is illegal. Yet, in reality, women are forced to or willingly engage in such practice. In addition to the one regulated under the ‘Artiste’ visa scheme, unregulated ‘prostitution’ consists of street pick-up or phone delivery ‘prostitution’.

This paper explores the legal and media debate following the ‘Chez Maurice’ case, and investigates how it relates to local laws and international discussions on human trafficking and ‘prostitution’. The first section presents a detailed overview of the local and the international laws on trafficking and ‘prostitution’ within the local Lebanese context, prior to and following the French Mandate. It reviews the legal texts and their implementation, and looks at discourses ‘on the law’ rather than ‘of the law’ (practices of judges and lawyers).

The second section analyses the ‘Chez Maurice’ case highlighting the laws and the relevant practices; it explores the media coverage of the legal themes regarding the case, and the non-governmental organisations’ legal debates on ‘prostitution’ and sex work. The third section brings the legal

21 Ibid.
22 Article 523 (n 10).
23 Carol Mansour, ‘Passion Cannot Be Bought’ [2014] KAFA Details of the regulated ‘prostitution’ in Lebanon will be explained in section 1, quoting a documentary and a UN special rapporteur’s report.
and media discussions of the previous sections together, and ends with concluding remarks.

The first section’s legal overview relies on primary sources from Lebanese laws and international conventions and treaties. Moreover, it includes academic articles and books tackling ‘prostitution’ and sex trafficking in Lebanon, in addition to reports, case law research, a short movie produced by KAFA (which translates into “enough” in Arabic) - the leading women’s rights organisation in Lebanon, and legal articles published in The Legal Agenda. In order to build the analysis of the legal debate in the second section, this paper will draw upon primary sources from local and international newspaper articles, recorded TV shows and documentaries, both in Arabic and English.

This paper will not engage in the international debate on ‘prostitution’ and sex work, unless the Lebanese media tackled it. In those cases, it will be exclusively related to the Lebanese context. As a final note on terminology, this paper uses the terms ‘prostitution’ and ‘prostitute’ in reference to their specific legal meanings, which carry pejorative connotations and a stigmatisation of sex work; for this reason, these terms will be placed in quotation marks. Furthermore, the usage of the term ‘sex work’ aims to emphasise the consensual nature of the practice.

I. Local and International Laws/Protocols on Trafficking and ‘Prostitution’

Lebanon’s ‘prostitution’ laws are embedded in its colonial history, in the processes of urbanisation, migration, globalisation, and in the production of marginality and morality. The emergence of these laws can be traced back to the Ottoman Empire, when ‘prostitution’ was firstly
regulated, and later to the French Mandate, during which ‘prostitution’ was legalised. This was followed by its legal abolition in the 1970s during the Civil War and its contradictory practices today, resulting from the ‘Artiste’ visa scheme and the 2011 Trafficking Law imposed by the US.

A. Colonialism and the 1931 Prostitution Law

During the 19th Century and the Ottoman Empire’s control, Beirut expanded from being a town to an urban centre of 6000 inhabitants characterised by a booming café culture.26 The clandestine practice of ‘prostitution’ was documented in ‘Souk Al-Ummuniya’,27 a geographically marginal and non-residential area in downtown Beirut, and in other parts of downtown Beirut.28 ‘Prostitutes’ were socially stigmatised by the authorities of the Ottoman Empire. During the 1880s, they came from Beirut’s outskirts and from Palestine and Syria to work in factories.29 Being away from their families depicted them as unmarriageable.30 The Ottoman authorities perceived the practice of “prostitution” in downtown Beirut as a dangerous disease that could infest its ‘moral’ areas. Therefore, a ‘pragmatic approach to administering public morality […] portrayed by state responsibility over the society’ regulated the closing times for ‘Souk Al-Ummuniya’, imposed taxes on

26 Brophy (n 24).
27 Translated as ‘public market’.
28 Referring to its location behind the former Ottoman Bank building.
29 Brophy (n 24).
30 Ibid.
coffeehouses, casinos and alcohol, and monthly municipality sanitary check-ups.31

Similar taxes were imposed by the Ottoman Empire on ‘prostitutes’ in Egypt, and in May 1834, they were banished from Cairo to Upper Egypt.32 As the Egyptian historian Khaled Fahmy argues this move, which was never carried out before, shows that ‘prostitution’ was a lucrative business. The main goal of the ban was indeed to satisfy the public opinion, ‘which had become enraged by foreign tourists, effectively monopolising the services of the “dancing‐girls”’.33 However, ‘prostitutes’ lived a precarious reality: they were stigmatised and closely monitored by state authorities who feared their influence on the public.

The French Mandate perceived ‘prostitutes’ as sexual threats to the French soldiers in Lebanon,34 this led to increased regulations on French troops, singers, ‘prostitutes’, and dancers. ‘Prostitutes’ had to ‘register with the local police, carry identification cards, work in designated brothels and submit twice weekly to medical tests in separate health clinics that were built solely for this purpose’.35 This regulatory system was implemented firstly in France and then exported to the rest of Europe and its colonies, ‘less uniformly in British than French’ ones.36

31 Brophy (n 24).
32 Khaled Fahmy, ‘Prostitution in Egypt in the Nineteenth Century’ in Eugene Rogan (eds), Outside in: On the Margins of the Modern Middle East (IB Tauris 2002).
33 Ibid.
34 Elizabeth Thompson, Colonial Citizens: Republican Rights, Paternal Privilege, and Gender in French Syria and Lebanon (Columbia University Press 2000).
35 Ibid.
36 Kozma (n 15) 2
In Lebanon, the newly established procedures paved the way for the 1931 Prostitution Law, namely, the ‘Law of Preserving Public Health from Prostitution’, which emphasises the medical and hygienic rationale behind the French Mandate’s policies. The law legalised ‘prostitution’, ‘al-Bagha’, by incorporating the previously established regulations, and defining ‘prostitution’ as ‘the work of every woman known for surrendering to men by committing adultery, ‘al fahsha’, in exchange for money, whether in secret or public’. Article 2 specified that every woman who works in ‘prostitution’, ‘bagha’, is called a ‘prostitute’, ‘mumis’. Additionally, the law differentiated between ‘public houses’, ‘al-buyut al-umumiya’ (where ‘prostitution’ is permitted) and ‘meeting houses’, ‘buyut al-talak’ (where café girls live and can court men in ‘cafés’). Both ‘houses’ are places of ‘prostitution’, called ‘dara’, and are thus subjected to the same regulations and licensing as ‘café girls’ and ‘prostitutes’. In addition to ‘prostitutes’ and ‘café girls’, the law refers to ‘Artistes’, who

Britain abolished its regulations on ‘prostitutions’ in 1886 but put it in place in Egypt in 1883 and in Iraq in 1921. France abolished it in 1946 but administered it in Tunisia around 1883, 1912 in Morocco and 1920s in the Levant.

