



Protection and Promotion of Human Rights and Prevention of Torture  
**An absolute and non-restrictive obligation**

# Annual Report 2023

Protection and Promotion of Human Rights and Prevention of Torture an absolute and non-restrictive obligation  
**Annual Report 2023**  
Republic of Lebanon | National Human Rights Commission including the Committee for the Prevention of Torture

The National Human Rights Commission, which includes the Committee for the Prevention of Torture (NHRC-CPT), works to protect and promote human rights in Lebanon by the standards outlined in the Lebanese Constitution, the Universal Declaration of Human Rights, international conventions and treaties, and the laws that are consistent with these standards. It is an independent national commission established by Law No. 62/2016, based on the (Paris Principles) of the United Nations General Assembly Resolution. It supports the mechanisms of establishment and activity of the National Human Rights Institutions (NHRIs). Moreover, it includes a National Preventive Mechanism against Torture (the Committee for the Prevention of Torture) under the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), which Lebanon joined under Law No. 8/2008.

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Cover image: The Lebanese Internal Security Forces while arresting a protestor in Beirut | Photo by Abbas Salman.

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# Executive summary

The current report is the annual report<sup>1</sup> of the National Human Rights Commission that includes the Committee for the Prevention of Torture (NHRC-CPT) for the year 2023, based on the Paris Principles<sup>2</sup> that support the mechanisms of establishment and activity of the National Human Rights Institutions (NHRIs), pursuant to the provisions of Law No. 62 of October 27, 2016 (establishing the National Human Rights Commission, which includes the Committee for the Prevention of Torture) and its amendments<sup>3</sup>, particularly article 15, paragraph “D”, which stipulates that each of the Commission and the Committee, within their respective competences, shall prepare a unified report, which includes their annual programs, their achievements, and the difficulties they faced, and that the Commission shall submit to the Presidency of the Republic, the Parliament, the Presidency of the Council of Ministers, and the President of the Higher Judicial Council such unified report, which shall be published in the Official Gazette, and it shall be up to the Parliament to discuss this report. The report outlines the activities of the National Committee for the Prevention of Torture, which is considered the National Preventive Mechanism against Torture by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)<sup>4</sup>, adopted on December 18, 2002, and which Lebanon joined under Law No. 12 of September 5, 2008. The Commission launched its first annual report for 2022 in May 2023<sup>5</sup>. According to the Global Alliance of National

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<sup>1</sup> This report was submitted after the deadline to include the latest developments. This draft report was developed with a significant support from the United Nations Development Programme (UNDP) and the “ACT-Advance Counter Terrorism for Lebanon Security” project, funded by the European Union and implemented by the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP) and CIVIPOL.

<sup>2</sup> Paris Principles, <https://nhrcnb.org/paris-principles>

<sup>3</sup> Law No. 62/2016, <https://nhrcnb.org/law62>

<sup>4</sup> The Optional Protocol, <https://nhrcnb.org/optional-protocol>

<sup>5</sup> The Annual Report of the National Human Rights Commission that includes the Committee for the Prevention of Torture for the year 2022, <https://nhrcnb.org/archives/372>

Human Rights Institutions (GANHRI), the National Human Rights Commission is responsible for developing an annual report on human rights in the country<sup>6</sup>.

The report is careful not to include any personal or detailed data that reveal the identity of the victims or witnesses without their consent. The Commission was established to protect and promote human rights by the standards outlined in the Lebanese Constitution, the Universal Declaration of Human Rights, the international conventions and treaties related to human rights, and the Lebanese laws that are consistent with these standards, in addition to performing the particular tasks specified in this law. In this regard, it may communicate independently with international and local bodies concerned with human rights.

This report examines the human rights situation in Lebanon in light of available data. It provides key findings on violations and abuses of international human rights and humanitarian law but is not necessarily comprehensive and complete. Furthermore, it dedicates a chapter to presenting the activities of the National Human Rights Commission and another chapter to reviewing the activities of the National Committee for the Prevention of Torture.

The report concludes that the prevention, investigation, and prosecution of acts of torture and ill-treatment, bringing the perpetrators to justice, and compensating the victims is not a matter of public policy but an absolute and non-restrictive obligation binding on the Lebanese state, regardless of its treaty obligations. No exceptional circumstances can be invoked to justify or condone any practice of torture or ill-treatment. Individual criminal liability under universal jurisdiction does not only arise from active participation in acts of torture but also tacit acceptance of torture by state officials. With the lack of full transparency and strict accountability, tolerance of torture and ill-treatment will remain deeply ingrained in any society and system of government in Lebanon.

The report also concludes that the prevailing patterns of interaction of the Lebanese authorities with the National Human Rights Commission, which includes the Committee for the Prevention of Torture, do not yet clearly meet the standard of “full cooperation” established by Law 62/2016; especially in terms of allocation of budgets, issuance of the regulatory decrees, provision of a permanent headquarters, and responding to the Commission’s requests for the prevention of torture and facilitating

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<sup>6</sup> Responsibilities of NHRIs: Monitoring and reporting on the human rights situation, Global Alliance of National Human Rights Institutions (GANHRI), <https://ganhri.org/monitoring-and-reporting-nhris>

the work of the National Preventive Mechanism (Committee for the Prevention of Torture), which prevents the establishment of an effective monitoring system and does not effectively address the majority of allegations of torture and ill-treatment brought to justice<sup>7</sup>.

# Introduction

1. Lebanon has entered its fifth year of one of the most severe economic crises that seriously affected human rights. Many Lebanese have become unable to secure their financial and social rights amid the deepening crisis, as a combination of factors led to a real humanitarian crisis, leaving a group of people unable to access their basic needs, such as food, housing, healthcare, and decent working conditions, and also worsened the education crisis as school students entered a fifth disastrous year of losing the right to education. Following his visit to Lebanon in 2021, the Special Rapporteur on Extreme Poverty and Human Rights concluded that women, children, migrant workers, Syrian refugees, Palestinians, and disabled persons were affected by this crisis in particular<sup>8</sup>.

2. This year has seen serious violations of civil and political rights in Lebanon. Regarding political rights, Lebanon has yet to witness any significant progress in enforcing the Anti-Torture Law after five years. The conditions of prisons in Lebanon have dangerously deteriorated amid the country's economic crisis, whereby overcrowding has become the norm. Low-quality health has increased, and the government's failure to pay outstanding bills has started to endanger the food supply for prisons.

3. Violations of human rights were reflected at the end of 2023, after the war in the Gaza Strip. Israeli attacks extended to the Southern borders of Lebanon. They violated

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<sup>7</sup> The views and opinions expressed in this report are those of the National Human Rights Commission including the Committee for the Prevention of Torture and do not necessarily represent the views of the United Nations, including the United Nations Development Programme (UNDP), or the member States of the United Nations, nor they represent the views of the European Union and its Member States.

<sup>8</sup> Lebanon: UN poverty expert says Government fails population, United Nations Human Rights, Office of the High Commissioner, November 12, 2021, <https://www.ohchr.org/ar/press-releases/2021/11/lebanon-un-poverty-expert-says-government-fails-population>

the Human Rights Act and international human rights law, as the Israeli enemy attacked civilians and their houses and fields in violation of the rules of engagement, in addition to targeting and killing journalists and using internationally prohibited weapons.

# Methodology

4. This report aims to present the human rights situation in Lebanon during 2023 while considering the international and legal framework for human rights. The report reviews local laws and international conventions. It evaluates the status of fundamental rights that the National Human Rights Commission works to consecrate by urging the adoption of laws, implementation decrees, or monitoring violations to avoid repeating them. The report also reviews official documents, positions, and statements issued by the executive and legislative authorities in general, as well as studies and/or publications and/or statements and/or circulars of the relevant ministries, judicial authorities, security agencies, national bodies, and civil society organizations, concerning the absence of quantitative data on some rights.

5. In this report, the term “Commission” will refer to the National Human Rights Commission, which includes the Committee for the Prevention of Torture. The term “Committee” will refer to the Committee for the Prevention of Torture.

6. Law No. 62/2016 establishes a broad and general mandate that covers all geographic areas of Lebanon, all types of violations and abuses, regardless of their seriousness, and all actors. The Commission considered that its mandate comprises violations and abuses, including violations of international humanitarian law, encompassing continuous violations initiated before the law establishes it, such as enforced disappearance. It further considered that its mandate includes violations and abuses committed on Lebanese territory, including territorial waters, and actions that began outside the Lebanese borders but were completed within the Lebanese territory.

7. Investigation and reporting activities were based on the Commission’s commitment to safeguarding the welfare and safety of the individuals and groups with whom it interacted, and the Commission’s personnel strictly adhered to the “do no harm”

principle in all of their activities. The Commission did not interview anyone without their consent and sought consent from sources for their information to be used and shared in the Commission reports and with external stakeholders. The identities of the victims and witnesses were disclosed in this report based on their knowledge and after obtaining secondary approval.

# Chapter I: Key findings on violations and abuses of international human rights law and international humanitarian law

## 1. Economic, social and cultural rights

### *1.1 The right to education*

8. Lebanon's education system faces challenges with multiple causes. These challenges include poor public funding for the education sector, which leads to a lack of resources and infrastructure and affects the quality of education. The economic downturn and financial crises pressured households, making access to education more difficult for many students. Moreover, the region's volatile political and social situations adversely affected the education system, as the political and social tension hindered the normal functioning of the education process.

9. The year 2023 has seen intermittent strikes of public school teachers in Lebanon to express their frustration toward the erosion of salaries and poor working conditions they have suffered since the beginning of the economic crisis in the country. The United Nations International Children's Fund (UNICEF) stated in February 2023, highlighting

that public school closures in Lebanon have caused significant damage to children’s learning, safety, and mental and physical well-being. It called on all stakeholders to come together to ensure that all children get back to school and that learning is never interrupted again.<sup>9</sup>

10. Human Rights Watch (HRW) said that public school students in Lebanon, including Syrian refugees, have suffered through four years of chaos, as 27% dropped out last year alone<sup>10</sup>. It highlighted that donor support to education is critical to stabilizing the school system, but relying on the Lebanese authority to implement that support risks a fifth lost year. Lebanon received US\$250 million in donor education aid each year in support of Lebanon’s pledge to get every child, including Syrian refugees, “into quality education.” Still, hundreds of thousands of children were left out of school. In September 2023, HRW called on the Ministry of Education and Higher Education and the representatives of foreign donors to reach an agreement that opens schools without interruption. “Over the last four years, school closures in Lebanon have pushed over a million Syrian and Lebanese children to the brink,” said Bill Van Esveld, associate children’s rights director at HRW. “If the government and foreign donors don’t reach an agreement that will keep schools open, Lebanon is looking at a children’s rights catastrophe.” He said that Lebanon should also drop undue restrictions that have prevented refugee children from access to education, like requirements for documents or residency in Lebanon that are impossible for many to obtain and a “two-year rule” that bars children who have been out of school for two or more years from enrolling in formal education.”

## *1.2 The right to healthcare/health services*

11. The system of health care is facing many challenges nowadays. The economic crisis across the country led to low access and quality of healthcare services, while

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<sup>9</sup> UNICEF calls on all stakeholders to reopen public schools and ensure all children are learning, UNICEF, February 14, 2023, <https://www.unicef.org/lebanon/ar>

<sup>10</sup> Donors in Brussels Should Act on Lebanon Education Crisis - Critical Action to Avoid Another Lost Year of Education, Human Right Watch, June 14, 2023, <https://www.hrw.org/ar/news/2023/06/14/donors-brussels-should-act-lebanon-education-crisis>

public hospitals are struggling to provide primary care, and many private hospitals are forced to shut down their business.<sup>11</sup>

12. The health sector in Lebanon is one of the most affected sectors by the ongoing economic crisis. Medications, including cancer and other chronic disease medications, remained unavailable and expensive for most people. This matter has led tens of cancer patients in Lebanon to protest on World Cancer Day to shed light on the lack of medications in pharmacies and hospitals. Karim Gebara, Head of the Lebanese Syndicate of Pharmaceutical Importers, said: “There is a drug shortage because the funds available for their purchase are not enough to cover the needs of all Lebanese patients.” Gebara said that importers no longer play a key role in the amount of imported drugs. Instead, the Health Ministry decides the quantity and type of drugs and who will receive them, Gebara added<sup>12</sup>. On the one hand, the ministry lacks objective standards to determine how much citizens and residents benefit from health services, which leaves people at the mercy of the estimation made by the ministry’s personnel. On the other hand, the Central Inspection responsible for disclosing effective laws and lists has been disabled for many years.

13. In a statement in February 2023<sup>13</sup> Amnesty International said that after one year of lifting subsidies on most medications by the government, short-sighted policies that lack social safety nets hindered the access of people to essential and life-saving medicines, due to the lack of such medicines or their inability to afford them. Moreover, the government failed to meet its commitments to supporting the Primary Healthcare Centres (PHCCs), which provide free and low-cost medication and have seen an increase in demand. Regarding hospitals, due to the economic crisis and the dollarization of hospital bills<sup>14</sup> Many patients have become unable to enter the hospital and get their treatment because they don’t have money. According to Doctor Sleiman Haroun, Head of the Syndicate of Private Hospital Owners, “Hospitalization has

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<sup>11</sup> Annual Report, Lebanon, 2022, the authorities failed to the main economic and social rights that were affected by the economic crisis in the country, Amnesty International, March 15, 2023, <https://www.amnesty.org/ar/location/middle-east-and-north-africa/lebanon/report-lebanon>

<sup>12</sup> Cancer patients in Lebanon fear death due to lack of vital medicine, Najia Housari, Arab News, February 4, 2023, <https://arab.news/p7th6>

<sup>13</sup> Amnesty International, Lebanon: Government must ensure medication is available and affordable, February 9, 2023, <https://www.amnesty.org/ar/documents/mde18/6410/2023/ar>

<sup>14</sup> Dollarization has become real... and decrease in the number of patients entering hospitals, March 3, 2023, MTV website, <https://www.mtv.com.lb/news/1347150>

become for rich people in Lebanon only.”<sup>15</sup> On the other side, hospitals were forced to reduce the number of beds by 30 to 40% due to the crisis.

### *1.3 The right to a decent standard of living (the right to food, water, electricity and adequate housing)*

14. The severe economic and monetary crisis that affected Lebanon has had serious consequences since 2019. The crisis left many Lebanese unable to secure their social and economic rights. The lack of essential goods, such as medication and food, endangered the right to life. Furthermore, rising inflation and the lack of goods hindered the access of low-income households to essential services. The Lebanese people suffer from high living costs and high prices of goods, essential services, power, and transportation.

15. Citizens face accumulated challenges as they need help affording the increasing living costs. These challenges accelerate due to the impact of inflation on salaries and personal incomes. Inflation is a great challenge that requires efficient economic and financial actions to contain these conditions and recover economic stability in Lebanon.

16. This year, strikes have occurred among the staff of public administrations. The Public Administration Employees Association administrative body said multiple strikes aim to pressure the government to improve worker salaries. The salaries of 80% of workers range from five to six million Lebanese Pounds, the equivalent of US\$2 to US\$3 per day after tax<sup>16</sup>. A household of four people would need 40 million Lebanese pounds at least per month to have decent living conditions, such as food, medication, electricity, water, transportation, and communication. This has led to an expansion of the social and economic gap between the Lebanese social groups and to a rise in

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<sup>15</sup> Hospitalization and medication in 2023... is health restricted to rich people?, January 7, 2023, Lily Gerges,

Annahar newspaper, <https://vo.la/uKtWg>

<sup>16</sup> Public Administration Personnel: strike to continue for two weeks, Annahar newspaper, March 5, 2023,

<https://vo.la/qxiFJ>

poverty rates to 70%, according to international organizations, accompanied by low job opportunities and salaries<sup>17</sup>.

17. Lebanon's agriculture sector is vulnerable, where the Labor Law does not govern workers. However, in June 2023, the World Bank Group's Board of Executive Directors approved a US\$200 million financing to improve the resilience of farmers and small and medium enterprises (SMEs) in the Lebanese agri-food sector in the face of the country's multiple crises. The Green-Agri Food Transformation for Economic Recovery (GATE) Project will support productive investments that improve the agriculture sector productivity and enhance access to markets<sup>18</sup>.

18. Besides the economic crisis, the country's political tension and crises prevent citizens from accessing their rights. With the continued decline in electricity supply to its lowest levels and total power outages, the water crisis intensified in Lebanon. Over the years, the successive governments made many promises related to reforming the electricity sector in Lebanon, but in vain. Solutions were limited to timely and temporary solutions amid the lack of a vision and a long-term scientific, efficient, and sustainable strategy. These solutions remain trapped between significant administrative reforms and international requirements that delay the process of a sustainable and comprehensive solution under political tensions that negatively overshadow the path of the sector's recovery and, thus, the implementation of the reform plan. The successive governments addressed the problem by searching only for temporary options to secure a temporary and slight increase in electricity supply and thus mitigate the crisis. The latest option was the emergency plan announced by the Minister of Power, Walid Fayad, in addition to a series of discussions launched by the minister with neighboring countries as a first step toward starting to resolve this issue.

19. On January 18, 2023, following the stop of operations in many power plants, and as a first phase of the said emergency plan, the government approved a central bank credit of US\$62 million, which was required to buy fuel. A ministerial committee was also mandated to follow up on the electricity and power# file. In the previous period,

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<sup>17</sup> World Report 2023\_Lebanon, Human Rights Watch,  
<https://www.hrw.org/ar/world-report/2023/country-chapters/lebanon>

<sup>18</sup> New World Bank Program Provides Lifeline to Lebanon's Poor by Bolstering Sustainable Food Systems, World Bank, June 29, 2023,  
<https://www.albankaldawli.org/ar/news/press-release/2023/06/29/new-world-bank-program-provides-lifeline-to-lebanon-s-poor-by-bolstering-sustainable-food-systems>

the agreement signed with Iraq in 2021 was also renewed for another year. This agreement stated that Lebanon should be supplied with the necessary fuel to operate the electricity plants, i.e., around 75 to 85 thousand tonnes per month. It has been agreed that this quantity will be increased to two million tonnes per year. In return, Lebanon commits to secure Iraq's needs in terms of different goods, including medical, educational, and commercial goods, by the equivalent of the contract value.

20. According to the Integrated Food Security Phase Classification (IPC)<sup>19</sup>, about 1.05 million Lebanese Syrian and Palestinian refugees, corresponding to 19% of the analyzed population, face acute food insecurity and are classified in IPC Phase 3 or above (Crisis or worse). About 74,000 people (1% of the population analyzed) are in IPC Phase 4 (Emergency), and 976,000 people are in IPC Phase 3 (Crisis). About 582,000 Lebanese residents (15% of the resident population), 411,000 Syrian refugees (27% of the total Syrians in Lebanon), and 56,600 Palestinians in Lebanon are estimated to be in IPC Phase 3 or above between October 2023 and March 2024. The situation is expected to deteriorate. About 582,000 of the Lebanese population, 500,000 Syrian refugees (33% of the total Syrians in Lebanon), and 61,100 Palestinians in Lebanon are estimated to be in IPC Phase 3 or above in April and September 2024.

21. Lebanon topped the list of the highest food inflation rates worldwide, registering a food inflation rate of 352%, according to a World Bank report#. The Minister of Economy, Amine Salam, announced in early February 2023 that supermarkets can set prices in US dollars, “which may allow these supermarkets to avoid the risks of currency deterioration and protect the customer against price manipulation.”

22. In July 2023, Lebanon signed with the Food and Agriculture Organization of the United Nations the project Contributing to Food Security for refugees and host communities living in Lebanon, funded by the European Union for US\$15 million. The project aims to increase production and cultivated areas by supporting farmers, building capacities, and replacing the import of agricultural inputs to improve the living conditions and the capacity of host communities and refugees to survive<sup>20</sup>.

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<sup>19</sup> Lebanon: Acute Food Insecurity Situation for October 2023 - March 2024 and Projection for April 2024 - September 2024, IPC, Integrated Food Security Phase Classification, <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156728>

<sup>20</sup> The Minister of Agriculture signs the project “Contributing to Food Security for refugees and host communities living in Lebanon,” Ministry of Agriculture in Lebanon, July 13, 2023, <https://vo.la/xvqzn>

23. The crisis led to a high increase in housing costs, which made adequate housing unaffordable for many citizens. The lack of affordable housing led to more displacement and informal settlements, violating the right to housing<sup>21</sup>.

24. Volker Türk, UN High Commissioner for Human Rights, said that “Lebanon is in the throes of one of the worst economic crises in modern history, with more than half of the population now said to be living below the poverty line, and two million people facing food insecurity. Many public sector services have been halted; access to education and healthcare are becoming luxuries; and electricity is scarce.” During his presentation of the Annual Report and Oral Update on the activities of his Office and recent human rights developments at the 52nd session of the Human Rights Council, Volker urged more vigorous efforts to fight corruption, anchor economic and financial regulation in the rule of law, and firmly embed accountability and transparency into all economic measures<sup>22</sup>.

## 2. Civil and economic rights

### *2.1 The Freedom of opinion and expression*

25. Defamation and insult provisions have intensified to punish journalists and activists who criticize corruption, parties, and powerful individuals. These procedures are implemented after government officials, heads of political parties, or the directors of banks and religious institutions file complaints.

26. The Penal Code issued in 1943 does not reflect the development in understanding rights and freedoms, as it preceded the Universal Declaration of Human Rights in a time off from the technological breakthrough, digital reality, and social media platforms.

27. The Publications Court, a criminal court established in 1962, is based on the Publications Law, which is dedicated to describing the crimes related to what is

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<sup>21</sup> Human Rights Brief February 2023, Lebanese Center for Human Rights (CLDH), 26 February 2023, <https://vo.la/oMpJv>

<sup>22</sup> High Commissioner outlines concerns in over 40 countries, including Lebanon | National Human Rights Commission, March 7, 2023, <https://nhrc.lb.org/archives/305>

published by the written and audio-visual media through journalists and media professionals, not to mention social media, which creates a legislative vacuum in dealing with digital spaces, and grants official authorities and some Public Prosecutions abroad space to use the law's provisions against activists on social media.

28. Public Prosecutions and security forces are among the most involved official authorities in practices that violate the freedom of opinion and expression. This matter usually occurs through the Cybercrime Bureau, affiliated with the Criminal Investigation Department of the Judicial Police Unit at the Internal Security Forces. It is important to note that this bureau was established without making any legal amendment to the organizational structure of the Internal Security Forces. The bureau can access digital spaces, track down social media pages in cooperation with electronic informants, and monitor and punish activists who express their views on the State's activities and bodies and the directors thereof. Therefore, the bureau pressures journalists and media professionals who express their opinions through summons and detentions based on references by the Public Prosecution.

29. Moreover, journalists and activists face defamation and insult cases in connection with their journalistic work. These cases are processed before ordinary and sometimes military courts, in contrast with the Publications Law, which implies referring media and journalistic cases to the Publications Court only.

30. On the occasion of launching its new campaign #My\_Opinion\_Is\_Not\_A\_Crime, Amnesty International called on the Lebanese Parliament to abolish all the laws that criminalize defamation and insult, whereby the Lebanese authorities must immediately stop prosecuting journalists and activists who criticize authority figures and influential individuals.

## *2.2 The right to peaceful assembly*

31. The Lebanese authorities failed to protect - and sometimes violated - the right to peaceful assembly during a protest in Beirut<sup>23</sup>.

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<sup>23</sup> Lebanese authorities fail to protect the right to peaceful assembly during the Freedom March, MENA Rights Group, September 30, 2023,

<https://menarights.org/ar/articles/fshl-alsltat-allbnanyt-fy-hmayt-alhq-fy-altjim-alslmy-khlal-msyrt-allhryat-fy-30-sbtmbr-2023>

32. On September 30, 2023, the participants of a march held in Beirut's downtown under the title of "Freedom March" were kicked and hit by a group of youth under the pretext of promoting homosexuality. The security forces failed to protect participants as some of them were at risk of death.

33. Clashes occurred between a certain number of march participants and young men on motorcycles who tried to prevent them from moving forward, as they "denied all types and aspects of deviance in Beirut's streets," in their own words.

34. Amnesty International called on the Lebanese authorities to investigate the violent, premeditated assault during a freedom march organized by more than 24 civil society organizations to protest the recent crackdown on personal and political freedoms in Lebanon. It emphasized that the investigation must include security forces' abject failure to protect protesters from the attack<sup>24</sup>.

## *2.3 The right to vote and be elected*

35. The lack of services so Lebanese access their political rights outlines the reality of governmental services amid the ongoing crisis. This matter has led, in light of the continued presidential vacancy, to postpone the municipal elections for 12 months<sup>25</sup> under a law issued by the Parliament, and for which reasons were not constitutional, in violation of one of the most important political rights of Lebanese people, i.e., the right to vote. Holding municipal elections is essential in abiding by the constitutional deadlines and democratic practices in Lebanon while facing a presidential vacancy and broad institutional paralysis. These elections allow citizens to have their voices heard, improve their participation in local governance and development, and enhance their sense of responsibility to participate in local decision-making. As municipalities are the most familiar with people's increasing needs, they can help introduce new reforms, insights, and creative solutions to improve the offering of essential services and enhance people's trust in their institutions.

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<sup>24</sup> Lebanon: Investigate assault on Freedom March protesters, October 3, 2023, Amnesty International, <https://www.amnesty.org/ar/latest/news/2023/10/lebanon-investigate-assault-on-freedom-march-protesters>

<sup>25</sup> Lebanon: Postponement of municipal elections amid an institutional paralysis, Euronews, April 8, 2023, <https://arabic.euronews.com/2023/04/18/lebanon-parliament-postpone-municipal-elections-economic-crisis>

## *2.4 The Right of access to justice – the Port Explosion crime*

36. Euro-Med Human Rights Monitor said that the course of justice in the Beirut explosion investigation appears to have been deliberately disrupted, leaving justice elusive for the victims<sup>26</sup>.

37. The Lebanese authorities have had three years to investigate what caused the devastating explosion in Beirut's port and to hold those suspected of criminal responsibility to account. Yet, to this day, no one has been held responsible for the tragedy<sup>27</sup> that unfolded on 4 August 2020. Instead, the authorities have used every tool at their disposal to shamelessly undermine and obstruct the domestic investigation to shield themselves from accountability – and perpetuate the culture of impunity in the country.

38. The international community has repeatedly condemned the authorities' blatant political interference in the domestic investigation, including in a joint statement at the United Nations Human Rights Council on March 8, 2023. Over 300 Lebanese and international civil society groups, as well as survivors and victims' families, once again appealed to the Human Rights Council to urgently establish an international fact-finding mission to investigate the causes of the Beirut Blast and identify those responsible for the catastrophe<sup>28</sup>.

39. On March 30, 2023, Australia delivered a joint statement on behalf of 38 States before the UN Human Rights Council, whereby it expressed its concern that the domestic investigation into the explosion "was subject to systematic obstruction, interference, intimidation, and political deadlock.". The statement called on the Lebanese authorities to abide by its international obligations in terms of human rights, ensure the independence of the Judiciary, and carry out a swift, independent,

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<sup>26</sup> Lebanon: Justice delayed for Beirut explosion victims as investigation drags on, Euro-Med Human Rights Monitor, August 3, 2023, <https://vo.la/WUfmU>

<sup>27</sup> Lebanon: Unacceptable lack of justice, truth and reparation three years after Beirut blast, Amnesty International, August 3, 2023, <https://www.amnesty.org/ar/latest/news/2023/08/lebanon-unacceptable-lack-of-justice-truth-and-reparation-three-years-after-beirut-blast/>

<sup>28</sup> Ibid.

impartial, credible, and transparent investigation<sup>29</sup>. UN Special Rapporteur on the independence of judges and lawyers expressed concern about interference in investigating the port explosion in Beirut<sup>30</sup>.

40. On 11 August 2023, the United Nations High Commissioner for Human Rights, Volker Türk, called on an international investigation into the Beirut port explosion of 4 August 2020 and condemned the lack of accountability in this issue. In his oral update before the United Nations Human Rights Council on 11 September 2023, he said: “Three years after the Beirut explosion, there had been no accountability. It might, therefore, be time to consider an international fact-finding mission to look into human rights violations related to the tragedy.”

41. Parents and families of the port explosion victims are still waiting, after three and a half, to know the truth of what happened in hopes of accessing justice and making officials accountable. In January 2023, the families of victims protested before the Palace of Justice in Beirut in support of the course of the investigation.

42. On August 4, 2023, Lebanon marked the third year of the Beirut port explosion, while families were still finding themselves before a disrupted justice system as a result of the investigation suspension. The Association of the Families of Beirut Port Explosion Victims called on Lebanese people to participate in a march entitled “Justice against their will, we keep going for justice and accountability” and to wear black in memory of the late people<sup>31</sup>.

## *2.5 Civil marriage*

43. In Lebanon, spouses who got married through online civil services still face problems registering for their marriage. Therefore, this matter must be addressed due to its consequences on marriage and children registration. This indicates that the government fails in its commitment to register children immediately after birth and to

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<sup>29</sup> Lebanon: 38 Countries Condemn Interference with Beirut Blast Probe, Human Rights Watch, March 7, 2023, <https://www.hrw.org/ar/news/2023/03/07/lebanon-38-countries-condemn-interference-beirut-blast-probe>

<sup>30</sup> Lebanon: UN expert concerned by interference in Beirut blast probe, OHCHR, April 5, 2023, <https://www.ohchr.org/en/press-releases/2023/04/lebanon-un-expert-concerned-interference-beirut-blast-probe>

<sup>31</sup> Lebanon marks the third year of the Beirut port explosion... families claim justice and punishment of an “unknown official”, Euronews, August 4, 2023, <https://arabic.euronews.com/2023/08/04/lebanon-beirut-blast-explosion-ammonium-nitrate-victims-politic-justice>

preserve the right to nationality. This also suggests a central problem: civil marriage is forbidden in Lebanon. Religious authorities control marriage, divorce, and where children live after divorce. There are 15 systems for religious courts, with different rules for each one. This discriminatory system led women’s rights organizations and civil society organizations to urge the Parliament for years to issue a civil and optional personal status code.

44. Unregistered children may be at risk of exploitation. They may face obstacles to attending school and later on to open a banking account, get a job, or get married. There is a cumbersome procedure to register the children of unmarried parents. However, the child is registered under his/her father’s name without any legal relationship with his/her mother. They may face a social stigma as they are considered “illegitimate,” in addition to restrictions on rights, including inheritance.

## *2.6 The reality of palaces of justice and the judiciary*

45. After around five years of ongoing crises across the country and the failure of the Ministry of Justice to perform its duties toward the palaces of Justice, we can confirm that the palaces of Justice are not doing great nowadays. It is important to note that the situation of each palace of justice is different from another<sup>32</sup>. In Jbeil and Jounieh, the situation of palaces of justice is good because municipalities are taking care of them. In Baalbek, for instance, their situation is terrible, as is in Tripoli. The situation of the Palace of Justice in Saida is not good at all. The situation in Beirut is fairly accepted. The problem in Baabda is old and “historical.” The situation is also not good there, as the building is old. Although public electricity is not available, solar power supply is available in some palaces of justice. Electricity goes off at 2:00 p.m. It is important to note that the Bar Association installed the solar power system. The conditions of these palaces of justice adversely affect their management potential. The lack of electricity and necessary equipment, including papers and pens, has disrupted their work.

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<sup>32</sup> Palaces of justice in Lebanon suffer to “survive”, Hussein Ziad Mansour, Grand Lb website, December 26, 2023, <https://www.grandlb.com/politics/69473/>

Since 2019, these palaces have seen judicial assistants and judges retreat. As of August 2022, after a retreat for more than five months in protest against their low salaries, which depreciated by 95%, the lack of medical and hospitalization services, and school and university scholarships, judges resumed their work in public prosecutions, investigation departments, and criminal and civil courts in January 2023.

47. The return of judges to work broke the absolute deadlock prevailing in palaces of justice in Lebanon. However, it also opened the doors to many problems faced by the justice facility this year, at a time that echoes the reality of all the State's institutions that witness the most dangerous systematic collapse that affects all its parts. The judiciary faces a significant shortage in the number of judges. The main reasons are not carrying out competitions of admission to the judiciary since 2018, despite the shortage in the number of judges and the need to conduct such competitions; not finalizing the file of judicial formations that reduce, in their turn, the deep judiciary crisis, which is its non-independence of the political power; and a certain number of judges<sup>33</sup> who resigned or took open leaves. Fifteen judges retired recently (between 2022 and 2023). Other judges are on the waiting list. Around 120 newly graduated judges await a rule on the judicial formations file. Therefore, the number of active judges is decreasing respectively. Their number is around 570 judges. Most of them are working as acting judges under decisions issued by the First President of Appeal courts most of the time. This means that they work in more than one court to cover the shortage of judges. According to the law regulating the judicial courts, judicial formations shall be prepared by the High Judicial Council. They shall be issued under a decree signed by the Minister of Justice, the Prime Minister, the President of the Republic, and the Minister of Finance if the law includes new financial credits. The Minister of Defense shall sign this decree regarding the judges of the Military Court. The judicial formations prepared earlier are lost in light of the presidential vacancy and the presence of a caretaker government. Any new formations require first the election of a President of the Republic and a new government.

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<sup>33</sup> After the return of judges to work: is Lebanon facing a disguised paralysis?, Sawt Beirut International, January 7, 2023, <https://vo.la/cOwMp>

## 3. The rule of law and human rights

### *3.1 Criminalization of torture and punishment of the concerned perpetrators*

48. In a statement issued in May 2022, the UN Subcommittee on Prevention of Torture (SPT) expressed its concern about the prolonged pre-trial detention, overcrowding, and deplorable living conditions in places of deprivation of liberty that it observed during its second visit to Lebanon<sup>34</sup>. The Head of the SPT to Lebanon highlighted that Lebanon made little progress in torture prevention since the first visit of the subcommittee in 2010. On June 26, 2023, on the International Day in Support of Victims of Torture, many organizations and bodies in Lebanon urged Lebanon to diligently and meaningfully enforce Lebanon's Anti-Torture Law. They outlined that it is imperative for the authorities to actively pursue investigations into every reported case of torture and ill-treatment, ensuring that those responsible are held accountable through prosecution and fair trials and sentenced with appropriate punishments if found guilty<sup>35</sup>. Although over five years have passed since the enactment of the Anti-Torture Law, authorities have yet to implement it fully, they said.

49. In July 2023, for the first time in Lebanon, the Criminal Court of Cassation endorsed a decision to implement the provisions of Law No. 65 of 2017<sup>36</sup>. Lebanon ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2000 and its Optional Protocol in 2008. As a result, Law 65/2017 was approved on September 19, 2017, according to the requirements of the abovementioned convention. However, despite enhancing the preventive procedures against torture, whether through Law 65/2017, the establishment of the National Committee for the Prevention of Torture in 2019, or the amendment of Article 47 of the Code of Criminal Procedure, torture practices prevail and are overlooked, as perpetrators are not held accountable by the competent judicial

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<sup>34</sup> Lebanon: Little progress in torture prevention, UN experts find, OHCHR, May 12, 2022, <https://www.ohchr.org/ar/press-releases/2022/05/lebanon-little-progress-torture-prevention-un-experts-find>

<sup>35</sup> Lebanon: Enforce Anti-Torture Law, Human Rights Watch, June 26, 2023, <https://www.hrw.org/ar/news/2023/06/26/lebanon-enforce-anti-torture-law>

<sup>36</sup> For the first time in Lebanon, the Criminal Court of Cassation endorses a decision based on Law 65/2017, The Lebanese Center for Human Rights (CLDH), July 5, 2023, <http://www.cldh-lebanon.org/OurBlog/Artical/4758?lang=ar>

and security authorities. Therefore, the decision made by the investigating judge of the Military Court enforced, for the first time since adopting Law 65/2017, the provisions of Article 4 of the same law and canceled charges obtained under torture. The decision issued by the Court of Cassation sets a legal precedent that must be considered and drawn upon in the following similar proceedings.

## *3.2 Independence of the judicial and administrative courts*

50. The Lebanese Parliament was reviewing two draft laws on the independence of judicial and administrative courts in 2022. In terms of the independence of the judicial courts, after the submission of remarks by the Minister of Justice, the draft was referred to the Administration and Justice Committee that amended and finalized it accordingly and referred it, in its turn, to joint committees for review<sup>37</sup>. In April 2023, the draft was referred to the Parliament for a vote. In December 2023, the Parliament scheduled a legislative session to discuss this law, but this discussion didn't take place and was postponed for future sessions.

51. As for the draft law on the independence of the administrative courts, it remains under review by the subcommittee of the Administration and Justice Committee, which is still trying to unify two draft laws. The Member of Parliament (MP) Oussama Saad submitted the first draft of the law in March 2021 in cooperation with the Independence of the Judiciary Coalition<sup>38</sup>. The second draft law is submitted by the MP Georges Adwan and developed by the President of the State (Shura) Council, Fadi Elias.<sup>39</sup>

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<sup>37</sup> The Administration and Justice Committee continued reviewing the draft law on the independence of the judicial courts and will finalize research in a future session, National News Agency, February 7, 2023, <https://vo.la/HiDzS>

<sup>38</sup> Draft law on the independence of the administrative courts at the Parliament: a roadmap to recover judicial institutions, Legal Agenda, March 17, 2021, <https://vo.la/sPUco>

<sup>39</sup> Draft law on administrative courts submitted by the Member of Parliament Georges Adwan and developed by the President of the State (Shura) Council Fadi Elias, April 15, 2021, <https://vo.la/LUBVM>

52. On June 23, 2023, the Ministry of Justice formally requested the Venice Commission<sup>40</sup> to give its opinion about the draft law on the independence of the administrative courts. However, the ministry sent, in a biased manner, the draft law sent by MP Adwan and neglected the first draft law developed by MP Saad, despite its precedence and even though the Administration and Justice Committee is reviewing both draft laws. This is the Venice Commission's second mission, as it advised in June 2022 on the draft law on the independence of the judicial courts<sup>41</sup> in its version approved by the Administration and Justice Committee on December 21, 2021.

### *3.3 Draft and proposed laws*

53. In a press conference organized by the “Independence of the Judiciary Coalition in Lebanon” on March 28, 2023, nine Lebanese MPs submitted two draft laws to enhance judicial investigations' independence and prevent political interference in courts. Both draft laws intend to amend Article 751 of the Code of Civil Procedure and Article 52 of the Code of Criminal Procedure, which were used as a basis and led to the stop of the investigation into the Beirut port explosion of 4 August 2020 and other investigations into financial crimes and fraud allegations.