37 1931 Prostitution Law (n 14).
38 Ibid, art 1.
39 1931 Prostitution Law (n 14) art 2; in Arabic, the word ‘Mumis’ means woman who commits adultery; which is translated to ‘prostitute’ in English.
40 Ibid art 6.
41 Ibid, art 4.
42 Ibid, art 40.
43 Ibid, art 40.
44 Ibid, art 45.
do not have sex with clients, but rather work in ‘theatre, clubs or pubs’ and are subjected to medical tests.\textsuperscript{45}

Both the ‘houses’, the ‘prostitutes’ and the ‘café girls’ are extensively controlled by the authorities to minimise diseases and to isolate the “houses” and “prostitutes’ from the public. Article 7 allocates one entrance to each ‘house’ and Article 19 restricts the movement of ‘prostitutes’ during weekends, holidays and weekdays.\textsuperscript{46} Moreover, ‘secret prostitution’ refers to sexual activity with a non-licensed ‘prostitute’ or in a non-licensed location, and is consequently penalised.\textsuperscript{47} However, the 1931 Prostitution Law gives ‘prostitutes’ the freedom to stop working at any time and forbids the owner of the house from using ‘any means of coercion or deceit to keep her’, even if she has debts.\textsuperscript{48}

The 1931 Prostitution Law showed what Beth Baron referred to in her analysis on the relationship between state and honour in Egypt under the Ottoman and then the British colonial rule.\textsuperscript{49} The regulations did not aim to protect women; rather, they reinforced and perpetuated notions of honour and their hierarchical linkages over women’s bodies and the policing of their sexualities. From medical tests, to restrictions on movements and marginalisation of ‘prostitution houses, state interventions monitored adultery and ‘prostitution’ and ‘threw their weight behind customary notions of honour’.\textsuperscript{50}

\textsuperscript{45} Ibid, art 64.
\textsuperscript{46} 1931 Prostitution Law (n 14).
\textsuperscript{47} Ibid, art 51.
\textsuperscript{48} Article 6 of the 1931 Prostitution Law specifies that only women can open or direct ‘prostitution houses’.
\textsuperscript{50} Ibid.
B. Article 523 of Lebanese Penal Code of 1943

How did the Lebanese government handle the 1931 Prostitution Law after Lebanon’s independence? In the period extending from 1943 (the end of the French Mandate over Lebanon) to the 1970s, the government continued to issue licenses for new establishments and ‘prostitutes’ under the 1931 Prostitution Law. However, the government stopped issuing licences for new establishments and ‘prostitutes’ in the 1970s, which effectively suspended the implementation of the law while technically leaving it on the books.

The government moved from legalising ‘prostitution’ in 1931 to effectively abolishing it in the 1970s. During the last year of the French Mandate, the Lebanese government ceased the issuing of licenses and issued Article 523 in the 1943 PC, which criminalised ‘secret prostitution’, ‘al-dara al-siriya’. Article 523 of the PC criminalised and equated the unlicensed ‘prostitute’ and her ‘facilitator’, by imposing the same sentence (one month to one year) in the cases where the ‘prostitute’ was above 21. With the halt on giving new licenses in the 1970s, soon there were no licensed ‘prostitutes’. However, ‘prostitution’ persisted during the 15 years-long Civil War (1975-1990). Downtown Beirut and its ‘public houses’ were indeed on the so-called Green Line, the demarcation line separating Muslim and Christian factions in Beirut during the Civil War.

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51 Brophy (n 24).
52 Article 523 of PC (n 10).
54 Baron (n 50).
Furthermore, it is important to allude to the biases in the implementation of the law. Surveys and case law illustrate how ‘secret prostitution’ was criminalised, and how women were prosecuted according to the PC’s Article 523. In 1999, a four-months-long survey, covering 161 of the 167 imprisoned women, showed that 21.2% of women were charged with ‘prostitution’; the second highest category of allegations after manslaughter (24.2%).\footnote{Mona Khalaf, ‘Women in Lebanese Prisons: Facts and Perspectives’ (2001) 95-96 Al-Raida Journal 27.} Moreover, research looking at judgments of 121 cases of 228 women between 2005 and 2011 reveals that the office specialised in dealing with all ‘prostitution’ cases in Lebanon, the ‘Anti-Human Trafficking and Morals Protection Bureau’ (hereinafter ‘Anti-Trafficking Bureau’), does not investigate women’s claims during the questioning of the case when they mention that they were forced into ‘prostitution’, and that the proof used to convict them is prejudiced (for instance, ‘going out until 5 am’ was used as evidence against a woman in a particular case).\footnote{Saghieh and Frangieh (n 9).} Moreover, some women were subjected to ‘virginity’ tests\footnote{‘Virgnity’ or ‘shame’ tests became illegal as of August 2012.} and had to justify why they were not ‘virgins’.\footnote{Saghieh and Frangieh (n 9).} In addition, the office requires women to undergo drug testing, allegedly claiming that ‘prostitution’ and drug usage are linked.\footnote{Ibid.}

### C. ‘Artistes’ Visa Regulations

Even if the Lebanese government criminalised ‘prostitution’, the practice continues to be present in two different areas: the regulated and unregulated.\footnote{Brophy (n 24).} Unregulated ‘prostitution’
consists of women who work on the street, or those who can be contacted by phone for ‘home deliveries’.\textsuperscript{61} Regulated ‘prostitution’ involves women who work in licensed establishments under the ‘Artiste’ visa scheme,\textsuperscript{62} and who usually come from the poorest parts of Eastern Europe.\textsuperscript{63} Both regulated and unregulated ‘prostitution’ are legally subject to arrest, as under PC’s Article 523.

The ‘Artiste’ visa scheme is a regulation issued in 1962\textsuperscript{64} and 1964\textsuperscript{65} by the General Directorate of General Security (hereinafter ‘General Security’).\textsuperscript{66} It regulates the entry, stay and work contracts of women ‘Artistes’ coming to Lebanon to work in ‘super night clubs’,\textsuperscript{67} defined by General Security as a ‘company or institution that presents artistic performances by foreign artists in closed spaces, where alcoholic drinks are offered with scenes and music, and where food is served or not’.\textsuperscript{68} ‘Artistes’ are defined as ‘a category that includes females working in super night clubs, from foreign and Arab nationalities who are 18 or older when

\textsuperscript{61} Ibid.

\textsuperscript{62} Ibid.