54. In late March, the members of the Strong Republic Bloc, the MPs Georges Adwan and Georges Okais, submitted a draft law aiming at amending the Military Courts Law No. 24 of 13/4/1968 and its respective amendments, as the Military Court jurisdiction expanded in recent decades to include the trial of civilians in several crimes “in contravention of the concept of military courts according to international law, and contrary to the global standards of fair trial, whereby the Military Court departed from its judicial jurisdiction as an extraordinary court and has taken on a concurrent jurisdiction, and sometimes blocking the jurisdiction of regular courts.”

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<sup>40</sup> The European Commission for Democracy through Law (the Venice Commission) receives a Lebanese request for opinion on the draft law on the independence of the administrative courts, <https://www.venice.coe.int/webforms/events/?id=3547>

<sup>41</sup> Opinion of the European Commission for Democracy through Law (the Venice Commission) on the draft law on the judicial courts, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)020-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)020-e)

## 3.4 Conditions of prisons and detention centers

55. Prison conditions in Lebanon have dangerously deteriorated amid the country's economic crisis. Overcrowding has become the norm, healthcare is subpar, and the government's failure to pay outstanding bills has endangered the food supply for the country's prisons<sup>42</sup>.

56. Statistics from the Prisons Directorate in the Ministry of Justice indicate that the total number of prisoners until the end of 2023 reached 6,155, including 5,886 men and 107 juveniles. And 269 women, including seven minors. The total number of prisoners in detention centers until the end of 2023 reached 354, including 350 men, one juvenile, and four women. Statistics from the Prisons Directorate at the Ministry of Justice also indicate that the total number of prisoners of Syrian nationality entering prisons until the end of the year 2023 is distributed as follows: 74 juvenile inmates (64.91%), 71 female inmates (31.65%), 1,624 male inmates (28.55%). The number of prisoners of Syrian nationality admitted to detention centers until the end of the year 2023 is distributed as follows: one juvenile (100%), one female inmate (25.00%), and 105 male inmates (30.26%). Thus, the total rate of Prisoners of Syrian nationality who entered prisons and detention centers until the end of 2023 compared to other nationalities, including Lebanese nationality (46.72%). Noting that these numbers and percentages include inmates who have been sentenced or detained, or who meet both descriptions, who were counted by the Prison Administration Program<sup>43</sup> and who are in official prisons and the Palace of Justice detention centers, and do not include those detained in the detention centers of the General Directorate of Internal Security Forces or with the Lebanese Army, Or at the General Directorate of General Security or the General Directorate of State Security.

57. The Lebanese government resolved to deport the Syrian detainees<sup>44</sup>. The caretaker government of Najib Mikati developed a plan for their deportation. The Minister of

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<sup>42</sup> Lebanon: Harrowing Prison Conditions, Human Rights Watch, August 23, 2023, <https://www.hrw.org/ar/news/2023/08/23/lebanon-harrowing-prison-conditions>

<sup>43</sup> The total number of prisoners in prisons and police stations until the end of the year 2023, Ministry of Justice, Prison Directorate, Possible Prison Management Program [https://www.pa.justice.gov.lb/cont/files/18/2023\\_MOUTAWAJID\\_NATIONALITY\\_P\\_N.pdf](https://www.pa.justice.gov.lb/cont/files/18/2023_MOUTAWAJID_NATIONALITY_P_N.pdf)

<sup>44</sup> Human Rights Brief 17 - 23 July, 2023, CLDH, <http://www.cldh-lebanon.org/Publication/Artical/1265?lang=eng>

Justice was mandated to investigate the possibility of extraditing the arrested and convicted detainees to the Syrian State immediately, while considering the relevant laws and agreements and coordinating with the Syrian State in this regard<sup>45</sup>. This has led to anger, apprehension, and fear among those detainees, especially the opposition groups that were detained for entering illegally into the territory, in their own words. Legal authorities said that the Lebanese State cannot deport the unconvicted detainees, emphasizing that they had to ensure that the detainee is convicted and not arrested, as is the case of most Syrian detainees. In addition, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed by Lebanon, stipulates in its third article to prevent the deportation of any person that may be at risk of violations in their original country and that the Lebanese State must observe them. As a party to the Convention against Torture, Lebanon commits not to return or extradite any individual at risk of persecution and to the principle of nonrefoulement guaranteed in the customary international law, which obliges it not to return or extradite any individual to a place, where he/she may be at risk of persecution or other serious violations of human rights. Under Lebanese law, deportation decisions can be only issued by a judicial authority or upon a decision by the Director General of General Security in exceptional cases and based on an individual assessment.

58. In terms of detention centers, overcrowding is the main problem, especially in the detention centers of the Internal Security Forces. According to reports by the National Human Rights Commission on the conditions of detention centers in Lebanon (July-December 2023), the capacity of all Lebanon's prisons, starting from the Central Prison to sub-jails and lockups of Palaces of Justice, does not exceed 3,000 detainees or arrested and convicted, while the number of those detained exceeds 7,800 detainees. In addition to overcrowding, experts shed light on the ongoing problems of the excessive length of pre-trial detention, turning lockups and detention centers into prisons that do not meet the prison standards.

59. Regarding the treatment of arrested individuals, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the international human rights instruments are prominent on the right of the detainee to communicate with the outside world. The amended Article 47 of the Code of Criminal Procedure in Lebanon confirmed this right. The said article mentioned that the suspect

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<sup>45</sup> Prohibitions face the deportation of 1,800 Syrian detainees in Lebanon, Asharq Al-Awsat, May 2023, <https://vo.la/IjvHX>

or the individual against whom the complaint is made has the right, immediately after an arrest for the needs of the investigation, to call any member of his/her family, his/her employer, a lawyer of his/her own choice, or one of his/her acquaintances.

60. Based on the Commission's reports on the conditions of detention centers in Lebanon, experts noticed some members of the Judicial Police's wrong and incomplete understanding of Article 47 and their focus on one part over another. Enforcement of this article was restricted to writing it down in the investigation report without reading it clearly and in detail. As noted, suspected detainees were unaware of the rights established by the article and the importance of using it.

## 4. Discrimination against the most vulnerable groups

### *4.1 Children's rights*

61. In January 2023, Save the Children said that the dire situation in Lebanon means the number of children dealing with "crisis" levels of hunger could surge by 14 percent if rapid action is not taken.<sup>46</sup>

62. On June 9, 2023, UNICEF issued a joined statement with the Lebanese Minister of Public Health, Dr. Firas Abiad, urging the need to take urgent actions to prevent child food poverty from casting a shadow over the future of children in Lebanon.<sup>47</sup>

63. In February 2023, UNICEF sounded the alarm again on the education crisis<sup>48</sup>. When schools close, early marriage increases, sexual exploitation and abuse of children and child labor rise, a statement said. According to UNICEF, the impact of school drop-out will be devastating on the future and well-being of children and youth,

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<sup>46</sup> Human Rights Brief 2 - 8 January, 2023, CLDH, <http://www.cldh-lebanon.org/Publication/Artical/221?lang=eng>

<sup>47</sup> Urgent action needed to prevent child food poverty from casting a shadow over the future of children in Lebanon

By Dr. Firas Abiad, Lebanese Minister of Public Health and Edouard Beigbeder, UNICEF representative in Lebanon, June 9, 2023, <https://vo.la/ENvkh>

<sup>48</sup> UNICEF calls on all stakeholders to reopen public schools and ensure all children are learning, February 14, 2023, <https://vo.la/PhVoC>

their families, and Lebanon's prosperity. Preliminary World Bank analysis indicates that a lost year of schooling would translate into losses to the Lebanese economy of up to US\$400-500 million over the future working lives of the affected students. UNICEF outlined a painful increase in different forms of child abuse, including neglect, physical and sexual abuse, and child abandonment in Lebanon, due to the impact of the financial crisis on households.

## 4.2 Women's rights

64. In a report issued in July 2023, Human Rights Watch shed light upon restrictions on women's mobility in the Middle East and North Africa, including Lebanon. The main obstacles to women's mobility in Lebanon are the personal status laws of different recognized religious communities<sup>49</sup>. Women in Lebanon suffer from inequality under the personal status law, as well as the nationality law, as Lebanese women are not able to grant nationality to their children. According to this report, Lebanese women cannot move within the country or travel abroad freely without the authorization of their male guardians or without facing a potential sanction when they do. Women cannot obtain passports for their children on equal terms with men or travel with them on equal terms with men.

65. On December 7, 2023, ten MPs of different political parties signed the gender quota proposal law for municipal councils. The said law proposal stipulates a women's quota of 30% for the municipal councils, including 9 to 12 members, and 50% for the municipal councils, including 15, 18, 21, and 24 members. This will lead to an overall representation of women of 40% in all municipalities. The representation of women in Lebanon remains incomplete in political life due to a range of structural barriers and social traditions. Based on the municipal elections of 2010, the representation of women in municipal councils reached 4.6% only. The 2016 elections saw a slight increase in women's representation, which reached 5.4% of the municipal council seats. Lebanon is still the lowest rated regarding women's political representation worldwide<sup>50</sup>.

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<sup>49</sup> Trapped-How Male Guardianship Policies Restrict Women's Travel and Mobility in the Middle East and North Africa, Human Rights Watch, July 18, 2023, <https://www.hrw.org/ar/report/2023/07/18/385369>

<sup>50</sup> Signature of the gender quota proposal law as a special and temporary measure to enhance women's representation and participation in politics, National Human Rights Commission, December 7, 2023, <https://nhrcb.org/archives/323>

## 4.3 Refugee rights

66. Since the collapse of the Lebanese economy in 2019, an increasing number of refugees – mainly Syrian and Palestinian refugees – have tried to leave the country and access Europe by sea and through illegal migration.

67. The start of 2023 witnessed trouble in a boat holding more than 23 migrants, mostly Syrian. The Lebanese sea rescue teams and UN peacekeepers deployed along the borders with Israel managed to rescue all passengers except two, a Syrian woman and a child<sup>51</sup>.

68. Most Syrian refugees in Lebanon live in camps that lack the fundamentals of adequate housing, especially during storms and challenging weather conditions. A snow spell during February led to the worsening of the tragic living conditions of thousands of Syrian refugees in Northern Lebanon<sup>52</sup>. The residents of these camps live in meager conditions. They said that such conditions were worsening and that they suffered multiple problems. A cholera outbreak occurred at the end of 2022, followed by a harsh winter up to the mountains. They had skin infections<sup>53</sup> during the first months of 2023.

69. Refugees in Lebanon, especially Syrian refugees, are facing hate and racist speeches by some Lebanese people and the Lebanese State, seeking to deport them and return them to their original country due to the impact of their footprint on worsening the economic and services crisis in Lebanon and the refusal of receiving some of them by the European and Arab countries.

70. Since early April, the Lebanese Armed Forces conducted raids across Lebanon and established checkpoints to verify the Syrian residency conditions<sup>54</sup>. A statement by Amnesty International that urged Lebanese authorities to refrain from deporting Syrians “for fear that they may be at risk of torture by the Syrian authorities” has

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<sup>51</sup> Human Rights Brief 13 - 19 February, 2023, CLDH, <http://www.cldh-lebanon.org/Publication/Artical/233?lang=eng>

<sup>52</sup> Human Rights Brief 30 January 05 February 2023, CLDH, <http://www.cldh-lebanon.org/Publication/Artical/230?lang=eng>

<sup>53</sup> [CLDH April 2023](#)

<sup>54</sup> Lebanon: Armed Forces Summarily Deporting Syrians, Human Rights Watch, July 5, 2023, <https://www.hrw.org/ar/news/2023/07/05/lebanon-armed-forces-summarily-deporting-syrians>

triggered violent reactions among Lebanese politicians and people<sup>55</sup>. The deportations have been accompanied by other measures intended to coerce Syrian refugees to return to Syria. Several municipalities across Lebanon have imposed discriminatory measures against Syrians, such as curfews to curtail their movement and restrictions on their ability to rent housing. Moreover, some local authorities have required Syrians to share their personal information, including their identification documents, residency cards, and proof of residence, and have threatened to deport them if they fail to do so.

## *4.4 Rights of disabled persons*

71. Persons with Disabilities (PWD) are the most vulnerable people in all communities. In Lebanon, their enormous challenges have increased due to the devastating social and economic crisis that drove many households deeper into poverty.

72. On June 14, 2007, Lebanon signed the Convention on the Rights of Persons with Disabilities (CRPD). The Lebanese Parliament ratified Law No. 291 of 12/4/2021 (Authorizing the government to conclude the CRPD<sup>56</sup> and its Optional Protocol) on March 29, 2022. The government lost a whole year before issuing Decree No. 10966 of 06/02/2023, which concludes the convention. Lebanon has failed to take steps related to joining the 185 State parties to the convention effectively<sup>57</sup>, interaction with the Committee on the Rights of Persons with Disabilities, and total commitment to promoting, protecting, and securing the rights of PWD.

73. The United Nations Fund for Population Activities (UNFPA), the Ministry of Social Affairs, and the United Nations Economic and Social Commission for Western Asia (ESCWA) have taken the initiative to develop the National Strategy on the Rights and Inclusion of Persons with Disabilities in Lebanon (2023-2030)<sup>58</sup>. ESCWA published 2021 an assessment of the current situation toward developing a national strategy on the rights and inclusion of persons with disabilities in Lebanon. This report sheds light

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<sup>55</sup> Lebanon: Halt summary deportations of Syrian refugees, Amnesty International, May 11, 2023, <https://www.amnesty.org/ar/latest/news/2023/05/lebanon-halt-summary-deportations-of-syrian-refugees/>

<sup>56</sup> Convention on the Rights of Persons with Disabilities and its Optional Protocol, <https://nhrcib.org/crpd>

<sup>57</sup> Ratification, reports submission and documentation to Lebanon, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Countries.aspx?Lang=ar](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?Lang=ar)

<sup>58</sup> National Strategy on the Rights and Inclusion of Persons with Disabilities in Lebanon (2023-2030), National Human Rights Commission, <https://nhrcib.org/archives/1660>

upon the efforts of the ministry to develop this national strategy by building on analyzing the conditions of disability in Lebanon based on the legislative and institutional frameworks and the current system to evaluate and define disability<sup>59</sup>.

74. In April 2023, Lebanon launched the program of social grants, which aims to provide the country's PWD with direct economic support. At least 20,000 individuals will benefit from a monthly allowance of US\$40 each over an initial period of 12 months in the framework of the National Disability Allowance (NDA), a program launched by Lebanon's Ministry of Social Affairs, UNICEF, and the International Labour Organization (ILO)<sup>60</sup>.

75. PWD, similarly to other Lebanese citizens, face many crises resulting from Lebanon's financial and economic crisis during recent years, in addition to the problems they already had as a result of marginalization, isolation, discrimination, and inequality in all areas of social, economic and educational life. All this happens while PWD represents 10% of the overall population of Lebanon. The World Health Organization estimates that their number is more than 400,000 individuals. About 120,000 individuals out of this number obtained the personal card of disability up to early 2023, in addition to many individuals who don't hold such cards, according to the Ministry of Social Affairs<sup>61</sup>.

## *4.5 Rights of Foreign Workers*

76. The sponsorship (kafala) system remains the only legal option for Lebanon's foreign workers. Under this system, workers are sponsored by their employer, who dictates to them the terms of their contract and their work conditions. This leaves them vulnerable to exploitation and abuse and restricts their access to healthcare.

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<sup>59</sup> Persons with Disabilities in Lebanon: Analyzing the current situation toward the development of a national strategy, National Human Rights Commission, <https://nhrc.lb.org/archives/1656>

<sup>60</sup> Transfer of aid for January in the framework of the cash allowances program, Ministry of Social Affairs, January 17, 2024, <https://vo.la/ARkSo>

<sup>61</sup> National Strategy on the Rights and Inclusion of Persons with Disabilities in Lebanon (2023-2030), National Human Rights Commission, <https://nhrc.lb.org/archives/1660>

77. According to Médecins sans Frontières<sup>62</sup>The latest estimates published in May 2023 show that there are around 135,000 migrant workers in Lebanon, most of whom are from Ethiopia, Bangladesh, Sierra Leone, Sri Lanka, and the Philippines. The majority of them are women employed in private homes as domestic workers. With rising inflation and transport costs, access to healthcare has become a complex and challenging issue for many low-wage foreign workers, often forcing them to prioritize their need for essentials, such as food, over healthcare.

## 4.6 LGBTQ community

78. In February 2023, Human Rights Watch issued a report<sup>63</sup> saying that security officers across the Middle East and North Africa are targeting lesbian, gay, bisexual, and transgender (LGBT) people based on their online and social media activity. Some security agents trapped some LGBT people on social media and dating applications subjected them to online extortion, online harassment, and outing, and relied on illegitimately obtained digital photos, chats, and similar information in prosecutions, in violation of the right to privacy, due process, and other human rights.

79. The LGBT community members in Lebanon face assaults and hate speeches, not only by some citizens but also by some of the State's officials, parties members, and religious figures, due to the sectarian composition of Lebanon and enshrined religious values and concepts that still limit the access to adopting civil marriage up to date.

# 5. Violations of the international humanitarian law

80. With the start of the war against Gaza, South Lebanon has seen, since October 8, 2023, an armed conflict with the Israeli enemy, leading to the displacement of the

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<sup>62</sup> Lebanon: Migrant workers are abused and ignored under the Kafala system, MSF, May 3, 2023, <https://www.msf.org/lebanon-migrant-workers-are-abused-and-ignored-under-kafala-system>

<sup>63</sup> "All This Terror Because of a Photo", Digital Targeting and Its Offline Consequences for LGBT People in the Middle East and North Africa, Human Rights Watch, February 21, 2023, <https://www.hrw.org/ar/report/2023/02/21/384065>

population of the southern border areas and the closures of schools in the areas of South Lebanon<sup>64</sup>. In addition, based on reports that have been made by the National Human Rights Commission on the condition of detention centers in Lebanon (July-December 2023), security tensions at the Lebanese southern borders forced the Command of the Internal Security Forces to close some lockups of the border centers at risk, especially within the scope of the detachments of Tyre and Nabatieh. Among the closed lockups are the police stations of Bourj Al Moulouk, Rachaya Al Fakhar, and Al Khiyam within the detachment of Nabatieh, and the police stations of Alma Al Chaab, Ramya, Bint Jbeil, Debel, Ain Ebel, and Rmeich within the detachment of Tyre. It is important to note that the prisons located within the scope of both detachments are still operating ii. the prisons of Tebnin, Tyre, Bint Jbeil, and Marjeoun. The prison of Nabatieh, renovated recently to serve as a standby prison in case of the need to evacuate the border prisons, was opened to receive those arrested at the border detention centers. During these conflicts, the Israeli Army did not only violate the human rights laws, but also the international humanitarian law. On October 12, Human Rights Watch said that Israel used internationally prohibited weapons, such as white phosphorus, during its operations in Lebanon, putting civilians at risk of serious and long-term injuries<sup>65</sup>. White phosphorus, which can be used as a weapon to set fires that burn people and objects, has a significant incendiary effect that can severely burn people and set structures, fields, and other civilian objects in the vicinity on fire. Exposure to white phosphorus may lead to burns, irritation, and damage in the liver, kidneys, heart, lungs, and bones and may cause death<sup>66</sup>.

81. The Israeli Army targeted civilians in Southern Lebanon, leading to many injuries and victims, including journalists. On November 13, the team of Reuters was targeted, killing Issam Abdallah. The second stronger attack resulted in the burning of the vehicle of Al-Jazeera, a white Toyota, where the journalist was standing next to it, injuring the journalists of Al-Jazeera, Carmen Joukhadar and Elie Brakhya, as well as

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<sup>64</sup> Les écoles libanaises à la frontière sud toujours fermées ce mercredi, Lorient Today, 11 October 2023, <https://www.lorientlejour.com/article/1352282/les-ecoles-libanaises-a-la-frontiere-sud-toujours-fermees-ce-mercredi.html>

<sup>65</sup> Israel: White Phosphorus Used in Gaza, Lebanon-Use in Populated Areas Poses Grave Risks to Civilians, Human Rights Watch, October 12, 2023, <https://www.hrw.org/ar/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon>

<sup>66</sup> White phosphorus, World Health organization, 15 January, 2024, <https://www.who.int/ar/news-room/fact-sheets/detail/white-phosphorus>

their colleague at Agence France-Presse (AFP), Dylan Collins<sup>67</sup>. Five days earlier, on October 9, the journalists of Al-Jazeera were targeted by a similar attack in the village of Al Dhayra in Southern Lebanon. According to their testimonies, an Israeli helicopter hovered overhead before a missile fell next to their car, which also bears the word “press.” The journalists Rabih Al Maamari and Farh Omar and their driver Hussein Akil were also killed in Israeli shelling on the village of Tayr Harfa, in Southern Lebanon, 2.3 kilometers away from the place where Issam Abdallah was killed.<sup>68</sup>

82. The artillery of the enemy based in the Palestinian-occupied territories targeted residential neighborhoods in the village of Maroun Al Ras through artillery fire. The house of the citizen Majed Mohanna was hit directly, resulting in the death of his wife, Nohad Moussa Mohanna, and his injury. They were both in their 80s.

83. On November 5, 2023, the unlawful Israeli strike on a family in a car killed three girls and their grandmother, wounded their mother<sup>69</sup> and constituted an apparent war crime.

84. Statistics<sup>70</sup> have shown that, up to January 14, 2023, more than 75,000 individuals were displaced from the conflict territory along Southern borders and areas of Southern Lebanon. They headed North towards safer Lebanese regions.

85. Farmers in Lebanon’s south have found their crops ravaged by white phosphorus and their work hindered by unexploded munitions<sup>71</sup>. According to statistics, up to January 11, 2024, the use of this weapon and other weapons, such as light bombs and artillery assaults, resulted in 328 fires in 52 villages, burning 462 hectares of land. Forests represent 60% of affected areas, while agricultural lands represent 25%, including fruit and olive trees, out of which 45,000 trees were damaged, including fruit and olive trees. Animals have not escaped such attacks. 150,000 of poultry and 620 of sheep were at risk. 150 of the beehives were ruined.

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<sup>67</sup> RSF video investigation into the death of Reuters reporter Issam Abdallah in Lebanon, Reporters Without Borders, 29 October 2023, <https://rsf.org/en/rsf-video-investigation-death-reuters-reporter-issam-abdallah-lebanon-journalists-vehicle-was>

<sup>68</sup> Israel: Strikes on Journalists in Lebanon Apparently Deliberate, Intentionally Targeting Civilians a War Crime, December 7, 2023, <https://www.hrw.org/ar/news/2023/12/07/israel-strikes-journalists-lebanon-apparently-deliberate>

<sup>69</sup> Lebanon: Israeli Strike an Apparent War Crime, Three Children, Grandmother Killed in Their Car, Human Rights Watch, November 14, 2023, <https://www.hrw.org/ar/news/2023/11/14/lebanon-israeli-strike-apparent-war-crime>

<sup>70</sup> The Lawyard, Instagram, 14 January 2024, <https://www.instagram.com/p/C2E6FjKMfdA/?igsh=b3l3cml5dHJqZGL5>

<sup>71</sup> Lebanese farmers’ crops ruined by white phosphorus, unexploded bombs, William Christou, New Arab, 27 November, 2023, <https://www.newarab.com/news/lebanese-crops-ruined-white-phosphorus-unexploded-bombs>

# Chapter II: Activities of the National Human Rights Commission

## 1. Independent contribution to the Lebanese State reports

86. Lebanon is running behind schedule in reviewing its human rights record before four committees of treaty bodies<sup>72</sup>: the Committee against Torture (CAT), as Lebanon was supposed to appear before it in May 2021; the Committee on Economic, Social and Cultural Rights (CESCR)<sup>73</sup>, as Lebanon was supposed to appear before it in October

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<sup>72</sup> <https://www.ohchr.org/ar/treaty-bodies>

<sup>73</sup> <https://www.ohchr.org/ar/treaty-bodies/cescr>

2021; the Human Rights Committee (HRC)<sup>74</sup>, as Lebanon was supposed to appear before it in April 2023; and the Committee on the Rights of the Child (CRC)<sup>75</sup>, as Lebanon was supposed to appear before it in June 2023. Lebanon did not meet its commitments to present reports under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography<sup>76</sup>. The submission of the relevant initial report has been delayed since December 8, 2006. Moreover, Lebanon failed to submit input on the follow-up to recommendations set in the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD)<sup>77</sup>: paragraphs 11 (National Human Rights Commission), 13 (National Human Rights Plan), and 19 (Birth registration) within one year of adopting the concluding observations, i.e., in September 2022.

87. Lebanon breached recommendations provided by all treaty bodies to activate a national reporting and follow-up mechanism<sup>78</sup> as a permanent governmental, institutional structure that it can entrust with developing and coordinating reports to be submitted to the international and regional human rights mechanisms while working with such mechanisms and coordinating and monitoring the national follow up to implement the obligations emerging from the agreement and recommendations/decisions issued by these mechanisms<sup>79</sup>. The mechanism was established in 2018 under Decree No. 3268/2018. The secretary of the mechanism was headed by the Minister of State for Human Rights. After canceling the Ministry of Human Rights, the Lebanese government abandoned its duty to adequately and continuously support this institutional structure with a staff assigned to it, enabling it to consult systematically with the National Human Rights Commission and civil society organizations. The Human Rights Council's resolution on the promotion and protection of human rights No. 45/22 of October 6, 2020, with the participation of National Human Rights Institutions and its networks and the contribution of stakeholders, including their contribution to the national mechanisms for reporting and follow-up, in

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<sup>74</sup> <https://www.ohchr.org/ar/treaty-bodies/cescr>

<sup>75</sup> <https://www.ohchr.org/ar/treaty-bodies/cescr>

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<https://www.ohchr.org/ar/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-sale-children-child>

<sup>77</sup> <https://www.ohchr.org/ar/instruments-and-mechanisms>

<sup>78</sup> <https://nhrcb.org/nmrf-lebanon>

<sup>79</sup> <https://nhrcb.org/archives/1531>

the context of follow-up to recommendations and the relevant United Nations mechanisms and operations, each according to its mandate<sup>80</sup>.

88. Lebanon did not submit a review before the Committee against Torture<sup>81</sup> for three years. The Committee reviewed the initial report of Lebanon (1/CAT/C/LBN) in its sessions 1509 and 1512 (See 1509.CAT/C/SR and 1512) of April 20-21, 2017, and adopted the concluding observations in its sessions 1532 and 1533 of May 8, 2017. Lebanon provided its input on concluding observations<sup>82</sup> on June 6, 2018. The Committee requested the State party (Lebanon) to present its next periodic report, which will be its second periodic report by May 12, 2021.

89. Lebanon has failed to present its review before the Committee on Economic, Social, and Cultural Rights since October 2021. The Committee reviewed Lebanon's second periodic report (2/E/C.12/LBN) in its sessions 61 and 62 (See 61.E/C.12/2016/SR and 62), held on September 26-27, 2016. In its 78<sup>th</sup> session on October 7, 2016, the Committee adopted the concluding observations<sup>83</sup>. The Committee requested the State party (Lebanon) to present its third periodic report no later than October 31, 2021.

90. Lebanon has failed to present its review before the Human Rights Committee<sup>84</sup> since April 2023. The Committee reviewed Lebanon's third periodic report (3CCPR/C/LBN) in its sessions 3460 and 3470 (See documents CCPR/C/SR.3460 and 3470), held on March 15 and 18, 2022). The Committee adopted the concluding observations in session 3482 of April 3, 2018<sup>85</sup>. Lebanon sent an input on the follow-up to concluding observations on its third periodic report on April 15, 2020. It also published a follow-up report by the Special Rapporteur for Follow-up on Concluding Observations, which included an assessment of the input related to the follow-up to concluding observations on Lebanon provided by the State party in April 2020 and the input set out by the concerned parties: MENA Rights Group and Global Detention Project, on January 20, 2022, and ALEF-Act for human rights, on February 21, 2022. The Committee requested the State party to present its next periodic report by April 6, 2023, and to include specific and updated input on the implementation of

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<sup>80</sup> <https://nhrcb.org/hrc-resolution>

<sup>81</sup> <https://www.ohchr.org/ar/treaty-bodies/cat>

<sup>82</sup> <https://www.undocs.org/ar/CAT/C/LBN/CO/1>

<sup>83</sup> UN Treaty Bodies Database, <https://vo.la/wrHII>

<sup>84</sup> <https://www.ohchr.org/ar/treaty-bodies/ccpr>

<sup>85</sup> <https://www.undocs.org/ar/CCPR/C/LBN/CO/3>

recommendations listed in the concluding observations and the implementation of the International Covenant on Civil and Political Rights.

91. Lebanon has failed to present its review before the Committee on the Rights of the Child<sup>86</sup> since June 2023. The Committee reviewed Lebanon's report, which combined the fourth and fifth periodic reports (5-4/CRC/C/LBN) in its sessions 2201 and 2202 (See 2201.CRC/C/SR and 2202), held on May 18-19, 2017. It adopted concluding observations<sup>87</sup> in its session 2221 (See 2221.CRC/C/SR), held on June 2, 2017. Moreover, Lebanon didn't meet its commitments related to reporting under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. Lebanon has failed to submit the relevant initial report since December 8, 2006. Lebanon refuses to join the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

92. Lebanon has failed to submit a voluntary mid-term review<sup>88</sup> before the Universal Periodic Review of the Human Rights Council<sup>89</sup>, supposed to be held by April 2023. The third UPR cycle for Lebanon, due for consideration on January 18, 2018, was held on January 18, 2021, due to COVID-19. The fourth UPR for Lebanon is scheduled in the 51st session of the Human Rights Council in January-February 2026. The final deadline to submit the national report is October 2025. In fulfillment of its mandate as a national human rights institution in Lebanon, the Commission submitted, on June 4, 2020, a written contribution in the framework of the Universal Periodic Review on Lebanon<sup>90</sup>.

93. Lebanon discussed its sixth report on the Elimination of All Forms of Discrimination Against Women in February 2022. Consequently, the Committee on the Elimination of Discrimination against Women (CEDAW)<sup>91</sup> issued its concluding observations<sup>92</sup>, which included a request that Lebanon shall submit a written input within two years, i.e., in

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<sup>86</sup> <https://www.ohchr.org/ar/treaty-bodies/crc>

<sup>87</sup> <https://www.undocs.org/ar/CRC/C/LBN/CO/4-5>

<sup>88</sup> <https://www.ohchr.org/ar/hr-bodies/upr/upr-implementation>

<sup>89</sup> <https://www.ohchr.org/en/hr-bodies/upr/lb-index>

<sup>90</sup> Report of the National Commission in the framework of the third Universal Periodic Review cycle for Lebanon, National Human Rights Commission, <https://nhrc.lb.org/archives/1774>

<sup>91</sup> <https://www.ohchr.org/ar/treaty-bodies/cedaw>

<sup>92</sup> <https://www.undocs.org/ar/CEDAW/C/LBN/CO/3>

February 2024, on the steps taken to implement recommendations. The Committee requested the State party (Lebanon) to submit its seventh periodic report, due in February 2026. The report shall be submitted on schedule and shall cover the entire period until the submission date.

94. The Committee on the Elimination of Racial Discrimination (CERD)<sup>93</sup> reviewed Lebanon's report combining the twenty-third and the twenty-fourth periodic reports in its sessions 2824 and 2825, held online on August 10-11, 2021, due to COVID-19. The Committee adopted concluding observations in its session 2832, held on August 20, 2021. Lebanon failed to send input on the follow-up to concluding observations<sup>94</sup>, which was supposed to take place within two years of the issue of concluding observations, i.e., in September 2022. Lebanon failed to implement the Committee's recommendation to update its Common Core Document swiftly, which dates back to 1996, in accordance with the harmonized guidelines on reporting under the international human rights treaties, especially the guidelines on submitting a Common Core document. Lebanon also failed to submit input on the follow-up to recommendations set in paragraphs 11 (National Human Rights Commission), 13 (National Human Rights Plan), and 19 (Birth registration) within one year of adopting the concluding observations, i.e., in September 2022. The Committee requested the State party (Lebanon) to submit its report combining periodic reports, from twenty-five to twenty-eight, by December 12, 2026.

95. The Lebanese Parliament ratified Law No. 291 of 12/4/2021 (Authorizing the government to conclude the CRPD and its Optional Protocol)<sup>95</sup> on March 29, 2022. The government lost a whole year before issuing Decree No. 10966 of 06/02/2023, which concludes the convention. Lebanon has failed to take steps related to joining the 185 State parties to the convention effectively and with total commitment through promoting, protecting, and securing the rights of PWD. Lebanon never interacted with the Committee on the Rights of Persons with Disabilities (CRPD)<sup>96</sup>, which is supposed to review Lebanon's first report in February 2027.

96. The Human Rights Council Special Procedures consist of a group of independent experts on human rights. These experts are mandate-holders who submit reports and

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<sup>93</sup> <https://www.ohchr.org/ar/treaty-bodies/cerd>

<sup>94</sup> UN Treaty Bodies Database, <https://vo.la/OCvZA>

<sup>95</sup> <https://nhrcrb.org/crpd>

<sup>96</sup> <https://www.ohchr.org/ar/treaty-bodies/crpd>

advise on human rights from a thematic and country perspective. The system of Special Procedures is a key element of the United Nations Human Rights Mechanisms and covers all human rights: civil, cultural, economic, political, and social.

97. The Lebanese government has extended a standing and open invitation<sup>97</sup> to the United Nations Special Procedures since March 17, 2011. It is noted that 13 Special Rapporteurs and Working Groups have been waiting to visit Lebanon for many years<sup>98</sup>. Although the delay in some visits is logistic and technical, it is necessary to remove obstacles related to the political and diplomatic clearances of the country visits of the Special Procedures to Lebanon and to stop approving the entry of Special Rapporteurs who work on specific thematic issues considered as a priority within the Lebanese authorities' political agenda, while refusing other visits of Special Rapporteurs with sensitive thematic mandates, such as the independence of judges and lawyers and the enforced or involuntary Disappearances.

98. Lebanon has been nine years late, as it neglected four reminder visit requests by the Working Group on Enforced or Involuntary Disappearances<sup>99</sup> to Lebanon since November 2015. One of the key missions of this Working Group is to help families know the fate or places of their members who have reportedly disappeared. The Working Group acts, in the context of this humanitarian mandate, as a liaison between the family members of the victims of enforced disappearance and other sources reporting on disappearance cases on the one hand and the concerned governments on the other hand. To that end, the Working Group receives reports on disappearance cases submitted by the relatives of the disappeared individuals or by human rights organizations acting on their behalf. The Working Group considers these reports and refers them to governments; it requests governments to carry out investigations and inform it of findings; it follows up these information requests periodically; it plays a preventive role, supported by countries to overcome obstacles that hinder the enforcement of the Declaration on the Protection of All Persons from Enforced Disappearance. The Working Group carries out all these functions through country visits and providing consultancy services upon request. The Working Group on Enforced or Involuntary Disappearances submitted a reminder visit request to the Lebanese government on January 7, 2022. Reminder visit requests were sent earlier

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<sup>97</sup> <https://spinternet.ohchr.org/StandingInvitations.aspx?Lang=Ar>

<sup>98</sup> <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=LBN&Lang=en>

<sup>99</sup> <https://www.ohchr.org/ar/special-procedures/wg-disappearances>

(January 18, 2019 - June 1, 2018 - January 19, 2018). The Working Group submitted the visit proposal on November 18, 2016, and provided the visit request on November 27, 2015.

99. Lebanon was nine years late and approved and then withdrew and postponed the visit of the Special Rapporteur on the independence of judges and lawyers<sup>100</sup>, who requested to enter Lebanon in November 2015. The Human Rights Council appointed Mrs. Margaret Satterthwaite as the Special Rapporteur on the independence of judges and lawyers in October 2022. The independence of the judiciary and the free exercise of the legal profession continues to be under threat in many countries. Judges, prosecutors, and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. This mandate was created to record attacks on the independence of judges, lawyers, and prosecutors, monitor the progress made in protecting and enhancing their independence, make concrete recommendations to States and other actors, and identify ways to improve the independence of the judiciary and the legal profession. Over the years, the mandate has recorded a significant number of attacks against judges and prosecutors and restrictions to the free and independent exercise of their profession, bringing these allegations to the attention of the national authorities. The Lebanese government informed the Special Rapporteur on the independence of judges and lawyers that the date of acceptance for the visit is May 5, 2020, and that the visit agreed upon is from November 3, 2020, to November 10, 2020 (It has been delayed). The Special Rapporteur requested a visit for the first time on November 18, 2015. The request has been repeated seven times.

100. Lebanon was six years late to accept the visit of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism<sup>101</sup>. This mandate was created to promote and ensure the protection of human rights and fundamental freedoms by recommending rights-compliant counter-terrorism legislation and policies; offering support, technical assistance, and expertise to States, UN entities, civil society, and other relevant stakeholders; and being responsive to the shifting landscape of counter-terrorism and anticipating long-term needs and strategies. The Special Rapporteur on the promotion and

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<sup>100</sup> <https://www.ohchr.org/ar/special-procedures/sr-independence-of-judges-and-lawyers>

<sup>101</sup> <https://www.ohchr.org/ar/special-procedures/sr-terrorism>

protection of human rights and fundamental freedoms while countering terrorism requested to visit Lebanon on February 13, 2017. His request has not been met to date.

101. Lebanon was five years late in accepting the visit of the Working Group on Discrimination against Women and Girls<sup>102</sup>. The mandate was created to intensify efforts to eliminate all forms of discrimination against women and girls throughout the world. Women and girls everywhere are still subject to significant disadvantages as a result of discriminatory laws and practices. Equality has not been achieved in any country, and pledges to eliminate discriminatory laws have not been fulfilled. The Working Group comprises five independent experts of balanced geographical representation, working collectively and producing work in the name of the mandate. The Working Group requested to visit Lebanon on July 30, 2019. Its request has not been met to date.

102. Lebanon was five years late in accepting the visit of the Special Rapporteur on the right to food<sup>103</sup>, although Lebanon is facing hunger and food insecurity crises that have become global problems. According to the State of Food Security and Nutrition in the World (2019), more than 820 million people worldwide were still hungry in 2018. This problem is likely to get worse given the expected increase in the world's population and the stress on natural resources. This mandate was created to address the need for an integrated and coordinated approach to promoting and protecting people's right to food. The Special Rapporteur on the right to food requested to visit Lebanon on July 12, 2019. His request has not been met to date.