\textsuperscript{64} Regulation 10267 (n 18).

\textsuperscript{65} Regulation 1756 (n 20).

\textsuperscript{66} General Security was established in 1959, and is one of the administrative departments of the Ministry of Interior, and its main role is to deal with foreigners living and working in Lebanon (visa controls and all entries and exists of foreigners).

\textsuperscript{67} Hudas (n 64).

applying for the “Artiste” visa’, and who are not allowed to have sex with clients.\(^69\) Notably, according to the UN Special Rapporteur who visited Lebanon in 2006, ‘officials are fully aware that these “Artistes” will engage in “prostitution” [evidenced] by the fact that the women are required to periodically test for HIV/AIDS and sexually transmitted diseases’.\(^70\) In contrast to women ‘Artistes’, men ‘Artists’ applying for visas to enter Lebanon are subject to different requirements, since they do not need to submit medical tests.\(^71\)

The ‘Artiste’ visa scheme regulates medical tests, and restricts the movement of women to reduce their ‘public visibility’;\(^72\) thus, it is quite similar to the 1931 Prostitution Law’s provisions for ‘public girls’. ‘Artistes’ are subject to legally-separate labour regimes,\(^73\) which facilitate forced confinement and bestow slavery-like ownership powers, since the employer (sponsor) confiscates the passport of the ‘Artiste’, pays her recruitment fees, arranges her papers, and is the one who ‘receives’ her and ‘drops her off’ at the airport.\(^74\) Notably, this system is similar to the sponsorship system – the migrant domestic workers’ labour regime.\(^75\) The ‘Artiste’ visa scheme requires ‘Artistes’ to live in licensed hotels, and denies them the freedom of movement before 1 pm and after 8 pm. At 10 pm, a bus takes them to the establishment where they work until 5 am, and they are not permitted to have any

\(^69\) Ibid.
\(^70\) Hudas (n 64) 14.
\(^72\) Hudas (n 64).
\(^73\) Ibid.
\(^74\) General Security (n 72).
\(^75\) Hudas (n 64).
days off.\textsuperscript{76} Medical tests must be repeated every 3 months.\textsuperscript{77} Additionally, the contract cannot be extended past six months; therefore, she has to leave the country, which limits the women’s ability to build relationships and friendships in Lebanon.

How do these women have sex with clients in this controlled system? The licensed establishments have an ‘arrangement’ allowing the client to buy sex from the ‘Artiste’: when he buys three drinks (between 60 and 80$)\textsuperscript{78} to the woman at the super nightclub, the ‘Artiste’ is allowed to have sex with him the next day. The client takes her out from the hotel at 1 pm and brings her back at 8 pm;\textsuperscript{79} which delineates the period during which she is allowed to leave the hotel, as specified by General Security.\textsuperscript{80} Whenever the women ‘Artistes’ are caught while engaging in a sexual intercourse, the police have the legal right to arrest them; yet, the super nightclub owner cannot be held accountable since sex occurred outside its premises and during the free time of the ‘Artistes’. It is also important to point out that this ‘system’ is facilitated by General Security, which specifies that the ‘Artiste’ is allowed to leave the hotel solely with a super nightclub client,\textsuperscript{81} who registers his name, phone number, and car license plate number when leaving with the ‘Artiste’.\textsuperscript{82}

\textsuperscript{76} General Security (n 72).
\textsuperscript{77} Ibid.
\textsuperscript{78} Each drink gives 30 minutes to the client to sit with the ‘Artiste’ at the bar. If he wishes to sit with her longer he would need to buy a new drink, giving him 30 minutes more.
\textsuperscript{79} Mansour (n 23).
\textsuperscript{80} General Security (n 72).
\textsuperscript{81} General Security (n 72).
\textsuperscript{82} Mansour (n 23).
Women under the ‘Artiste’ visa scheme are trapped in the sex industry ‘through a system of debt bondage’.83 They pay from their salaries (between $400 and $1200) their roundtrip ticket to Beirut, medical tests ($330 each time), contract registration fees, sick days, medication, treatment and taxes, a part of the accommodation and food expenses.84 Therefore, ‘Artistes’ are working to pay their debts, which usually end with the unrenewable six-month contract following which they must move to a new country, accumulating new debts.85

This system facilitates exploitation and forced labour; additionally, many are not even aware of the sexual activities they have to engage in.86 When the ‘Artiste’ contract is signed at the General Security, its personnel are supposed to explain that ‘Artistes’ are not allowed to have sex with clients.87 In reality, as mentioned earlier, when a client buys three drinks for the ‘Artiste’ at the super night club, she is forced to have sex with him the next day. Roger, a previous employee at an ‘Artiste’ hotel, explains that it is often the case that women who refuse to go out with clients would be subjected to rape.88 Other forms of coercion involve blackmailing and threatening the ‘Artiste’ to inform her family of her involvement in the sex industry.89

Nizar Saghieh, lawyer and the founder of The Legal Agenda, asserts that what is ‘central to the [“Artiste” visa] matter is the resignation of the political class from this issue’.90

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83 Hudas (n 64) 15.
84 Mansour (n 23).
85 Hudas (n 64).
86 Ibid.
87 Mansour (n 23).
88 Ibid.
89 Hudas (n 64).
90 Mansour (n 23).
Directives are issued by the General Security members, who are not elected officials and cannot be held accountable.\textsuperscript{91} In this regard, the political-legal framework of the ‘Artiste’ visa regime and how it developed become clearer. More specifically, it is reflected in how the Lebanese government controlled the relocation of the sex industry in the 1970s, from downtown Beirut to the peripheries (15 km away from Beirut, in Maameltein area of Jounieh). This geographical transference of ‘prostitution’ was coupled with its criminalisation, it made women more vulnerable and subject to arrest, and the industry more marginalised and less visible, though ironically very much present with 75 super nightclubs and 4000 to 6000 new ‘Artistes’ being registered every year\textsuperscript{92}.

D. The 2011 Trafficking Law

In discussing the local Lebanese laws on ‘prostitution’, it is crucial to mention that Lebanon has signed several protocols that address sex trafficking, which in fact contradict the ‘Artiste’ visa scheme’s regulations. More specifically, on August 24th, 2000, Lebanon signed onto the UN Trafficking Protocol,\textsuperscript{93} which mandates state parties to take measures to criminalise human trafficking, and to prevent, protect, and

\textsuperscript{91} Ibid.
\textsuperscript{92} Ibid.
assist trafficking victims. The protocol claims to provide a ‘comprehensive international approach’, moving ahead from the previous international conventions and protocols against human trafficking. It also claims to develop along similar lines to the Convention on the Elimination of all forms of Discrimination against Women, which was also signed by Lebanon and focused on suppressing ‘all forms of traffic in women and exploitation of “prostitution” of women’. Moreover, the Revised Arab Charter on Human Rights of the League of Arab States of 2008 is an additional document signed by Lebanon prohibiting human trafficking and banning ‘all forms of slavery and trafficking in human beings’, including ‘forced labour, trafficking in human beings for the purposes of “prostitution” or sexual exploitation’.