103. Lebanon was four years late in accepting the visit of the Special Rapporteur on Human Rights and Hazardous Wastes<sup>104</sup>. The exposure of people to a myriad of harmful substances without their prior informed consent is a human rights issue. However, it is an issue for which solutions exist. The mandate seeks to help States, businesses, and other stakeholders adopt such solutions. The Special Rapporteur requested to visit Lebanon on September 24, 2020. His request has not been met to date.

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<sup>102</sup> <https://www.ohchr.org/ar/special-procedures/wg-women-and-girls>

<sup>103</sup> <https://www.ohchr.org/ar/special-procedures/sr-food>

<sup>104</sup> <https://www.ohchr.org/ar/special-procedures/sr-toxics-and-human-rights>

104. Lebanon was four years late to accept the visit of the Special Rapporteur on freedom of peaceful assembly and association<sup>105</sup>. The United Nations recognizes the importance of the rights to peaceful assembly and association to the full enjoyment of civil and political rights and economic, social, and cultural rights. This mandate was created to gather and share information about global, regional, and local trends and issues relating to peaceful assembly and association; make recommendations on how to ensure the promotion and protection of these rights; and report on violations, as well as discrimination, threats or use of violence, harassment, persecution, intimidation or reprisals directed at persons exercising these rights. The Special Rapporteur requested to visit Lebanon on November 20, 2020. His request has not been met to date.

105. Lebanon was four years late to accept the Special Rapporteur on Human Rights visit to safe drinking water and sanitation<sup>106</sup>. The mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation was established to focus on the issue of human rights obligations related to access to safe drinking water and sanitation, carry out thematic research, undertake country missions, collect good practices; and work with development practitioners on the implementation of the rights to water and sanitation. The Special Rapporteur requested to visit Lebanon on November 20, 2020. His request has not been met to date.

106. Lebanon was four years late to facilitate measures of the visit of the Special Rapporteur on freedom of opinion and expression<sup>107</sup>. Freedom of expression is the cornerstone of democracy, which allows individuals and groups to enjoy several other human rights and freedoms. The mandate of the Special Rapporteur was created by the Human Rights Council to protect and promote freedom of opinion and expression, offline and online, in light of international human rights law and standards. The government approved the visit of the Special Rapporteur on June 16, 2020, but did not facilitate entry measures and did not determine the schedule of the visit to date.

107. Lebanon was three years late to accept the visit of the Independent Expert on the promotion of a democratic and equitable international order<sup>108</sup>. The aspirations of all peoples for an international order are based on the principles enshrined in the Charter.

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<sup>105</sup> <https://www.ohchr.org/ar/special-procedures/sr-freedom-of-assembly-and-association>

<sup>106</sup> <https://www.ohchr.org/ar/special-procedures/sr-water-and-sanitation>

<sup>107</sup> <https://www.ohchr.org/ar/special-procedures/sr-freedom-of-opinion-and-expression>

<sup>108</sup> <https://www.ohchr.org/ar/special-procedures/ie-international-order>

This includes promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity. As a result, a democratic and equitable international order means all peoples have the rights to peace, international solidarity, development, and self-determination; exercise effective sovereignty over their natural wealth and resources; freely pursue their economic, social, and cultural development; have equal opportunity to participate meaningfully in regional and international decision-making; and have a shared responsibility to address threats to international peace and security. A democratic and equitable international order fosters the full realization of all human rights for all, and everyone is entitled to it. The independent expert requested to visit Lebanon on November 20, 2021, but his request has not been met.

108. Lebanon was two years late to accept the visit of the Special Rapporteur on violence against women and girls, its causes and consequences<sup>109</sup>. As violence against women continues to impact the lives of women and girls everywhere, the establishment of the mandate of the Special Rapporteur on violence against women and girls, its causes and consequences, as the first independent human rights mechanism on the elimination of violence against women, represented an important benchmark within the global women's rights movement. Not only did it recognize violence against women as a human rights violation, but it also tasked the Special Rapporteur with ensuring that violence against women was integrated into the United Nations human rights framework and its mechanisms. The Special Rapporteur requested to visit Lebanon on August 17, 2020. Her request has not been met to date.

109. Lebanon was one year late to accept the visit of the Special Rapporteur in the field of cultural rights<sup>110</sup>. Cultural rights are fundamental for the respect of human dignity in the diversity of its expressions. This mandate was created to give greater visibility to cultural rights in the human rights system and to foster a better understanding of the severity of their violations and of the opportunity for their realization for all. The Special rapporteur requested the visit in 2022. A reminder letter was submitted on May 1, 2023. Her request has not been met to date.

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<sup>109</sup> <https://www.ohchr.org/ar/special-procedures/sr-violence-against-women>

<sup>110</sup> <https://www.ohchr.org/ar/special-procedures/sr-cultural-rights>

110. Lebanon was one year late to accept the visit of the Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights<sup>111</sup>. The Human Rights Council stresses that unilateral coercive measures and practices are contrary to international law, international humanitarian law, the UN Charter, and the norms and principles governing peaceful relations among States, and highlights that in the long-term, these measures may result in social problems and raise humanitarian concerns in the States targeted. Highlighting the deep-rooted problems and grievances within the international system and in order to ensure multilateralism, mutual respect, and the peaceful settlement of disputes, the Human Rights Council decided to create the mandate of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. The Special Rapporteur requested to visit Lebanon on April 14, 2023. Her request has not been met to date.

## 2. Reception of complaints and reports and contribution to processing them through negotiation and mediation or prosecution

111. The National Human Rights Commission, which includes the Committee for the Prevention of Torture, is competent in dealing with complaints about human rights violations in a manner somewhat similar to, yet different from, the courts. The handling of complaints by the National Human Rights Commission, which includes the Committee for the Prevention of Torture, usually follows steps that include receipt, initial evaluation, investigation, reconciliation, and referral or report. According to Law 62/2016, it falls within the powers of the National Commission for Human Rights in Lebanon to monitor the reality of human rights and international humanitarian law in Lebanon. This includes receiving, following up, and handling complaints related to violations of any of the rights and freedoms guaranteed in the Lebanese Constitution and in local laws and in accordance with Lebanon's obligations under international

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<sup>111</sup> <https://www.ohchr.org/ar/special-procedures/sr-unilateral-coercive-measures>

human rights law and international humanitarian law. The Commission deals with the protection roles and responsibilities, which constitute an important aspect of NHRIs' responsibilities in accordance with the Paris Principles, by receiving and investigating complaints, negotiating and mediating, and seeking redress through prosecution or through the courts.

112. The United Nations General Assembly acknowledges under Resolution No. 75/186 of December 16, 2020, that the role of the Ombudsman and mediator institutions, which take the form of National Human Rights Institutions, is to promote and protect human rights and fundamental freedoms, enhance good governance and respect for the rule of law, as an independent and additional function<sup>112</sup>.

113. On December 10, 2021, the National Human Rights Commission, which includes the Committee for the Prevention of Torture, received a complaint from the Lebanese citizen Muhammad Ali Rabih Al-Hajj alleging that he was tortured on December 9, 2021, when he was being interrogated at the Baabda Judicial Detachment in the Regional Criminal Investigation Department of the Judicial Police Unit at the General Directorate of Internal Security Forces. The Commission received the complaint and investigated it. This included, in addition to interviewing the victim, an examination and evaluation by two forensic doctors and a legal assistant to present his case to the court. The Commission submitted a notification to the Public Prosecution at the Court of Cassation and an intervention request in the complaint directly filed by the victim before the First Investigating Judge in Baabda.

114. The Commission submitted a notification before the Public Prosecution at the Court of Cassation on suspicion of torture acts against Mr. Muhammad Ali Rabih Al-Hajj. In parallel, the victim's lawyer filed a complaint directly before the First Investigating Judge in Mount Lebanon. The notification submitted by the Commission was referred to the Information Division for investigation, in violation of article 5 of the Law on Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. After the completion of the investigations, the victim's lawyer had a reservation regarding the investigation report since the Information Division or any other security body had no power to carry out an investigation into torture complaints. Investigation, according to Article 5 of the law, is governed by the following rules:

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<sup>112</sup> <https://nhrcb.org/ga-resolution>

- 1) When a complaint or notification is received by the Public Prosecution regarding the crimes established in Article 401, this Public Prosecution must decide, within 48 hours, either to keep the complaint or to bring it before the investigating judge without any inquiry or preliminary investigation in this regard to be conducted but by it personally, except for the necessary decisions to preserve and seize the evidence and to assign a forensic doctor to examine the alleged victim of torture in case the complaint or notification's annexes do not contain such a medical report.
- 2) The investigating judge must undertake all procedures for investigating acts provided for in Article 401 of the Penal Code without commissioning the Judicial Police or any other security agency to carry out any action except for technical tasks.
- 3) The Public prosecution, investigating judiciary, or courts may swiftly take measures and decisions aiming at ensuring protection for the plaintiff and witnesses against all forms of abuses or intimidation as a result of the complaints and notifications they receive. They have to treat the victims of torture while hearing them and during the trial in a manner that preserves evidence and leads and takes into account their mental state resulting from being subjected to torture.

115. After reservation and objection made by the victim's lawyer, the Public Prosecution at the Court of Cassation was contacted. The latter outlined the investigation must be closed and referred to the Public Prosecution at the Court of Appeals to be annexed to the direct complaint filed before the First Investigating Judge in Mount Lebanon.

116. This complaint is exemplary since it is the first torture complaint that has been investigated by the ordinary judiciary and not the Military Court. The Commission noticed a positive development at the judiciary level in this regard, especially since the investigating judge in Mount Lebanon, Judge Bassam Al-Hajj, started investigations into the case. He heard the plaintiff/victim, Muhammad Ali Rabih Al-Hajj, on 4/10/2023 and the perpetrator, whose photo had been recognized by the plaintiff on 13/12/2023 as a witness. The file is still being followed up by the victim's lawyer, Farouq Al Mughrabi.

117. It is important to note that this file may be the cornerstone to punish the perpetrators of the crime of torture by the ordinary and not the extraordinary judiciary, so it would serve as a deterrent for all the security and military members, officers, and bodies, which practice torture before starting, during or after investigations, or during execution.

118. The Commission believes that these issues are most appropriately and effectively addressed through bilateral dialogue. Some state actors, including judicial judges, have attempted to condone torture or ill-treatment based on the exception in the Convention regarding “legal penalties.” Whereas any “legal penalties” should be interpreted in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the general principle of international law contained in the Vienna Convention on the Law of Treaties, which states that “A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.” In this regard, the UN Special Rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, Nils Melzer, stated that some practices, including prolonged solitary confinement and corporal punishment, cannot be considered legal penalties. Furthermore, certain circumstances and practices often accompany or contribute to acts of torture and ill-treatment, including, for example, criminal justice systems that rely excessively on confessions as the main source of evidence and are, therefore, likely to resort to coercive interrogation techniques in order to extract coerced confessions or testimonies.

### 3. Interaction with international organizations

119. Among the activities it carried out and in the framework of interaction with international organizations, the Commission participated in many conferences and meetings in Lebanon and abroad that focused on the necessary mechanism to enhance the work of the Commission and the Committee, as well as on monitoring and supervising the effective implementation of human rights standards in Lebanon.

120. On February 15, 2023, the Commission participated in the solidarity gathering with the victims of earthquakes in Turkey and Syria, held by the Arab Network for National Human Rights Institutions (ANNHRIs).

121. On May 17, 2023, the Commission participated in the reflection workshop on the “economic and social rights of migrant female workers and refugees,” organized online by the National Council of the Kingdom of Morocco. The workshop discussed the

possibility of developing a comprehensive strategy for professional inclusion, exchange of experience, and practices with the National Human Rights Institutions members of the ANNHRIs on updating the law of violence against women and girls.

122. The Commission participated in a conference entitled “The National Human Rights Institutions established in accordance with Paris Principles: roles and challenges, visions and ambitions,” on the margins of the 20<sup>th</sup> General Assembly of the ANNHRIs, held in Cairo from July 29-31, 2023. The Commission was represented at the conference by the Treasurer Ali Youssef.

123. The Commission participated in the second Arab conference on the “prospects for cooperation in the protection and promotion of human rights between the Ministries of Interior and the National Human Rights Institutions in the Arab region... Best practices, challenges, and cooperation visions,” held in Cairo on September 19-20, 2023. The conference included an exchange of experiences and exercises between Arab countries on penal and correctional institutions. Dr. Rana Al Jamal, a representative of the Commission, called through her research paper to strengthen support and cooperation between Arab countries and develop a strategy with a clear vision and features. On the margin of the conference, a visit was carried out to rehabilitation and correctional centers that had been rehabilitated recently, in accordance with global standards in the sector of social protection, in Cairo, to benefit from the experiences and exercises of countries in these areas.

124. On November 13, 2023, the Commission participated in supporting the condemnation of the hate and racial discrimination speech, which appeared during the crisis of refugees coming from Ukraine following the Russian war on Ukraine, in terms of racial discrimination between refugees coming to Ukraine and other refugees in general.

125. On November 28, 2023, the Commission participated in training sessions organized by the ANNHRIs on developing human rights trainers.

126. On November 29, 2023, the Commission participated with the ANNHRIs in meetings on the situation in Palestine and worked on coordinating joint efforts, contributing to stop violations of international humanitarian law by the Israeli occupation, holding accountable, and shutting down the plans of settlement of the Question of Palestine.

127. On December 8, 2023, the Commission participated in the round table organized by the ANNHRIs on the “legacy of oasis between human rights and spatial justice: sustainable solutions and approaches.”

## 4. Interaction with official authorities

128. The National Human Rights Commission outlines that National Human Rights Institutions and Parliaments benefit significantly from each other in assuming their responsibilities in terms of promoting and protecting human rights, in accordance with Belgrade Principles<sup>113</sup> on the relationship between the National Human Rights Institution and the Parliament, adopted in Belgrade, Serbia on February 23, 2012. The Commission recalled, on more than one occasion, and through interaction with different parliamentary committees, the need to determine the areas of enhancing interaction between the NHRIs and Parliaments.

129. Within the framework of interaction with official authorities, the Commission had many activities in order to approve the organizational and implementation decrees of its founding Law No. 62/2016 and the financial and administrative systems, in addition to obtaining a permanent headquarters and working in complete independence without any guardianship from any ministry or official authority over its work as provided for in its founding law.

130. The Commission finalized its internal<sup>114</sup> and financial<sup>115</sup> regulations on December 15, 2018, in cooperation with the Office of the High Commissioner for Human Rights - the regional office - in accordance with the legal deadline specified in Article 7, paragraph A of Law 62/2016, but these two regulations were not approved in the Council of Ministers to date. On the same date, the Commission’s rules of ethics<sup>116</sup> were completed. On July 4, 2022, the Commission prepared, in cooperation with the United Nations Development Programme (UNDP), a regulations draft for contractors<sup>117</sup> dealing with the Commission, in addition to a draft proposal on the structure of the

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<sup>113</sup> <https://nhrcnb.org/belgrade-principles>

<sup>114</sup> <https://nhrcnb.org/internal-bylaw>

<sup>115</sup> <https://nhrcnb.org/financial-bylaw>

<sup>116</sup> <https://nhrcnb.org/code-of-ethics>

<sup>117</sup> <https://nhrcnb.org/nhrc-staff>

National Human Rights Commission, which includes the Committee for the Prevention of Torture<sup>118</sup>.

131. The Ministry of Justice developed a draft decree on the remunerations for the chairman, vice-chairman, and members of the National Human Rights Commission, which includes the Committee for the Prevention of Torture. On April 8, 2019, the draft decree was sent to obtain the advisory opinion of the State (Shura) Council. Under Opinion No. 433/2018-2019 of April 8, 2019, the Parliament considered that the draft decree must be addressed to the Ministry of Finance for it had financial aspects. True to this opinion, on April 10, 2019, the Ministry of Justice referred the said draft decree to the Ministry of Finance, which provided the Ministry of Justice with its opinion only after three years. At the same time, a draft decree signed by the Ministers of Finance and Justice was suggested for the first time for the decisions planned for the Council of Ministers session, held on December 5, 2022, and headed by the President of the Council of Ministers. The draft decree suggested poor and illogical remunerations, as it dedicated seventy US dollars per month for the chairman of the Commission, sixty-five US dollars for the vice-chairman, and sixty US dollars for the rest of the members in return for full-time and not to practice any other job. It is important to note that the Ministry of Justice developed a draft decree in 2017. The advisory opinion of the State (Shura) Council was issued under Opinion No. 124/2016-2017 of March 15, 2017. However, the Ministry of Finance refused then to express an opinion on the said draft decree, and it was not presented to the Council of Ministers. This draft decree included remunerations up to four thousand US dollars for each member of the Commission, based on calculation rules that adopted a comparison with the salary of a level six judge and counted additional levels according to the years of experience of each member.

132. The Commission reiterated on several occasions its demand to have the executive decrees (the internal and financial regulations-remunerations of the Commission's chairman and members) listed on the agenda of the Council of Ministers approved, and which have obtained the advisory opinion of the State (Shura) Council. The Commission welcomed the opinion issued by the Legislation and Consultation Commission at the Ministry of Justice, which authorized the signing of the Commission's regulatory decrees by the caretaker government.

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<sup>118</sup> <https://nhrc.lb.org/nhrc-structure>

133. The Commission requests issuing the remunerations decree of the Commission's chairman, vice-chairman, and members according to the formula that considers the current exchange rate of the US dollar against the Lebanese pound, and similarly to what was approved for the salaries of the personnel of public administrations, contractors, wage earners, technical service suppliers, employees, and service employees, provide that the remunerations of the Commission's chairman, vice-chairman and members shall be modified according to the same rates of modifications that occur in the salaries and remunerations of the personnel of public administrations, contractors, employees, technical service providers, workers, and service employees.

134. The Commission firmly refuses the "observations of the Ministry of Justice on the rules of procedure of the National Human Rights Commission, which includes the Committee for the Prevention of Torture. The Commission detailed the reasons for refusal through an opinion paper prepared by former MP Ghassan Mukheiber<sup>119</sup>. The Ministry of Justice's observations concluded that the establishment of the three Committees according to the Commission's draft rules of procedure would lead to "conflict and duplication" of functions with the existing committees and bodies. It also indicated that this duplication has a financial cost, as they all are paid by public funds. Besides, in a further elaboration, the Ministry considered that when the Commission carries out actions such as "receiving complaints, conducting investigations, processing and resolving complaints," this would interfere with the work of the Judicial Police, as well as with investigations and relevant judicial decisions, especially when the Committee (or any of the competent official authority) is seized with the same case and crime." These committees and official bodies are as follows: The International Humanitarian Law Committee, which corresponds to the National Committee on International Humanitarian Law established by Decree No. 4382 of June 21, 2010. The Grievance Committee for Child Victims of Child Rights Violations, according to the opinion of the Ministry of Justice, is the judicial judge who has the authority to look into cases of juvenile protection. The Law on the Protection of Women and Other Family Members and its specific mechanisms for submitting complaints, investigating and deciding them, and ensuring protection for victims. The Anti-Human Trafficking Committee, which, according to the opinion of the Ministry of Justice, corresponds to

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<sup>119</sup> <https://nhrc.lb.org/archives/1616>

the Office of Combating Human Trafficking at the Judicial Police. Contrary to the Ministry of Justice observations, Mukheiber opinion paper indicates that with regard to the three permanent committees, there is no inconsistency or conflict between the functions of the three committees, subject to the Ministry's observations (i.e., the International Humanitarian Law Committee - Child Rights – Anti-Human Trafficking) and any existing authority, committee, or administrative or security body, as all of these subject matters fall properly within the framework of the Commission's functions that are laid out in its founding Law and that must be properly implemented with the assistance of permanent specialized committees provided for in article 12 of the Commission's Law.