Following the UN Trafficking Protocol’s signature in 2010, the Lebanese government did not proceed to reform the implicated laws and practices until June 6th, 2011, when the Lebanese parliament passed the 2011 Trafficking Law. To understand the rationale behind the passing of this law, it is

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95 UN Trafficking Protocol (n 94) 2.
96 Mattar (n 95).
100 Saghieh and Frangieh (n 9).
crucial to highlight that this act of legislature materialised when the US Department placed Lebanon on the Watch List of human trafficking. Such a decision could have led to cuts in US military funding to Lebanon (including USAID), which was vital to the country’s Armed Forces and Internal Security Forces.101

The new 2011 Trafficking Law provides a definition of trafficking,102 clearly identifying possible victims, including victims of sexual exploitation and forced labour.103 It also elevates penalties for traffickers (from five to fifteen years), especially if compared to PC’s Article 523 (from one month to one year).104 Consequently, this law led to the criminalisation of the trafficker, and not the ‘prostitute’, if evidence shows that she was forced to engage into ‘prostitution’. Nevertheless, the 2011 Trafficking Law presents remarkable gaps which undermine the rights of the trafficking victim, such as the placement of the burden of proving coercion on the victim.105 Hence, they can be prosecuted for crimes committed when they were trafficked, unless proof of coercion for these crimes is presented.106 Additionally, this law did not put forth a clear process for identifying human trafficking victims,107 and placed this burden of identification and the associated follow-up exclusively on one security

101 Ana Maria Luca, ‘Human Trafficking and US Aid’ Now Lebanon (Beirut, 29 January 2013) 1.
102 2011 Trafficking Law (n 13), art 586, s 1.
103 Ibid, art 586, s 1.
104 Ibid, art 586, s 2,3,4.
105 Ibid, art 586, s 8.
106 Ibid, art 586, s 8.
apparatus, the Anti-Trafficking Bureau,\textsuperscript{108} thereby increasing the risk of corruption.\textsuperscript{109}

When explaining the defects of the 2011 Trafficking Law, it appears clear that the circumstances surrounding its approval were associated with a lack of political will for its implementation. In particular, the necessity of addressing the US sanctions, rather than the need of protecting trafficking victims, predominantly occupied the centre of discussions. This demonstrates why there was no interest in investigating the laws and regulations that facilitated human trafficking, as the ‘Artiste’ visa scheme did. Furthermore, the number of cases prosecuted under the 2011 Trafficking Law, following its passage, was extremely low (18 cases in five years).\textsuperscript{110} The majority of these cases involved Syrian child beggars, targeting one of the most vulnerable groups in Lebanon - Syrian refugees.\textsuperscript{111} Considering these observations, it becomes clear how the lack of political willingness explains the small number of prosecutions and the structural deficiencies in the implementation process, such as the inadequate training of judges.\textsuperscript{112}

\textsuperscript{108} U.S Department of State, ‘2016 Trafficking in Persons Report’ (US Department of State 2016). The Anti-Trafficking Bureau was established in 2014, by a ministerial decree, and is under of the Internal Security Forces and Information Branch that reports to the Ministry of Interior.

\textsuperscript{109} Saghibeh and Frangieh (n 9).

\textsuperscript{110} Saghibeh and Frangieh (n 9).


\textsuperscript{112} Ibid.
II. The Media Coverage of the ‘Chez Maurice’ Case

Following the legal overview of ‘prostitution’ and trafficking, this section analyses the media coverage of the ‘Chez Maurice’ case. Before delving into the controversial debates, this section provides an overview on the ‘Chez Maurice’ case and outlines the legal process it is currently undergoing.

A. The ‘Chez Maurice’ Case

At the ‘Chez Maurice’ and ‘Silver B’ hotels in Maameltein, known as the red light district of Lebanon, 75 Syrian and Iraqi women were detained and forced into sexual slavery, some for more than five years, amounting to the largest human trafficking cell ever captured in Lebanon.113 Women were tortured, electrocuted, flogged for arbitrary reasons (e.g. receiving client complaints, not collecting enough tips, not putting on make-up), and forced to have sex about 10 times per day, unprotected, if preferred by clients, and to continue working during menstruation by inserting pieces of cotton in their vaginas.114 The prices for sex ranged from $30 to $75 per service, and the money was collected by the guards together with the tips.115 The trafficking cell earned approximately one million dollars per month.116

113 Shaheen (n 1).
114 Hamzeh (n 2).
115 Shaheen (n 1).
Four women managed to escape and inform the police, who freed the women in two raids on March 27th and 29th, 2016. Furthermore, the police proceeded with arresting the guards and those who lured them from Syria and Iraq, by tricking women into immigrating for waitressing jobs or marriage, or practiced bride-purchasing with their families. One of the two trafficking cell leaders, Fawaz Ali Hassan, is still free until this day; whereas the second, Imad Rihawi, surrendered on TV on April 25th, 2016, one month after the first raid.\footnote{LBCI, ‘Report on Exclusive Interview with Imad Rihawi’, 7ki Jelis (25 April 2016). <https://www.youtube.com/watch?v=D_E13bnnTT0&t=61s> accessed 21 May 2017.} Maurice Geagea, the owner of the hotels, and one of the cell leaders, who was already in prison on charges of facilitation of ‘prostitution’,\footnote{LBCI, ‘Report on Chez Maurice’s Prostitution Dossier’, 7ki Jelis (4 April 2016). <https://www.youtube.com/watch?v=WBDFCwDa1hg> accessed 21 May 2017.} was in fact freed while awaiting his trial, since arrests under criminal law can only amount to a maximum of one year.\footnote{Hamzeh (n 2).}

‘Chez Maurice’ exemplifies a rare case of conviction with human trafficking as per the 2011 Trafficking Law, instead of the ‘facilitation of prostitution’ charge in accordance with Article 523 of the PC. The Mount Lebanon prosecutor reached an indictment on April 16th, 2016, prosecuting a total of 26 Syrian and Lebanese persons,\footnote{Najjar (n 112).} among whom, 23 were convicted for human trafficking,\footnote{2011 Trafficking Law (n 14).} and three (the gynaecologist, the nurse, and the anaesthesiologist) for