135. The Commission recalled on more than one occasion a circular issued by the Prime Minister on January 15, 2020, requesting all departments, public institutions, and municipalities to cooperate and coordinate with the National Human Rights Commission, which includes the Committee for the Prevention of Torture, in order for the latter to develop action plans that will ensure human rights protection and torture protection<sup>120</sup>.

136. Since June 2018, the National Human Rights Commission, which includes the Committee for the Prevention of Torture, has been making pressure to approve a decree that would allow it to use a public building that had been occupied by the Ministry of Agriculture in the mid-1990s, and that had been evacuated since more than two decades. This building is located in the Chyah area and consists of 12 floors. However, the Ministry of Agriculture refuses to abandon the building, alleging that it still intends to use it. The National Human Rights Commission, which includes the Committee for the Prevention of Torture, informed the Secretariat General of the Council of Ministers that if the premises are provided, they can be maintained and equipped through international donor institutions that provide in-kind assistance and not financial assistance, provided that these actors carry out all cost and financial operations in this regard. It is important to note that during negotiations with the International Monetary Fund (IMF), the Prime Minister agreed that the National Anti-Corruption Authority occupies the former building of the Ministry of Culture (Verdun area), while he overlooked providing a similar building for the National Human Rights Commission and the National Commission on the Missing Persons. Therefore,

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<sup>120</sup> <https://nhrc.lb.org/circular-of-the-prime-minister>

the Commission requests to issue a decision by the Presidency of Council of Ministers to occupy one of the public buildings similarly to what had been approved for the National Anti-Corruption Authority.

137. Since the establishment of the Commission five years ago, a budget of around seven billion six hundred ninety-six million four hundred fifty thousand Lebanese Pounds was only approved in 2022<sup>121</sup>. False, illegal pretexts for not issuing a budget for the Commission before that date were that this issue was not mentioned in the Commission's internal and financial regulations decree, in disregard to what was included in that law in terms of administrative and financial rules and the presence of the Public Accounting Law. The budget for 2022 was not transferred to our account in the Banque du Liban (BDL) without justification, although we checked this matter. In 2023, the draft budget reached seven billion seven hundred seventy-nine million nine hundred fifty thousand Lebanese Pounds<sup>122</sup>. After repeated pressure and checks with political authorities, the allowance of 2022 was transferred to the Commission's account at BDL on January 21, 2023.

138. In the draft budget of 2024, we tried, in order to avoid the abstention of Ministers of Justice and Finance from implementing the law on approving the decree of remunerations of the Commission's members, to include the draft budget in particular in order to remunerate the Commission's members by name and number, whereas this remuneration is approved under law. Therefore, we suggested remunerations of a minimum of 19 billion Lebanese Pounds for the Commission's members, in accordance with the common rules for these remunerations, in addition to the previous budget, whereas the overall amount of the Commission's draft budget has become 26,247,800 Lebanese Pounds. However, the Minister of Finance interfered in the draft budget instead of submitting it as is to the Parliament with observations, violating the principle of full administrative and financial independence of the National Human Rights Commission established by its founding law and the concepts of independent bodies according to which the law of the National Human Rights Commission was established. The Minister of Finance removed and canceled the amounts allocated as remunerations for the Commission's members from the draft budget. These amounts were partially adjusted in the Finance and Budget Parliamentary Committee sessions. Therefore, the overall budget reached seventeen billion nine hundred nineteen two

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<sup>121</sup> <https://nhrcb.org/archives/1624>

<sup>122</sup> <https://nhrcb.org/archives/1628>

hundred fifty thousand Lebanese Pounds<sup>123</sup>. The commission is still seeking to transfer the dedicated allowance to the Commission's account at BDL up to the date of issuing this report.

139. The Commission participated in the meetings of the Parliamentary Committee for Human Rights on 11/1/2023 to discuss the issue of prisons with the relevant civil organizations, on 11/1/2023 to discuss anti-human trafficking, on 2/3/2023 to discuss the law to protect children from early marriage, on 6/4/2023 to complete the review of the prison's file, on 27/4/2023 to complete the review of the draft law to amend some Lebanese laws expressions degrading human dignity and to also complete the review of the draft law to protect children from early marriage, on 30/5/2023 to discuss the issue of Syrian refugees, on 27/7/2023 to discuss the issue of resilience of livelihoods of employees under limited salaries and remunerations due the severe monetary crisis, on 13/11/2023 to discuss the emergency plan developed by the Minister of Environment Nasser Yassine, on 5/12/2023 to complete the discussion of the issue of Israeli attacks against journalists and civilians in Lebanon, and on 13/12/2023 to follow up the issue of complaints submitted by the Lebanese State against Israeli attacks.

140. On 10/11/2023, the Commission participated in a national dialogue workshop on the "legislative course of the law on determining marriage age in Lebanon" in the Parliament, organized by The Lebanese Women Democratic Gathering (RDFL).

141. During December 2023, pursuant to the provisions of Law No. 189 of October 16, 2020 (Law on the Disclosure of Financial Liabilities and Interests and Punishment of Illicit Enrichment), especially article 5, paragraph (B-4), which requires all heads, members, and employees of independent bodies established by law to submit a declaration to the National Anti-Corruption Authority; and pursuant to the jurisprudence of the Legislation and Consultation Commission at the Ministry of Justice, which considered that members of the independent national commissions have the obligation to declare their financial assets and interests since the date of their appointment and not from the date of commencement of work or the start of payment of their allowances or admission to their duty station, the members of the National human Rights Commission submitted the second statement on behalf of themselves, their spouse and their minor children. It is important to note that the members already

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<sup>123</sup> <https://nhrcib.org/archives/1632>

submitted the first statement to the Presidency of the Council of Ministers in June 2021, exceptionally just before the establishment of the National Anti-Corruption Authority.

## 5. Interaction with civil society organizations

142. The Commission emphasizes the great importance of cooperation between the National Human Rights Institutions and Non-Governmental Organizations (NGOs) and acknowledges the importance of their cooperation together based on their joint commitment to the universality and indivisibility of human rights<sup>124</sup> as per the Universal Declaration of Human Rights, the international human rights instruments, the Vienna Declaration and Programme of Action<sup>125</sup>, and the Kandy Program of Action<sup>126</sup>: Cooperation between National Institutions and NGOs, adopted in Kandy, Sri Lanka on July 28, 1999.

143. Within the framework of its interaction with civil society, the Commission carried out many diverse activities, including press conferences, to shed light on some violations related to hate speech and the policy of impunity. The Commission also participated in workshops and seminars to develop cooperation mechanisms with the civil society.

144. The Commission participates in the meetings held by the Working Group on Prisons, works on periodic coordination between some associations active in prisons in order to intensify efforts to improve the conditions of prisons, help secure the medication urgently needed in prisons, contribute to easing coordination between security forces and some associations, and provide a professional vision in dealing with some challenges. The Working Group focuses on providing support and help and searching for short- and medium-term solutions regarding current affairs in prisons. One of the key elements of the Working Group on Prisons is that it includes

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<sup>124</sup> <https://nhrcb.org/universal-declaration-of-human-rights>

<sup>125</sup> <https://nhrcb.org/vienna-declaration-and-programme-action>

<sup>126</sup> <https://nhrcb.org/kandy-program-of-action>

representatives and workers in the associations active in prisons, individuals who have great experience in dealing with prisons and prisoners, offices of the Internal Security Forces, representatives of the Ministry of Interior, judges and representatives of the Ministry of Justice, Academic experts in the management of prisons, lawyers, the Bar Association, and the National Human Rights Commission.

145. On March 3, 2023, the Commission received a letter from the Lebanese Center of Human Rights (CLDH) that informed it about the submission of a notification before the Public Prosecution at the Court of Cassation regarding the case of kidnapping and torturing a minor. The letter requested that the Commission take the necessary measures in this regard and bring the individual mentioned in this letter on his involvement in the allegations of kidnap and torture to trial before the Public Prosecution at the Court of Cassation.

146. On March 3, 2023, the Council of the Bar of Association of Beirut amended the code of ethics for lawyers. The amendments focused on Chapter VI (the relationship between the lawyer and the media), specifically Articles 39, 40, 41, and 42, which regulate media appearances for lawyers and answer legal questions of a judicial consultancy nature. On May 12, 2023, the Commission issued a press release that regrets the issuance of the Decision of the Beirut Civil Court of Appeal, Chamber Eleven, which examines the appeal of Association cases and related to the appeal against the Beirut Bar Association's decision to amend the legal code of ethics for lawyers, which contradicts international human rights law in terms of freedom of opinion and expression. The Commission called on the Bar Association to revoke these latest amendments to the code of ethics for lawyers and to back away from submitting lawyer Nizar Saghieh and other lawyers for investigation over the expression of views related to public issues because such call represents restrictions on freedoms and addresses more than one question mark on its reasons<sup>127</sup>.

147. On August 24, 2023, the Commission announced that it established a fact-finding committee on violations against individuals and groups that exploit religion to incite hate, violence, extremism, and intolerance. The Commission called on individuals, groups, and organizations to share information and documents to help the fact-finding committee develop a full file of these violations and abuses perpetrated since

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<sup>127</sup> National Human Rights Commission: Toward not to harm the independence of judges and t due to the crisis freedoms of lawyers | National Human Rights Commission, May 12, 2023, <https://nhrcb.org/archives/296>

December 2022 and also verify the criminal responsibility of potential perpetrators. These violations include to name a few, incitement to violence; exacerbation of hate speech, torture, and cruel, inhuman, or degrading treatment; attacks, intimidation, or harassment and violence against individuals, institutions, and organizations<sup>128</sup>.

148. On December 6, 2023, the Commission received a letter from the Lebanese Center of Human Rights (CLDH) that expressed its deep concern and anger over serious human rights violations and abuses faced by a prisoner in the prison of Roumieh, whereas he said that he had been subjected to beat, torture, and attack, after being sent like many other individuals to solitary confinement for punitive reasons, where he suffered different forms of abuse, violations, and ill-treatment during detention, including to name a few, physical torture and prolonged solitary confinement in a small room, which was uninhabitable for humans, with no access to adequate sanitation and clear water. His hair was cut. He was deprived of food and water. He had to bear all these circumstances for a long time, which significantly affected his physical and mental health. This case is still under investigation by the Committee for the Prevention of Torture.

149. On November 9, 2023, the Commission participated in a seminar entitled “Story of the Zionist War on Gaza: A Reflection on Media Coverage,” with a presentation made by Doctor Fadel Daher, Dean, Professor, and Commissioner of Monitoring, Studies, Education, and Development at the Commission, on post-genocide justice in Gaza-The Glory, the history repeats itself<sup>129</sup>.

150. On November 20, 2023, the Commission requested public and private libraries in universities, institutions, schools, municipalities, cultural and social clubs, foreign missions, Assabil libraries network, and Reading and Cultural Activation Centres affiliated with the Ministry of Culture in different Lebanese areas to call the Media and Information Commission via hotline or email<sup>130</sup> to access a free version of the “Reference Guide of the National Human Rights Commission, which includes the

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<sup>128</sup> A call to share information with the National Human Rights Commission, which includes the Commission for the Prevention of Torture | National Human Rights Commission, August 24, 2023, <https://nhrc.lb.org/archives/1590>

<sup>129</sup> Post-genocide justice in Gaza-The Glory so that the history does not repeat itself, national Human Rights Commission, November 9, 2023, <https://nhrc.lb.org/archives/1574>

<sup>130</sup> To access free versions or request permissions for republication, requests for commercial use or further rights and licensing should be sent to the email of the Media and Information Commission at the national Human Rights Commission [media@nhrc.lb.org](mailto:media@nhrc.lb.org)

Committee for the Prevention of Torture” in Arabic<sup>131</sup> and English<sup>132</sup>. The book includes various reference documents that define the functions and powers of the Commission. And to access a free version of “The National Commission for Human Rights, which includes the Committee for the Prevention of Torture: Complaints Handling Guide,” in Arabic<sup>133</sup> and English<sup>134</sup>. This guide explains the mechanism for dealing with complaints received by the Commission, as it falls within its powers to follow the reality of human rights and international humanitarian law in Lebanon. The Commission reminds us that it is possible to call the hotline anytime and to report a complaint or request an interview<sup>135</sup>.

## 6. Monitoring and documentation on violations of international humanitarian law throughout the armed conflict and following up on such violations by all available means to end impunity

151. The International Humanitarian Law Committee of the National Human Rights Commission ensures respect for all conventions and protocols of international humanitarian law and the relevant customary rules to which Lebanon is a party, ratifying or acceding. In particular, this committee undertakes the following tasks, to

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<sup>131</sup> Reference Guide of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, <https://nhrc.lb.org/archives/1690>

<sup>132</sup> Reference Guide of the NHRC-CPT - The National Human Rights Commission, including the Committee for the Prevention of Torture <https://en.nhrc.lb.org/archives/341>

<sup>133</sup> The National Commission for Human Rights, which includes the Committee for the Prevention of Torture: Complaints Handling Guide, <https://nhrc.lb.org/archives/424>

<sup>134</sup> NHRC-CPT Complaints Handling Guide - The National Human Rights Commission, including the Committee for the Prevention of Torture <https://en.nhrc.lb.org/archives/1>

<sup>135</sup> You can contact the hotline of the national Human Rights Commission, which includes the Committee for the Prevention of Torture anytime and report on a complaint or request an interview through mobile network or applications, i.e. WhatsApp, Viber, Signal, and Telegram on 009613923456

name few: a- Monitor and document violations of international humanitarian law throughout the armed conflict and follow up with all available means to end impunity. b- Express an opinion on the legislative and administrative texts in order to harmonize international humanitarian law and international agreements and those required for its implementation in harmony with the Lebanese legislative texts. c- Draw up an annual action plan that includes the procedures and measures it deems necessary and appropriate to mainstream international humanitarian law and introduce its executive mechanisms. d- Submit recommendations to all authorities for the proper application of the relevant legislative and administrative texts. e- Spread the culture of international humanitarian law in cooperation with ministries, public administrations and institutions, universities, colleges and schools, and civil society organizations. f- Exchange information and experiences with unions, associations, humanitarian organizations, and civil society bodies relevant to international humanitarian law and strengthen relations with similar committees in national human rights institutions in member states of the Global Alliance of National Human Rights Institutions.

152. Israeli attacks on Lebanon have continued to occur since October 8, up to the date of developing this report, through repeated bombing from the Israeli side of Lebanon. Israel bombed a gathering of journalists with two consecutive shells in Alma Al Chaab on 13/10/2023, killed the journalist Issam Abdallah, and wounded six other journalists as a result of this shelling. In terms of targeting journalists, Israel bombed a press location of Al Mayadeen channel on 21/11/2023 in the triangle of Tayr Harfa-Al Jabin. The shelling resulted in the killing of journalists Farah Omar, Rabih Al Maamari, and their companion Hussein Akil.

153. The National Human Rights Commission submitted with more than 120 local and international actors two official letters to the High Commissioner for Human Rights, Volker Türk, the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Audrey Azoulay, to request an independent investigation into targeting journalists in Lebanon by Israel, which killed the photographer of Reuters Issam Abdallah, the reporter of Al Mayadeen Farah Omar and the photographer of Al Mayadeen Rabih Al Maamari, in addition to the injury of six other journalists, including Carmen Joukhadar and Elie Brakhya (Al Jazeera), Christina

Assi and Dylan Collins (Agence France-Presse), and Maher Nazih and Thayer Al-Sudani (Reuters)<sup>136</sup>.

154. The signatories of the letter addressed to the High Commissioner for Human Rights, Volker Türk, determined three requests based on his responsibility to promote human rights in the world: (1) carry out an independent investigation through independent human rights experts to be appointed by his office, in order to reveal the facts of these targeting acts (2) and publish a report that determines responsibilities (3) mention this case in his opening statement in the Human Rights Council session in March<sup>137</sup>.

155. The signatories of the letter addressed to the Director-General of UNESCO, Audrey Azoulay, requested her, based on her responsibility to enhance the safety of journalists and fight impunity for those targeted, to undertake the following measures: (1) condemn Israel's targeting of journalists in Southern Lebanon, in particular on October 13, 2023 and November 21, 2023, and call to bring Israel accountable for these war crimes (2) support the request addressed to the High Commissioner for Human Rights to carry out an independent investigation into this issue (3) annex the cases of Issam Abdallah, Farah Omar and Rabih Al Maamari to the UNESCO's Observatory of Killed Journalists to track the procedures taken to punish perpetrators and access justice<sup>138</sup>.

156. In a letter addressed by more than one local and international organization to the United Nations Secretary-General António Guterres, the Commander of the United Nations Interim Force in Lebanon (UNIFIL), Lieutenant General Aroldo Lázaro Sáenz, the UN Special Coordinator for Lebanon, Joanna Wronecka, and the Under-Secretary-General for Peace Operations, Jean-Pierre Lacroix, the National Human Rights Commission, which includes the Committee for the Prevention of Torture said that UNIFIL must publish the findings of its investigation into both Israeli strikes on a group of journalists in Southern Lebanon on October 13, 2023. The shelling killed a journalist from Reuters, Issam Abdallah, and wounded six other journalists. Fadi Gerges, President of the Commission, said: "The temporary force of the United Nations in Lebanon shall not remain silent on a serious violation of international

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<sup>136</sup> The National Human Rights Commission and more than 120 actors request an independent investigation into targeting journalists in Lebanon by Israel, <https://nhrc.lb.org/archives/1296>

<sup>137</sup> <https://nhrc.lb.org/wp-content/uploads/2024/02/Letter-to-UNHCHR-Volker-Turk.pdf>

<sup>138</sup> <https://nhrc.lb.org/wp-content/uploads/2024/02/Letter-to-UNESCO-DG-Audrey-Azoulay.pdf>

humanitarian law, shelling, and intentional fire carried out by the Israeli occupation army on more than one occasion against press teams, resulting in killings and injuries. Journalists enjoy protection similarly to civilians under international humanitarian law. Targeted attacks and killing are war crimes. The United Nations must positively contribute to stop violations of human rights law and international humanitarian law<sup>139</sup>.”

# Chapter III: Activities of the National Committee for the Prevention of Torture

## 1. Mandate of the National Preventive Mechanism against Torture

157. Law No. 62/2016 defines the tasks of the Committee for the Prevention of Torture as follows: The Committee for the Prevention of Torture works within the Commission to protect the rights of the detained and persons who are deprived of their freedom in accordance with the provisions of this law and in accordance with Lebanon’s obligations under the Optional Protocol to the “Convention against torture and other cruel, inhuman and degrading treatment.” The Committee, in the sense of the Optional Protocol to the Convention against Torture, assumes the functions of the national preventive mechanism in order to protect the rights of those detained and deprived of their liberty, and it has an independent legal personality in everything related to torture

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<sup>139</sup> The National Human Rights Commission requests the United Nations to publish its report on Israel’s killing of journalists of Lebanon. <https://nhrcib.org/archives/1582>

and its prevention. The committee or whomever it delegates among its members and accompanying staff or contractors have the absolute power to enter and visit all places of deprivation of liberty, their installations, and facilities in Lebanon without any exception, with the aim of protecting the persons present therein from torture and other cruel, inhuman or degrading treatment or punishment and from arbitrary arrest and cooperation with and dialogue with the competent authorities., in order to activate and develop laws and regulations related to detainees and places of deprivation of liberty. The Committee or whomever it delegates among its members can:

a- Carry out periodic or unannounced visits at any time to places of deprivation of liberty without prior notice and without the need for permission from any administrative or judicial authority or any other party.

b- Conduct group or private interviews in private with persons deprived of their liberty, free from any censorship, and in the presence of a Translator if necessary.

c- Meet with any other person who may provide relevant information or assistance that the Committee deems necessary and exercise unrestricted power to obtain information in a confidential manner as required by the work of the Committee. It does not publish any of the information without the consent of the owner or source of the information.

d- Receive complaints or interview requests from the aforementioned, or conduct medical examinations. Article 27/b of Law No. 62/2016 also authorizes the Committee for the Prevention of Torture to communicate directly with the United Nations Subcommittee on the Prevention of Torture and to provide it with information when necessary<sup>140</sup>, and to meet with it periodically or whenever necessary.

158. Law 62/2016 establishes a broad and general mandate covering all geographical areas in Lebanon, all types of violations and abuses, no matter how serious they are, and all actors. The commission considered that its mandate comprises violations and abuses, including violations of international humanitarian law, encompassing continuous violations initiated prior to the law establishing it, such as enforced disappearance. It further considered that its mandate includes violations and abuses committed on Lebanese territory, including territorial waters, and actions that began outside the Lebanese borders but were completed within Lebanese territory.

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<sup>140</sup> Report of the National Committee for the Prevention of Torture in Lebanon to the United Nations Subcommittee on the Prevention of Torture for the year 2022, <https://nhrc.lb.org/archives/1674>

159. The Commission expresses its concern about the ongoing acts of torture and other cruel, inhuman, or degrading treatment or punishment in many places of deprivation of liberty in Lebanon, which many of them shall be closed and where detainees shall be moved to less dangerous areas, as mentioned in the report of the National Committee for the Prevention of Torture to the United Nations Subcommittee on the Prevention of Torture<sup>141</sup>.

160. The Committee denies the determination of Lebanese successive governments to keep the reports of the United Nations Subcommittee on the Prevention of Torture confidential. The State is entitled to do so, according to international agreements. However, many parties, including the United Nations' subcommittee, encourage authorities to publish their reports, especially that they allege that they have nothing to hide.

161. Since its inception, the Commission has enhanced its performance and work to visit and monitor the places of deprivation of liberty, with the aim of reducing any potential torture cases within these places. The list of places of deprivation of liberty in Lebanon under the jurisdiction of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, includes:

a- Places of deprivation of liberty under the authority of the General Directorate of Internal Security Forces - Ministry of Interior and Municipalities, provided that they are transferred to the Ministry of Justice in a timely manner (Council of Ministers Resolution No. 34 of July 3, 2012). This includes prisons, detention centers pending investigation, police stations, juvenile institutions, temporary detention centers at border crossings, airports, and seaports, and investigation centers affiliated with the Information Division of the Internal Security Forces.

b- Places of deprivation of liberty under the jurisdiction of the General Directorate of the General Security - Ministry of Interior and Municipalities. It includes prisons, temporary detention places, refugees' detention centers, shelters for migrants and survivors of human trafficking, and temporary detention centers at land border crossings, airports, and ports.

c- Places of deprivation of liberty under the authority of the General Directorate of State Security of the Supreme Council of Defence. This includes temporary detention centers and interrogation centers.

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<sup>141</sup> Report of the National Committee for the Prevention of Torture in Lebanon to the United Nations Subcommittee on the Prevention of Torture, May 22, 2022, <https://nhrcib.org/archives/1674>

d- Places of deprivation of liberty under the jurisdiction of the General Directorate of Customs of the Ministry of Finance. This includes temporary detention facilities at land border crossings, airports, and ports.

e- Places of deprivation of liberty under the authority of the Lebanese Army – Ministry of National Defence. It includes prisons and temporary detention centers, including military barracks, detention centers affiliated with the Military Police, and interrogation centers affiliated with Military Intelligence.

f- Places of deprivation and/or restriction of freedom that are under the authority of the security forces charged with the protection of the Parliament, consisting of Parliament Police, the Internal Security Forces, and a squadron of the Lebanese Army. This includes temporary detention centers and interrogation centers.

g- Places of deprivation and/or restriction of freedom under the authority of governmental and non-governmental organizations, under the supervision and/or under contract with the Ministry of Public Health. This includes hospitals, psychiatric clinics, quarantine places, centers for the elderly (including dementia patients), drug treatment centers, treatment centers for alcoholics, and any other treatment centers that include deprivation or restriction of liberty.

h- Places of deprivation and/or restriction of freedom under the authority of governmental and non-governmental organizations, under the supervision and/or under contract with the Ministry of Social Affairs. These include orphanages and associations, boarding schools for persons with special needs, shelters for survivors of gender-based violence, shelters for survivors of human trafficking, shelters for members of the lesbian, gay, bisexual, transgender, and intersex community, shelters for survivors of violence, centers, and homes for the elderly.

i- Places of deprivation and/or restriction of freedom under the authority and supervision or management of diplomatic missions in Lebanon, including shelters for migrant domestic workers, shelters for survivors of gender-based violence, shelters for survivors of human trafficking, or any other shelters established by embassies and/or consulates for migrant domestic workers inside or outside the embassies' premises. Taking into account the restrictions on accessibility in light of the relevant provisions of international law, in particular those contained in the Vienna Convention on Diplomatic Relations, 1961 (Vienna on April 18, 1961) and the Vienna Convention on Consular Relations, 1963 (Vienna on April 24, 1963).

j- Places of deprivation and/or restriction of freedom under the authority of governmental and non-governmental organizations, under the supervision and/or contract with the Ministry of Education and Higher Education. This includes orphanages, associations that look after them, and other types of boarding schools.

## 2. Visits to lockups and places of detention of the Internal Security Forces and the Lebanese Army

### *2.1 Background and Methodology*

162. In the framework of the project of the National Human Rights Commission, supported by UNDP and implemented from July 2023 to December 2023, focusing on monitoring the situation of human rights in detention centers in Lebanon, whether in terms of documenting the application of the Code of Criminal Procedure, especially the promotion of key guarantees and the enforcement of defense rights, or in terms of documenting the conditions of detainees, five experts under contract with the Commission visited 180 detention centers of the Directorate of Internal Security Forces and ten detention centers of the Lebanese Army. These initial visits were followed by 25 visits to many centers of the Directorate of Internal Security Forces if needed.

163. Visits to the detention centers of the Lebanese Army were of a formal nature. Experts couldn't find out what really happened in these places, as they only monitored what they were allowed to access in terms of information. They didn't tour freely, as an official of the Lebanese Army had to accompany them during all visits. All questions addressed to the military were denied especially the Military Intelligence. Allegations of being subject to torture by the Military Intelligence couldn't be proved.

164. In order to complete monitoring, experts relied on filling out a detailed application that included rigorous questions that would help gather extensive information on the

condition of each center and detention rooms, in addition to the health, legal, and social conditions of detainees. Based on applications, each visit was documented independently with its relevant reports, followed by the development of an initial report, an assessment report, legal studies, suggestions, an exchange of experience, and a follow-up of recommendations, in addition to providing some possible recommendations to make interventions aiming at addressing some violations.

165. At the beginning of their visits, experts had a challenge in undertaking tours and taking information, as the detention centers' officers did not respond to them. They were constantly asking about the powers of the Commission's team and the circulars behind it. Experts relied on the memorandum of service from the Internal Security Forces in 2020, as well as on the circular issued by the Public Prosecution to facilitate visits. Over time, the process became smoother, especially after clarifying that these visits also aim to monitor their conditions and make recommendations to improve their economic and social conditions. Furthermore, the members and officers in most of these centers became responsive if experts needed an inquiry or a follow-up over the phone.

166. The Commission expresses its great concern about what it noticed in these places, such as the near-collapse of infrastructure and logistics, and about violating Article/47/ of the Code of Criminal Procedure, which had been amended under Law 191/2020, and provided offenders, suspects or defendants with guarantees during preliminary interrogations carried out in the Judicial Police and Public Prosecutions, as well as about torture cases in most visited places of deprivation of liberty.

167. During the process of collecting information, it has been found that there were human rights violations, which have increased under the country's financial conditions that reflected on the conditions of the ISF personnel, the Army, and the reality of courts. Therefore, it was decided, in the light of such violations, to develop studies on what has been collected in terms of information and make recommendations, suggestions and solutions.

168. It is important to highlight that violations affecting detainees in all detention centers are caused by severe overcrowding in these centers. This matter has an impact on health and judicial conditions, and reduces the capacity to provide enough food for all. The most important point is that detention centers have started to play the role of prisons, although they don't meet the required standards for long-term detention.

169. The Commission combined all the reports and studies developed by the team<sup>142</sup> in a comprehensive report. This report shed light on the main monitored violations and relevant analyses under national and international laws that support human rights, in order to reach comprehensive findings, make recommendations, and suggest solutions. The report also tackled the experts' observations during their announced and unannounced field visits. The report mentions human rights violations in the centers visited by experts and the scope of application of article 47 of the Code of Criminal Procedure. The report includes the detentions centres, where some detainees alleged that they had been subjected to torture acts during arrest or interrogation. Furthermore, a list of general and special recommendations is developed on all places of deprivation of liberty.

## *2.2 Violations related to juveniles*

170. During its visits to detention centers, the Commission's team noticed serious violations against juveniles, reflected in the juvenile's uncertain age, the temporary detention of juveniles in the lockups of adults, the pretrial detention going beyond the legal period established by law, the interrogation with the juvenile in the absence of the juvenile's representative, the failure to commit to the application of article 47 of the Code of Criminal Procedure in terms of contacting a lawyer during interrogation with juveniles, and the deprivation of the juvenile from the right to defense and communication sometimes.

171. During visits to detention centers, it has been found that there were persons, with no signs of maturity or being over the age of eighteen years old, detained in the same lockups with adults. It also has been found that a detainee was arrested and brought to trial based on an identity that he provided. After issuing a judgment of acquittal, he declared a different identity. When asking how to make sure of the identity and age, different detention centers' officers said that if the detainee lacked identity documents

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<sup>142</sup> Report on 215 visits to detention centers of the Internal Security Forces and the Lebanese Army during 2023, National Human Rights Commission, <https://nhrcb.org/archives/1744>

and cannot secure such documents, they would consider the identity provided by the detainee or his/her parents<sup>143</sup>.

172. Visits made by the Commission's experts to detention centers showed that in some detention centers, Juveniles were detained in lockups for adults. Among the centers are the military police station in the North and the police station of Nabatieh. Some minor girls in the prison of Dahr Al Bacheq said that they were detained in lockups with adult women, pending an arrest warrant against them. After investigation, it appeared that there were no lockups dedicated for minor girls in the temporary detention centers (police stations), and that minor girls were detained in lockups for women, in violation of laws, especially the third paragraph of article 2 of the Lebanese Law for Juvenile Protection.

173. It has been found through visits that there is a good number of juvenile detainees who exceeded the period of pretrial detention established in the Criminal Code of procedure, in contradiction with articles (107) and (108) of the Lebanese Code of Criminal Procedure, Article (37) of the Convention on the Rights of the Child, and rules (13), (17), and (20) of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice.

174. Throughout visits made by the Commission's experts to the minors' detention centers, and through interviews with minors, it appeared that they didn't distinguish in some cases between the representative of juveniles and the security forces members in civilian clothing. When they were asked if they were interrogated in the presence of the representative of juveniles, they said: "we don't know." In other cases, they said that the representative of juveniles attended their interrogation remotely (through a video call communication technique). After checking with the officers of detention centers, some of them said that, in some cases when it was impossible for the representative of juveniles to come to the center because of the late time or transportation, he/she was contacted through a video call and would attend the session. In other cases, the presence of parents only, upon a notification by courts, was enough, they said. Furthermore, in the interrogation sessions conducted by

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<sup>143</sup> According to Article (1) of the Law for Juvenile Protection: "The age is checked in the competent official records, if not, based on a medical experience used by the judicial authority that controls the case. If the records didn't mention the day and month of birth, the person should be born on the first of July of the determined year of his/her birth. The same rule applies, if it is impossible to determine the day and month through medical experience, if necessary. The age of the juvenile, based on which the judgment was made, should be considered final regarding the execution of measures or penalties imposed under the judgment."

investigating judges remotely, the representative of juveniles would be from the judge's office and not the center.

175. The purpose of presence of the representative of juveniles next to the juvenile in interrogations is to secure a psychological and protective support for him/her while being interrogated, monitor the investigation procedures, protect the child from being subject to psychological pressure or violence during interrogation, in addition to raising the minor's awareness on his/her rights. Therefore, the representative of juveniles who is not really there for the minor loses his/her protective role. Moreover, leaving the child alone with the investigator would let the representative of juveniles lose the chance to make sure of any violations against that child. Consequently, this would be, in itself, a violation of article (34) of the Lebanese Law for Juvenile Protection, even if this was upon a notification by the judiciary.

176. Interviews with interrogation officers and officers in juvenile centers show that a certain number of them restrict the procedures imposed during interrogation to the need for contacting the representative of juveniles only. The content of article (47) of the Code of Criminal Procedure in terms of asking for someone's wish to mandate a lawyer does not apply to interrogation requirements with juveniles. This is a false and limited understanding of the law, whereas article (42) of the Law for Juvenile Protection states that the "presence of a lawyer with the juvenile at the penal court and other courts is mandatory. If his/her parents or those concerned with his/her matters do not appoint a lawyer, where appropriate, the court can appoint one or request that the President of the Bar Association appoints one." Furthermore, Article (47) of the Code of Criminal Procedure mentioned the rights of the suspect or offender in general, and did not specify adults only. Therefore, the rights established in that article must be enjoyed, on a preliminary basis, by juveniles, in addition to what is mentioned in the Law for Juvenile Protection in particular.

177. Juveniles of the detention centers in Lebanon suffer the same harsh conditions faced by adults, whereas many detainees in these centers are not able to meet their families in accordance with human rights. The Commission's experts noticed that meetings took place from behind the door of lockups, and that no special room was provided for minors to meet their parents. Furthermore, in a good number of detention centers, it was not allowed to communicate with the outside world by phone. In other places, this possibility was not consistently available; For instance, at Dahr Al Bacheq prison for minor girls, girls complained that they were not able to call their parents for

three weeks due to the lack of phone cards (Telecarte). This is a violation of the minor right to communicate with the outside world, whereas Paragraph (C) of article (37) of the Convention on the Rights of the Child stipulates that “Every child deprived of liberty shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances.” Moreover, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty outline, as in Article (59) et seq.

178. There are many Syrian refugees who sneak into the country, including juveniles. If they are arrested for a crime suspicion, in addition to sneaking into the territory or breaching the residency, even if they get a release permission for the suspected crime, they will continue to be arrested by the General Security for entering illegally to Lebanon. Those people may stay arrested for months, which represents a burden for the arrest center and makes the latter a source of riot, as monitored by experts, and violates the juvenile’s right due to the lack of a mechanism that allows to extradite him/her to the General Security to repatriate him/her.

## *2.3 Violations related to women*

179. The condition of women prisoners in women prisons in Lebanon is relatively acceptable, because overcrowding is not severe. The Ministry of Justice appointed female directors and internal guard employees for prisons. The activity of male members is limited to the external protection for the prison. These prisons are also clean and well-arranged with medical care supported by female nurses permanently, in addition to organized activities. This is in full contrast with women's jails in the centers of the Internal Security, where detention shall be 48 hours, but are now used as a permanent prison.

180. Women detention centers of the Internal Security Forces in Lebanon witness a severe overcrowding, due to a small number of women lockups and the transformation of these lockups to prisons without being equipped for this purpose. The small number of women locked up also means that the detainee that was arrested in a specific place would be detained far from her parents and place of residence, leading to a big problem under the current social and economic conditions. Moreover, the detainee would be placed as a trust in a specific platoon. Therefore, the members of this platoon don’t take care of bringing her and can’t do so. Meanwhile, the members of the center

that detained her don't take care of her, as she is relatively away from the center's office, and the center is not in charge with facilitating her daily life needs<sup>144</sup>.

181. The Commission's experts recorded the presence of many foreign female workers in lockups, noticing that many of them cannot communicate with their embassies. Moreover, they didn't have money to mandate a lawyer or purchase stuff. Some of them also got release permission but remained in detention by the General Security, as their residency in Lebanon expired. There is also the problem of receiving them by the General Security body, as the latter does not have a place to detain them, cannot release them, and does not have enough money to deport them to their original countries, especially in the lack of associations or donors that provide their travel tickets.

182. The Commission's experts monitored the absence of female members in the platoon of Jisr Beirut to take care of women detainees, which may increase their vulnerability to a physical, verbal, or moral violation, as they are consistently present with male guards, in violation of article (23) of Decree No. (14310) that stipulates that "women prisoners shall be guarded and observed by women guards appointed for this purpose." Article (24) of the same decree stipulates that "any man, except the doctor, is not entitled to enter the women's prison, and that the prison shall be rather visited by the staff that has the right to inspect prisons." Experts monitored cameras in some detention rooms, in violation of women's privacy.

183. In terms of the communication issue, experts found that in most women detention centers of the Internal Security Forces, communication falls on members and depends on their whims and will. Meetings and visits are limited to two days per week without increasing the period of the meeting.

184. During their visits to women detention centers of the Internal Security Forces, experts noticed that detainees were only brought to health doctor or a psychotherapist in emergencies, and that a periodic examination of women prisoners was not carried out, in violation of the right to secure an adequate healthcare as stipulated by the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), in addition to not providing the

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<sup>144</sup> Remark: the conditions of lesbians in the detention centers of the Internal Security Forces is significantly similar to the situation of women in terms of possible suffering, violations, and ill-treatment as many members don't respect them. In addition, they don't have a special lockup and are placed in an empty lockup upon detention until bringing them to the lockup of the Palace of Justice of Baabda, where there is a special lockup for them.

special needs of women in these lockups (such as clothing, sanitary pads, toiletries, and special medication for women).

185. Experts monitored the lack of capacity to take care of the detainee's child, if this child is with his/her mother, under all medical, health, and psychological aspects, in violation also of the right to support the women's children established in the Bangkok Rules. It has been also found that charities didn't take care of detainees and didn't bring them any aid. Women detainees have the same suffering of men lockups in terms of the lack or scarcity of food and assuming this responsibility to parents, in addition to the challenge of securing drinking water, shower water, and water for use, the lack of air conditioning and heating, the lack of permanent electricity, in addition to the issue of changing mattresses and increasing the number of blankets, and the issue of damp and humidity.

## *2.4 Scope of application of the new article /47/ of the Code of Criminal Procedure*

186. The article /47/ of the Code of Criminal Procedure under Law 191/2020 was amended after many recommendations made by Treaty Bodies that the Lebanese State adhered to and discussed its periodic reports before their different bodies.