\footnote{119 Hamzeh (n 2).}
\footnote{120 Najjar (n 112).}
\footnote{121 2011 Trafficking Law (n 14).}
abortion with women’s consent\textsuperscript{122} and suspicion of abortion without their consent.\textsuperscript{123} The case was transferred to the criminal court,\textsuperscript{124} whose interrogation was rescheduled three times due to the absence of some of the defendants.\textsuperscript{125} The fourth session is to be held on November 11\textsuperscript{th}, 2017;\textsuperscript{126} with the knowledge that most of the prosecuted were freed while awaiting trial, but were not allowed to travel.\textsuperscript{127}

B. Media and NGOs Debate

1- State Involvement and Failure

One of the recurrent topics tackled by the media and the NGOs is the state involvement and the intentional concealment of the trafficking practices at ‘Chez Maurice’ and ‘Silver B’ hotels. Suspicions of police corruption and involvement in passing information on upcoming police raids to trafficking leaders were raised because both hotels, where traffickers detained women who did not have an ‘Artiste’ visa, managed to operate for more than five years, even though being subjected to regular police raids.\textsuperscript{128}

\begin{flushright}
\textsuperscript{122} Article 542, Penal Code, entered into force 1 March 1943. \\
\textsuperscript{123} Article 543, Penal Code, entered into force 1 March 1943. \\
\textsuperscript{124} Decision of the prosecutor of Mount Lebanon, Peter Germanos No 2016/179 on 16 April 2016. \\
\textsuperscript{126} Ibid; the fourth session of November 11\textsuperscript{th} was rescheduled to January 31\textsuperscript{st}, 2018 for the same reasons as the previous sessions. \\
\textsuperscript{127} Hamzeh (n 2). \\
\textsuperscript{128} Ibid.
\end{flushright}
Notably, the hotel was closed for a few months in 2011 because of the discovery of a 17-year-old girl working there.\(^\text{129}^\) In the testimonies published in news outlets, the trafficking victims revealed that in one of the police raids, they communicated their stories of forced ‘prostitution’ and torture to the police officers.\(^\text{130}^\) Nevertheless, the police released them on the same day and gave Imad Rihawyi access to their testimonies; as a result, he ordered their punishment at the hotel.\(^\text{131}^\) The numerous raids and closures were coupled with frequent arrests of Maurice Geagea, the owner of both hotels. These details, in addition to news about the imprisonment of the owner not leading to the closure of the hotels, were extensively covered by media outlets, which led to allegations stating that the trafficking cell had political backing.\(^\text{132}^\)

Following the ‘Chez Maurice’ case, statements accusing the Lebanese government of corruption started circulating. For instance, the political leader Walid Jumblat openly blamed influential leaders in the ‘Morals Protection Bureau’ of complicity with the human trafficking cell.\(^\text{133}^\) The Interior Minister responded to Jumblat’s allegations by demanding an internal investigation into the matter.\(^\text{134}^\) Yet, he ordered

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\(^{129}\) Human Rights Watch (n 6); it is not clear whether ‘Chez Maurice’ was closed as per article 523 of PC, or the 2011 Trafficking Law.

\(^{130}\) LBCI, ‘Report on Chez Maurice’s Prostitution Dossier’ (n 119).

\(^{131}\) Ibid.


\(^{134}\) Ibid.
the arrest of Nabil al-Halabi, a lawyer who specifically accused him of corruption and complicity in the case.\textsuperscript{135}

An additional subject tackling the shortcomings of the Lebanese government is the gaps in its implementation of the 2011 Trafficking Law. Human Rights Watch reported that some of the trafficking victims freed from the hotel after the first raid were released without being offered protection, leading to their re-capture by the same human trafficking cell.\textsuperscript{136} Moreover, as a result of the weak coordination efforts, these women had to wait several days in police custody before being offered shelter in local organisations.\textsuperscript{137} Furthermore, an essential legal gap is detected in the prolonged period of trials (two to three years).\textsuperscript{138} In previous cases, victims refrained from pressing charges due to the trials’ delays.\textsuperscript{139}

2- State-Sponsored Media

The ‘Chez Maurice’ media fury and the state’s cover-up of the allegations were faced with several statements by the Internal Security Forces during prime-time talk shows on TV,\textsuperscript{140} who continued to assert a shift in dealing with trafficking cases. Joseph Mousallem, the director of the communications department at the Internal Security Forces, explained that the security forces are now well-informed of


\textsuperscript{136} Human Rights Watch (n 6).

\textsuperscript{137} Ibid.

\textsuperscript{138} Human Rights Watch (n 6).

\textsuperscript{139} Ibid.

\textsuperscript{140} Security apparatus under the Ministry of Interior.
the 2011 Trafficking Law, and that trainings were attended by the Anti-Trafficking Bureau’s personnel, allowing them to develop new measures to identify perpetrators and investigate with victims.\textsuperscript{141} Moreover, Jhonny Haddad, the director of the Anti-Trafficking Bureau, clarified that the Bureau is dealing with ‘prostitutes’ differently and acknowledged their possible victimhood.\textsuperscript{142} Haddad emphasised that nowadays, in contrast to the period preceding 2016, it will not be possible for human traffickers to resume their trafficking activities after their release, as they will no longer be charged with misdemeanours and low sentences.\textsuperscript{143}

In the context of increased persecution of trafficking cells following the ‘Chez Maurice’ case, several media outlets reported cases of raids on ‘prostitution’ cells by the Anti-Trafficking Bureau. Reports mentioned several arrests against mostly Syrian women, working in street ‘prostitution’,\textsuperscript{144} via


phone deliveries and social media communication.145 Media reports often highlight the success of the Anti-Trafficking Bureau in arresting women working in ‘prostitution’ and their pimps under the PC’s Article 523.

3- Differentiation between Trafficking and ‘Prostitution’

It is important to note that the shift in the Anti-Trafficking Bureau’s dealing with ‘prostitution’, as portrayed by its director, was coupled with an emergent differentiation between ‘prostitution’ and sex trafficking. In particular, talk show anchors and the Anti-Trafficking Bureau started equating sex trafficking with forced ‘prostitution’.146 For instance, a prime-time show featured a transaction between a sex trafficker and a buyer (who was an undercover policeman), followed by the arrest of the trafficker.147 However, the Anti-Trafficking Bureau explained that this same woman was later arrested because she was accused of working as a ‘prostitute’ out of free will, thereby asserting the importance of the forced aspect of trafficking.148

It is the forced aspect of trafficking in the ‘Chez Maurice’ case which granted the women moral leverage and apparent sympathy in the media coverage. Sandy Issa, the director of the Al Tahari website, who was one of the first to interview the ‘Chez Maurice’ women, angrily stated that instead of

146 MTV Lebanon, ‘Prostitution and Trafficking... A Misdemeanor of Felony?’ (n 143).
148 Ibid.
portraying the trafficked women as working in ‘prostitution’, the media should rather emphasise the forced aspect of such ‘prostitution’. Moreover, one of the ‘Chez Maurice’ trafficked women challenged the biased questions of a TV anchor, who asked her whether it was possible for a woman to like or enjoy being a ‘prostitute’. She argued that the answer to such a question should be obvious because the concerned case is one of coercion into sexual slavery. Her answer intended to suggest to the viewers that the ‘Chez Maurice’ women were not having consensual pleasure during sex, and hence, they should not be demonised. This distinction between trafficking and ‘prostitution’ is an essential component of the principles of KAFA, Lebanon’s leading women’s rights organisation, whose debate with Human Rights Watch will be discussed in the following section.

4- KAFA and Human Rights Watch Debate

Four months after the ‘Chez Maurice’ raids, Human Rights Watch released a report on the case and on human trafficking in Lebanon. The report drew a differentiation between ‘consensual adult sex work’ and sex trafficking; the latter being non-consensual and forced. Human Rights Watch opposed the criminalisation of sex work, because it would infringe sex workers’ basic rights (the access to justice, to

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150 MTV Lebanon, ‘After One Year of Its Closure... Lil Nashir Enters Chez Maurice with One of Its Victims’ (n 142).

151 Human Rights Watch (n 6).
health services and the protection against violence). However, it emphasised the prosecution of persons who forced or coerced others into providing sexual services.

On August 4th, 2016, a week after the Human Rights Watch’s report, KAFA published a response, denouncing Human Rights Watch’s position on sex trafficking as ‘disappointing, misleading [and for] disallowing the protection of victims’. According to KAFA, the decriminalisation of sex work would only benefit pimps and sex traffickers, and would not provide protection for sex workers, as Human Right Watch argued. Based on this perspective, it can be concluded that KAFA does not differentiate between sex work and sex trafficking. Rather, KAFA can be seen to argue that sex work cannot be consensual, and denounces the term ‘sex work’ for alluding to consensual work/labour and neutrality, and consequently, to a form of gender bias. KAFA argues that in the sex trade industry, women’s bodies are coerced, ‘used’ as commodities, and exploited by the sexual desires of men. As a result, KAFA does not distinguish between ‘prostitution’ and sex trafficking, because they are both implicated in a comparable root, cause, and demand, and in a comparable impact on the victims. Based on this rationale, KAFA engages in calling for the criminalisation of sex

152 Ibid para 12.
153 Ibid.
155 Ibid.
156 Ibid.
157 Ibid.
158 Ibid.
buyers, the decriminalisation of women ‘prostitutes’, and the abolition of the ‘Artiste’ visa scheme facilitating ‘prostitution’; it also engages in providing victims with exit programs and work alternatives.159

KAFA has an Anti-trafficking and Exploitation Unit (hereinafter ‘Anti-trafficking Unit’), which was established prior to the ‘Chez Maurice’ case. The Anti-trafficking Unit leads advocacy campaigns on sex trafficking and ‘prostitution’, publishes research and campaign materials,160 and has produced a documentary161 that represents its views.162 KAFA’s published research focuses on the demand aspect, engages in interviewing sex buyers from diverse social and educational backgrounds, and uses the testimonies of sex buyers as an evidence of the gendered, patriarchal, and exploitative aspects of ‘prostitution’.163 They consider demand as one of the main causes of ‘prostitution’, evidenced by the analogy between the sex trade and any possible market, arguing that ‘if there is no demand, there would be no supply’. For this reason, KAFA advocates for the criminalisation of sex buyers in Article 523 of the PC.164

III. Bringing Laws and Media Debates Together

This third section will draw final remarks and conclusions from the analysis of the coverage of ‘Chez Maurice’ and the

159 Ibid.
160 KAFA, ‘Myths about Prostitution’
161 Mansour (n 23).
163 Jabbour (n 17).
164 Ibid.
overview of the ‘prostitution’ and trafficking laws in Lebanon.

A. International ‘Prostitution’ and Sex Trafficking Debate

Notably, the debate between KAFA and Human Rights Watch following the ‘Chez Maurice’ case seems to reproduce the international debate on ‘prostitution’ and sex trafficking,165 which is divided into two main camps. The first one, depicted by Human Rights Watch, argues for the legalisation of consensual sex work, emphasising its distinction from forced sexual exploitation or trafficking.166 Whereas the second, represented by KAFA, calls for the abolishment of ‘prostitution’ and the criminalisation of sex buyers and pimps or facilitators, claiming that consensual sex work does not exist as ‘prostitution’ is by essence forced and exploitative; it thus contests any differentiation between ‘prostitution’ and sex trafficking.167 Both of these deeply divided positions were present during the two years of

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negotiations on the UN Trafficking Protocol. The coalition perceiving ‘prostitution’ as a legitimate form of labour is the Human Rights Caucus (hereinafter ‘HRC’), whereas the other regarding ‘prostitution’ as forced and a violation of women rights is the Coalition against Trafficking in Women (hereinafter ‘CATW’). The two positions can be summarised in a few words: the HRC and Human Rights Watch argue that sex workers are free consensual workers needing rights, and the CATW and KAFA claim that they are forced workers in need of saving.

KAFA’s rationale mirrors CAWT’s prior to the ‘Chez Maurice’ case. In 2010, KAFA and the Lebanese American University organised a conference on ‘prostitution’ and sex trafficking, wherein the main guest was the co-executive director of CATW at that time, Gunilla S. Ekberg. Consequently, it became clear that KAFA’s take on ‘prostitution’ in Lebanon was linked to the international debates, apparent in its rationale regarding sex trafficking, and its debate with Human Rights Watch after the ‘Chez Maurice’ case.

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169 Ibid.
170 Ibid.
B. The Lebanese Criminal Court Proceedings

Taking into account the trial postponements and the release of the main trafficking leaders in the case led to the observation that the current court proceedings of the ‘Chez Maurice’ case are in line with the Lebanese Law Criminal Court Proceedings. As a matter of fact, Article 106 of the CCP explicitly states the need to inform the accused prior to the start of the trial. This specification resembles what is stated in the ICCPR’s Article 14 about the need to inform the person being charged. Therefore, the need to complete this step legitimises the court delays in ‘Chez Maurice’, given that it was not completed one year after it was brought to court. Such a delay is very common in Lebanese criminal cases according to Muhana Ishak, the ‘Chez Maurice’ victims’ lawyer, asserting that cases are expected to take between two to three years. At the same time, it could be argued that such justified legal delays contradict ICCPR’s Article 14’s right to trial without delays; which points to the need to look at the Lebanese Criminal Court Proceedings that legalise court delays.

Moreover, the release on bail of Imad Rihawi and the main trafficking leaders is legally justified in Article 108 of CCP, allowing the detention of the accused while awaiting the trial

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172 Law Criminal Court Proceedings, No. 359, entered into forced 16 August 2001 [Hereinafter ‘CCP’].
173 Ibid, art 106.
175 Hamzeh (n 2).
176 Ibid.
177 ICCPR (n 174), art 14 (3) c.
for a maximum of six months, with the possibility of being extended once.\textsuperscript{178} This maximum detention period applies to trafficking charges, but not to drugs, murder, and terrorism charges.\textsuperscript{179} Some would argue for the inclusion of trafficking to the charges that do not allow the release on bail. Yet, as discussed earlier, having long detentions while awaiting trial contradicts ICCPR’s Article 14.\textsuperscript{180} Therefore, reforms should focus on the acceleration of Criminal Court Proceedings instead of calling for longer detention periods for the accused persons who await trials.

C. Impact of ‘Chez Maurice’ Case

As discussed in the previous section, the media fury on the ‘Chez Maurice’ case resulted in increased efforts by the Interior Ministry and its Anti-Trafficking Bureau to enhance their image. The media witnessed a shift in dealing with ‘prostitutes’ as possible trafficking victims; this coincided with the occurrence of new trafficking and ‘prostitution’ cells’ arrests, as reports indicate. The 2011 Trafficking Law was unprecedentedly applied to sex trafficking cases, since its passage. Yet, as Ghida Frangieh, a legal researcher on sex trafficking at The Legal Agenda, explains, it is still not possible to assess whether this proclaimed shift is being implemented practically, and whether it is true that trafficked women are not being charged with secret ‘prostitution’.\textsuperscript{181}

\textsuperscript{178} CCP (n 172), art 108.
\textsuperscript{179} Ibid, art 106.
\textsuperscript{180} ICCPR (n 174), art 14 (2).
\textsuperscript{181} Frangieh Ghida (Lawyer and Researcher), Legal Agenda (Face to Face Interview), 7 July 2017; at the time of writing this paper, it was still not clear whether the ‘Chez Maurice’ case was the exception or not; however, at the time of publishing (January 2018), it was obvious that the ‘Chez Maurice’ case was the
She asserted that "the question now is whether the authorities will treat other victims of sexual exploitation similarly to the Chez Maurice victims, and whether they will consider them as plaintiffs against their traffickers rather than charge them as criminals for engaging in illegal prostitution". 182

Nevertheless, the media coverage of the poignant testimonies of torture and sexual slavery of the ‘Chez Maurice’ women influenced the Lebanese public opinion. The prime-time talk shows extensively focused on the humanitarian aspect of the case, the devastating testimonies and the forced aspect of human trafficking, which gave moral leverage to the trafficked women. The media coverage of the case did not hold a moralizing tone on ‘prostitution’; instead, it focused on accusing the Internal Security Forces of the alleged cover-up and disregard of the 2011 Trafficking Law, which resulted in an increased awareness of the 2011 Trafficking Law, and the urgency of its implementation.

At the same time, similarly to the pre- ‘Chez Maurice’ period, the Anti-Trafficking Bureau is still targeting one of the most vulnerable groups in Lebanon and charging them with ‘prostitution’; Syrian refugee women,183 stateless Lebanese women,184 and domestic workers who escaped from their sponsors’ houses185 are being targeted and arrested for working in street ‘prostitution’ and sex phone deliveries.

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182 Ibid.
183 An-Nahar (n 146).
184 LBCI, ‘The Prostitution Cell Trajectory from Costabrava to Damour’ (n 144).
D. The ‘Artiste’ Visa Scheme and KAFA’s Problematic Position

The ‘Artiste’ visa scheme was not tackled by the media during its coverage of the ‘Chez Maurice’ case, because of the differentiation made between trafficked forced women and consensual ‘prostitution’. Following the analysis of the ‘Artiste’ visa scheme in the first section, women under the ‘Artiste’ contract cannot be regarded as working consensually, but rather, as forced into ‘prostitution’ through a debt bondage which prohibits them from terminating such a contract. However, the media did not link the trafficked women in ‘Chez Maurice’ to the ‘Artiste’ contracts’ trafficking, failing to draw the full picture of the state’s involvement and facilitation of sex trafficking within its meticulously regulated sex tourism sector, exploiting and trapping women by giving unlimited powers to super nightclub owners.

However, KAFA correlated between the ‘Artiste’ visa scheme and ‘Chez Maurice’ case, demanding the abolishment of the former186 – a position declared even earlier than the coverage of the ‘Chez Maurice’ case.187 Interestingly, the rationale behind the abolishment of the ‘Artiste’ visa scheme was its facilitation of ‘prostitution’, rather than its forced aspect, since KAFA regards all ‘prostitution’ as forced.188

KAFA’s position is problematic both on a theoretical and a practical advocacy level. On a theoretical level, KAFA has a

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187 Jabbour (n 17).
188 KAFA, ‘Myths about Prostitution’ (n 160).
sex-negative approach, assuming that all sex workers in the world are victims who cannot possibly give consent, which moralises and shames female sexual activity and stigmatises sex as a denigrating experience. 189 This approach morally condemns ‘prostitution’ and takes away the agency of sex workers. It dehumanises their bodies since ‘the notion of a “prostitute” who is unharmed by her experience is an ontological impossibility’, which is ‘the ultimate exercise of power: to deny sex workers [their] very existence, to insist that [they] cannot be’.190 After the LAU performance, Ghada Jaddour from KAFA explained the work of ‘prostitutes’ with regards to the psychological and emotional repercussions it has on their bodies, humanity and honour; again focusing on the impossibility of consenting sex workers, and morally condemning their presence and their senseless bodies.191 They can solely exist as forced victims and because they were previously subjected to physical violence or rape, according to KAFA,192 again eliminating all agency from ‘prostitutes’.

The second repercussion of KAFA’s take is the broadening of its advocacy messaging, given its emphasis on the international discussions on ‘prostitution’ and sex trafficking, instead of merely focusing on the Lebanese context. As such, given that largely ‘Artistes’ are being trafficked, it seems clear from an advocacy perspective that focusing on the forced aspect of sex trafficking is more effective than arguing that all ‘prostitution’ is forced. Following the LAU performance’s debate, the audience predominantly expressed their

189 Jabbour (n 17).
190 Doezema (n 169).
191 Assaf Sahar (Director), ‘No Demand no Supply, a Rereading of Lebanon’s 2016 Sex Trafficking Scandal’ (Live Performance) Lebanese American University (May 2017).
192 Jabbour (n 17).
disapproval for KAFA’s abolitionist position on ‘prostitution’,\textsuperscript{193} which shows again how KAFA’s message evaded the debate to the international one on abolishment or legalisation of ‘prostitution’, instead of focusing on the regulated sex trafficking in Lebanon.

This section focused on KAFA as it is one of the two organisations that tackle ‘prostitution’ and trafficking in Lebanon, in addition to The Legal Agenda; which highlights a big gap in this topic. In academia, there is a lack of research tackling this subject in the Lebanese context; consequently, there is an insufficient awareness of the types of trafficking and ‘prostitution’ laws, the sex trafficking ‘Artiste’ visa scheme, and the devastating impact of PC’s Article 523 has on the most vulnerable. In this light, the analysis provided in this Article attempts to provide a legal and social overview of the topic, through the media coverage of the ‘Chez Maurice’ case and the NGOs’ debate, whilst having a sex-positive approach that does not dehumanise, victimise, or eliminate sex workers’ agency.

Conclusion

This Article investigates the media coverage of the ‘Chez Maurice’ case and its relation to sex trafficking and ‘prostitution’ in Lebanon, Lebanese laws, and international debates. Firstly, an overview of the local Lebanese laws was put forth, alongside the argument that Lebanon’s ‘prostitution’ policies and laws are embedded within its colonial history, its relationship with processes of urbanization, and the production of marginality, morality, and contradictory rhetoric on ‘prostitution’.

\textsuperscript{193} Assaf (n 191).
Lebanon moved from the regulation of taxes during the Ottoman Empire, to the French Mandate’s legalization and control of ‘prostitutes’ through the 1931 Prostitution Law; then to the breakdown of ‘prostitution’ in the 1950s with the halt on licensing and enactment of Article 523 of the PC, criminalising ‘prostitutes’ and their pimps. Moving into the present-day ‘Artiste’ visa scheme, which was constructed as a regulated legal system based on exploring women in debt bondage. The Article shows that the scheme relocated women from downtown Beirut to the outskirts, with a system that amounts to sex trafficking. This was followed by US sanctions on Lebanon, which led to the passage of the 2011 Trafficking Law. However, the law was hindered by a lack of a political will to implement it or identify and resolve the leading causes of human trafficking in Lebanon.

Secondly, an overview of the ‘Chez Maurice’ scandal, followed by an analysis of its succeeding legal media debates, was presented. The ‘Chez Maurice’ case is the exposure of the largest human trafficking cell in Lebanon. Most of the cell leaders were caught and charged with trafficking in accordance with the 2011 Trafficking Law, instead of the facilitation of ‘prostitution’ as per Article 523 of the PC; a debut of a legal breakthrough setting a precedent. The case’s interrogations are still ongoing at the time of writing this Article, and the case is expected to take a minimum of three years due to postponements as a result of the absence of some of the defendants. The media debates were analysed, tackling the state’s involvement and cover-up of the trafficking cell, and failure in the implementation of the 2011 Trafficking Law. This media depiction resulted in a state-sponsored media front from the Interior Ministry and its Anti-Trafficking Bureau, who asserted a shift from automatically charging ‘prostitutes’ with PC’s Article 523 to dealing with them as potential victims. This differentiation between sex trafficking and ‘prostitution’ was not only
portrayed in state-sponsored media, but also in prime-time talk shows, which gave moral leverage to the ‘Chez Maurice’ victims. This differentiation between ‘prostitution’ and sex trafficking was explored as an integral component of the NGOs debate between KAFA and Human Rights Watch, whose positions were explored. The latter separates between sex work and sex trafficking and opposes the criminalisation of sex work. In contrast, the former refuses the decriminalisation of sex work because it would benefit pimps and traffickers, it denies the possibility of sex work as a consensual practice since it exploits and commodifies women for men’s sexual pleasure, and calls for the criminalisation of demand.

Thirdly, this Article draws its conclusions by conjoining the laws’ overview and analysis of the first section with the media and NGOs legal debate of the second. It argues that KAFA and Human Rights Watch’s debate echoes the international discussions on ‘prostitution’ sex and trafficking, present in highly-polarized negotiations for the UN Trafficking Protocol. Moreover, the section portrays the complex and contradictory impact of the ‘Chez Maurice’ case on the Anti-Trafficking Bureau’s shift in dealing with ‘prostitutes’ and an increased public awareness about trafficking. However, the Bureau is still targeting the most vulnerable, as per PC’s Article 523, while the regulated sex trafficking under the ‘Artiste’ visa scheme and its super nightclub and massage parlours’ owners’ are left untouched.

The Article then moves to argue that KAFA’s position is ethically problematic, as it dehumanises and denies the possibility of a consenting sex worker, having a sex-negative approach, and morally condemning sex work. Additionally, KAFA’s position is problematic from an advocacy perspective, since it reproduces the internationally divided debate which distracts the topic from its essential focus: ‘Artistes’ in Lebanon are forced and trafficked, in addition to
Article 523 which targets vulnerable women under threat of detention and arrest. Raising awareness of these facts is crucial, instead of evading the discussion to the international divisive debates.

The aftermath of the ‘Chez Maurice’ case catalysed the implementation of the 2011 Trafficking Law and the Anti-Trafficking Bureau and the public’s perceptions on trafficking. However, future investigations into the specific numbers and court proceedings will determine if trafficked women are still being charged with ‘prostitution’; and whether other ringleaders of sex are brought to justice. Therefore, it is crucial at this point to persist in restating the trafficking aspect of ‘prostitution’ in the media, to further pressure the ‘Anti-Trafficking Bureau’ to fight the trafficking cells, and ensure that the ‘Chez Maurice’ case’s leaders are brought to justice. Additionally, it is crucial to link sex trafficking to the ‘Artiste’ visa scheme in the media, since it has a big impact on public perceptions and, in turn, on policies.

Consequently, the cancellation of the Artiste visa scheme is necessary, in addition to legal reforms for Article 523 of the PC, as they result in the most vulnerable being still subjected to arrests, and in the protection of those who possess power and agency. The ‘Artiste’ visa scheme remains regulated and the number of Syrian vulnerable women working in the sex industry being subjected to regular arrests as per PC’s Article 523 is increasing. Finally, it is of crucial urgency to set in motion extensive fieldwork research on ‘prostitution’ and sex trafficking, whilst adopting a sex-positive approach in providing more political support for sex workers.
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