187. The most important information concerning the new article /47/ is the right of the suspect or defendant to contact a lawyer of his/her choice, a member of his/her family, his/her employer or one of his/her acquaintances, the right of the lawyer to attend the interrogation or hearing before the Judicial Police, the right of the lawyer to meet his/her client privately without the presence of any third party for a maximum period of thirty minutes, the right of the suspect or defendant to appoint a lawyer upon a statement to be written in the report; i.e. the suspect or defendant does not need to mandate that lawyer by virtue of a power of attorney made before a notary. The lawyer is given two hours to arrive before starting interrogation. He/she shall have the right to join as of the point that interrogation has reached after his/her arrival. The lawyer shall be informed about the statement of his/her client. Also, the person subject to interrogation shall be informed about the quality, on the basis of which he/she has been interrogated, the suspicion against him/her, and the supporting evidence thereof.

The interrogation shall be carried out under audio-visual recordings, but this part is never applied for the centers are not equipped with the necessary tools by the Lebanese government. Therefore, this part has not been examined as it was not applied from the start.

188. The foreigner or the person who doesn't speak Arabic cannot be interrogated without hiring a translator. The Public Prosecution must mandate a forensic doctor specialized in physical and mental health to examine the suspect or defendant by virtue of a request to be submitted by the agent or any of his/her family members<sup>145</sup>.

189. Any violation of the provision established in article 47 makes the investigator, whether the judges of the Public Prosecution or the Judicial Police, vulnerable to a disciplinary penalty or a prison sentence for a period ranging from three months to one year, and a fine ranging from two million to ten million Lebanese Pounds.

190. It is important to note that the application of article 47 protects the sacred right of defence for every person, and reduces the cases of torture, inhuman treatment, and forced disappearance.

191. Throughout the interviews with male and female detainees in the visited places, and which were characterized by their confidential nature, the Commission found that there was a violation of article 47 in more than one area, and sometimes more than once. It has been also found that some investigating officers didn't know its application rules, whereas the information had been collected from detainees that had been already arrested and interrogated by a police station, a platoon, or even another body. Therefore, the names of centers that had not been visited by the Commission would appear, but interviews were made with persons who were detained there.

192. According to the amended article (47), judicial officers are prohibited from detaining the suspect in their lockups, unless upon a decision by the Public Prosecution within a period that does not exceed 48 hours that can be extended to a similar period, only upon an approval by the Public Prosecution. They have to move the detainee from the detention center, where the detainee was interrogated to another center not affiliated to the same troop, provided to write down this matter in the report before closing it, under penalty of nullity. Through what the Commission's experts monitored, they found a great number of detainees with an arrest period that exceeded 96 hours, and many months for some of them without closing the investigation report,

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<sup>145</sup> To check these rights in detail, you must review Law No. 191/2020.

in serious violation of human rights, especially the right to litigate and the right to a fair trial.

193. The Article (47) outlines the need to have audio-visual recordings of the interrogation or hearing procedures related to the defendant, as of the moment of reading out his/her rights set in the article thereof, provided that these recordings must be accompanied by the report of preliminary interrogations, under penalty of nullity of the report and the procedures thereof. However, the application of this article is impossible as a good number of centers are not equipped with cameras, due to the lack of financial capacity to do so, and some others are equipped with surveillance cameras only. The centers equipped with cameras connected to the archiving system are not able to save data for a few days, according to the allegations of lockup officers. Furthermore, there are no financial resources to put the content on CDs or any other means to attach it to the report of recordings. Therefore, it is confirmed that this part of article (47) is not applied in all centers, and thus is not used to prove that the detainee is subject to any violation during interrogation. The non-application of this part of the article increases the possibility of vulnerability of the person under interrogation to beating, torture, or ill-treatment.

194. The article (47) stipulated on many rights that must be enjoyed by the person to be heard during interrogation, and which are detailed within seven clauses including the right to communication, the right to appoint a lawyer, the right to a swift interrogation, the right to appoint a translator, and the right to request a forensic doctor among other rights that were mentioned in the provision of the above mentioned article. In terms of the right to call a lawyer of his/her own choice, any of his/her family members, his/her employer, or one of his/her acquaintances, allegations made by detainees in the detention centers of the Internal Security Forces showed that in some specific centers, detainees are allowed to do calls only after one or two days from being detained or after closing the interrogation. The officers in some centers also confirmed this issue through interviews, and considered that a call may lead to an alert, and thus to the escape of participants in the crime, so they wait to allow detainees to call until collecting the necessary information, or that detainees can be made aware of remaining silent, hiring a lawyer, or skirting around the truth. Furthermore, the allegations of detainees showed that in some centers of the Military Intelligence and Information departments, detainees remained without any

communication with parents for a very long time until being transferred to other places.

195. The right to hire a lawyer to attend the detainee's interrogation, hearing, statement, or interview is the most problematic in terms of application. Visits showed that a certain number of investigating officers abide by the application of this right, whether in terms of informing the detainee about his/her right to call a lawyer or to allow him/her to meet the lawyer privately before interrogation. However, the great majority of investigating officers and lockup officers confirmed their non-commitment to the part related to meeting the lawyer privately, as they were not aware of the article's provision. They confirmed that the article is only limited to the right of the detainee to attend the interrogation by his/her lawyer only. They said that the meeting with the lawyer before interrogation may negatively affect the results of interrogations. Hence the importance of expert visits, whereas discussion had been made on article (47) of the Code of Criminal Procedure and the need to apply it. In some cases, the article was explained again to security members. In some centers, experts were delivering a version of the article to be attached immediately next to the office of the investigating officer. It is important to note that the lists of rights distributed by the Internal Security Forces don't clarify this right, leading to a confusion for investigators in this regard. According to article (47), if it is impossible for the suspect or defendant to mandate a lawyer for financial reasons, the judge overseeing the case shall appoint a lawyer for him/her through a representative to be appointed specifically for that purpose by the Beirut Bar Association and Tripoli Bar Association. Here comes the role of both Bar Associations in supporting detainees and ensuring a fair trial, whether during the legal aid system, where a lawyer is appointed to follow up all the proceedings, or through the committees of article (47) that are supposed to send a lawyer to attend the hearing session and ensure the respect of the detainee's rights in the interrogation.

196. It can be said that article (47) of the Code of Criminal Procedure is not applied in general and in full in all detention centers of the Internal Security Forces. The article may be applied disproportionately between a center and another. This happens for many reasons: the lack of financial capacity in some cases in terms of equipping the centers with cameras to record the interrogation or record it on CDs, the lack of capacity to appoint a doctor on the expenses of the treasury, the incapacity of members and their ignorance of the details of the said article, the fact that the investigating officers are

not convinced to allow the lawyer to meet with the suspect privately before interrogation, not giving a priority for the investigation in the work of members in detention centers, and unwillingness to put a camera in interrogation rooms, whereas experts found cameras across some centers, including detention rooms without noticing such cameras in interrogation rooms.

197. Through second visits made by experts, it turned out that a certain number of investigating officers abided by the content of article (47) of the Code of Criminal Procedure, especially in terms of allowing the lawyer to meet the suspect privately.

198. In terms of detention centers of the Lebanese Army, experts noticed, in general, that the article (47) of the Lebanese Code of Criminal Procedure was fully applied. However, in some centers, experts monitored the lack of cameras in interrogation rooms. When asking about the reason, the financial cost was the pretext. The non-application of this part of article (47) increases the likelihood of vulnerability of arrested persons to torture or ill-treatment during interrogation. According to the experts' reporting on this issue, no torture operation was monitored, despite many allegations on the presence of beating cases, especially in the Intelligence of the Army. In most reports on detention centers affiliated to the Intelligence of the Lebanese Army, experts recorded cases of blindfolding during interrogation or transfer to the detention center. In terms of the right to meet the lawyer privately before interrogation, experts noticed a discretionary power of the Army to allow a private meeting with the lawyer based on the importance and seriousness of the crime.

## *2.5 Scope of application of the Code of Criminal Procedure*

199. Importance of applying article 108 of the Code of Criminal Procedure<sup>146</sup> (pre-trial detention), whereas it prevents arrest under a misdemeanor, except in limited cases and for shorter periods, and limits felonies that give the investigating judge the right to

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<sup>146</sup> The article 108 of the Code of Criminal Procedure stipulated the following: "With the exception of a person previously sentenced to at least one year's imprisonment, the period of detention for a misdemeanor may not exceed two months. This period may be extended by, at maximum, a similar period where urgently necessary. With the exception of homicide, felonies involving drugs and endangerment of state security, felonies entailing extreme danger and crimes of terrorism, and with the exception of persons with a previous criminal conviction, the period of custody may not exceed six months for a felony. This period of custody may be renewed once on the basis of a reasoned decision."

arrest someone for a period exceeding one year. Overcrowding in detention centers is mainly driven by violating this legal article that ensures the non-deprivation of liberty of any human without any legal evidence. Through the experts' monitoring of detention centers, it has been found that a great number of suspects were detained for several months without attending any interrogation session and without issuing any indictment against them. Therefore, experts started to follow-up some files of detainees and found out that their detention was arbitrary and without any legal evidence, in violation of articles (47) and (108) of the Code of Criminal Procedure. This follow-up took place to urge judges to commit to the application of law and speed up the proceedings.

200. It is important to note here that those arrested before the Military Court are prosecuted swiftly. However, those arrested before judicial courts face prolonged pre-trial detention.

201. The article (402) of the Code of Criminal Procedure (judicial supervision) stipulated that the Public Prosecutor at the Court of Appeal or the Financial Public Prosecutor, and the Investigating Judge and the Single Criminal Judge, shall examine once per month the persons in detention centers and prisons affiliated to their departments. Each one of them has the right to order the officers of detention centers and prisons affiliated to their departments to undertake the measures required by the interrogation and trial. Judicial supervision ensures the respect of human rights and dignity in detention centers. It has a great importance, especially in terms of ensuring that detainees enjoy the right to defence and a fair trial in accordance with local laws and international standards; monitoring the conditions in detentions centres, such as the health, sanitary, and food conditions, in order to secure that these centres meet the basic human standards; protecting the rights of detained or arrested individuals, including the right to life, the right to dignity, and the right to not being subject to torture or ill-treatment; and reducing the likelihood of human rights violations in these centres. Judicial supervision also contributes to increasing accountability and transparency, in addition to improving the judicial system in general by improving the level of transparency and accountability, promoting trust in the legal system, and ensuring the commitment of centers to international standards of human rights.

202. Judicial supervision has an important role for the judge himself/herself, because by observing the conditions inside centers, the judge can understand the best social and humanitarian issues that influence society and have an impact on justice and law. The judicial supervision puts the judge head-to-head with the current situation in

detention centers and violations affecting each detainee deprived of his/her liberty without any legal evidence. Through the monitoring process, it appeared that this article is only respected by some judges in the lockups of Palaces of Justice and for a few times. With the lack of application of article (402) of the Code of Criminal Procedure, the role of the Commission is essential to supervise and control the conditions of detention centers and ensure the respect of the human rights of detainees.

## *2.6 Conditions of detention centers and human rights situation inside such centers*

203. Overcrowding is the main problem in detention centers in Lebanon. The capacity of all Lebanon's prisons, from the central prison to sub jails and lockups of the Places of Justice, does not exceed 3,000 detainees, arrested, or convicts, while the number of arrested individuals in Lebanon, up to December 2023, exceeded 7,800 detainees, resulting in overcrowding in the Central Prison of Roumieh, and later on in all sub jails across areas, and the lockups and police stations in the Palaces of Justice, and then the lockups of platoons and police stations of the regional gendarme, the Police of Beirut, the lockups of the Judicial Police troops in Lebanon, and even the prisons of the Military Police and the Intelligence of the Lebanese Army.

204. One of the main reasons of this overcrowding is not building new prisons, and the delay in proceedings, from issuing judgements to release permissions, in addition to economic and social problems that led a great number of judges to go on strike for a long time and not performing their duties during the recent two years, and the flow of Syrian refugees to Lebanon, whereas more than 50% of prisons inmates are Syrians.

205. International standards of human rights are not respected in Lebanon in terms of the space to be given to every detainee within detention centers, in order to live there decently. While international standards mention that 3.2 meters shall be provided to every detainee, detainees, in some detention centers in Lebanon, have to take turns sleeping, whereas some detainees stand up to let other detainees sleeping or sleep on their side so that the place fits for them, or one of them sleeps while half of his body is in the toilet of the lockup. In addition to the non-respect of human rights in this regard,

this overcrowding causes problems among detainees and diseases, such as scabies, allergies, and unpleasant odors as a result of the sweat of their bodies, especially in summer time during severe heat. This issue had been recorded by the Commission.

206. During visits to detention centers of the Internal Security Forces, it has been noticed that there were food problems reflected in the very bad quality of food and small quantities provided to detention centers, in addition to the late arrival of meals to detention centers, whereas such meals have become cold. Furthermore, most centers don't send patrols to bring meals for detainees, either under false pretexts that detainees don't eat or throw them or prefer their families' food, or due to a breakdown or small number of the center's vehicles, or mandating members to carry out security missions and investigations that don't allow them to leave their places. Some detention centers rely on detainees' families to bring food to their children and relatives. Some detainees, especially those who don't go for meetings or don't have any money, rely on their lockup inmates who go for meetings and have the necessary money to bring food and share it with everyone. Cases where detainees stay without food for days were recorded.

207. Some detention centers and places rely on local associations within their regional scope to feed detainees. It is important to note that these associations don't open their doors, especially on weekends. Some other detention centers rely on restaurants available in their scope of work to provide detainees with food leftovers. Members may give detainees leftover food.

208. The Commission's experts monitored the lack of a refrigerator for members in some centers of the Internal Security Forces so that detainees could put the leftovers of food brought by their parents or of the prison's food. Blocked roads due to snow in some police stations in mountains result in the impossibility of bringing food there.

209. In terms of food in visited detention centers of the Lebanese Army, food is always available through the Army's kitchen. It is important to note that families totally refuse to bring food to these centers. However, detainees have the right to deposit money at the safety deposit boxes and not to keep it with them, as is the case in detention centers of the Internal Security Forces, and use it to buy food from "Beit Al-Jundi" (food court facility).

210. Experts recorded the lack of a water source in detention centers but noticed only a bathroom faucet. They found that no contractor is assigned to secure water in detention centers contrary to food. The center's members rely on families and

detainees to secure drinking water, on their own expenses, although many of those detainees don't go for meetings and don't have money to buy it. Some detention centers of the Lebanese Army secure water, while others buy water at the expenses of detainees.

211. During their examination of detention centers, especially at the Internal Security Forces, the Commission's experts noticed that there are great cuts in water dedicated for use and showers in many centers. Members try to solve this issue by resorting to tanks of the ISF, municipalities, civil defense centers, or donors within the regional scope of security centers. However, the problem persists. The Commission noticed that the water cuts for days at a time per week within some centers, which exacerbates, especially in summer time, the problems of lockups, such as bad odors of toilets inside these lockups and detainees' sweat, in addition to allergy and scab diseases and pandemics thereof.

212. Furthermore, experts also noticed that the number of daily showers decreases with cooler weather. While showers were taking place on a daily basis and for many times in places where water and cleanliness of rooms were available, showers decreased in fall time to one or two times per week, and so on for cleaning lockups. This activity may stop completely in winter time, if hot water for showering is not provided. Experts noticed that some members used gas or the center's heater to heat water and give it to detainees to shower. Other centers contain a hot water heater. However, more than 90% of detention centers lack hot water for detainees, leading to poor hygiene which causes diseases and pandemics.

213. The Internal Security Forces' institution has been consistently providing all its centers with power generators to be able to perform its work. Although electricity improved a little bit, institutions and centers are supplied with no more than two hours per day, which is not enough, because all equipment in detention centers needs electricity to be able to perform their duties, such as Air Conditioners, fans, hoods, and lighting, etc... Without electricity, the residency in lockups under the current overcrowding becomes as a deadly punishment in summer time specifically, especially that many power generators of the ISF have become in a difficult condition or out of service, since the administration is not able to fix, maintain, and change the oil of these power generators and supply them with diesel due to the country's economic and social conditions. The administration requests centers to secure maintenance and oil change from donors, if these generators are still operational. It also required members

at the beginning of this fall to provide diesel from donors to use it for heating and operating generators, as it wasn't able to do so. To avoid this problem, many commanders of the ISF's centers benefited from a free subscription in generators available in their area, whether such generators are affiliated to municipalities, civil or political persons, or local parties. They managed to maintain this subscription for a long period of time. However, nowadays, especially in mountain areas and with the resort of residents to install and depend on solar power panels in their houses, many people shut down their generators business, and thus stopped supplying the ISF's centers with the necessary power. The Commission noticed this problem in many ISF's centers that had not been supplied with more than two to three hours of electricity per day.

214. The Commission's experts monitored inequality in the ISF's centers regarding the right to communication, whereas some platoons, police stations, and judicial detachments totally prevent communication under the pretext that these centers are not prisons and are not equipped with Telecarte cards, and even violate sometimes the amended article (47) of the Code of Criminal Procedure in terms of contacting a lawyer, under the pretext of avoiding that the lawyer teaches the detainees statements that are contrary to reality. Among these centers, to name a few, the Platoon of Amioun, the Judicial Detachment of Halba, the Judicial Detachment of Saida, the Police Station of New Saida, and the Police Station of Douma. Other centers, which represent a majority, limit communication to members who inform parents or the lawyer about what the detainee is requesting, especially before the day of meeting. This issue depends on the humanity of the officer, and may represent a risk of graft and bribery. Some centers allow direct communication through a handy device, some of them once per week and others for more than one time per week, depending on the character and humanity of the officers of these centers.

215. The Lebanese and international laws stipulate on the right of detainees to visits or what is known as meetings<sup>147</sup>. However, during their visits to detention centers in

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<sup>147</sup> Decree No. 14310-Article (69), Decree No. 14310, Article (70), Principle (18)-paragraph 4 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Principle (19) of the same body, Rule (28) of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), Decision of the Public Prosecution at the Court of Cassation No. 42/S/2023 addressed to the Directorate General of the Internal Security Forces, Service Memorandum No. 482/204 Ch. of 14/6/2023 annexed to the approval of the Public Prosecution at the Court of Cassation No. 1975/2023 of 25/10/2023, and the amended article (47) of the Code of Criminal Procedure.

Lebanon, experts noticed a certain number of violations in this regard. In a similar way to the issue of communication, detention centers lack proportionality and equality in terms of meeting. Some lockups set Monday and Thursday as meeting days, while others determine visits on Tuesday and Thursday. In some lockups, visits are allowed three days per week, while in some others visits are allowed daily. Some detention centers, such as the prison of the Ministry of Defence, do not allow visits at all. Some lockups allow food to be brought during meetings only. The detention centers of the Lebanese Army do not allow food to be brought at all.

216. The duration of visits differ from one center to another. In some lockups, meetings are for two minutes and 15 or 30 minutes in others. The duration of meeting is not determined in some centers, and can be as much as the detainee wants. In some lockups, a meeting occurs through a small window of the lockup's door in the presence of members. In some other lockups, distance may be from one to three meters. In some lockups, the detainee is not able to see his/her parents, but hears their voice only. Some lockups, such as the Anti-Cybercrime Bureau, allow a private meeting in a special room in the presence of members and for the period the detainee wishes to. Some detention centers adopt special measures, upon instructions by heads or the center's president, such allowing the opening of the lockup's doors so that a father can embrace his children or to do an interview in the office of the center's president due to the condition of the prisoner or detainee, such as the measures taken in the police station of the lockup of Emile Helou Barracks for a detainee who was a former officer of the ISF.

217. Experts recorded cases for persons who don't go for a meeting at all, either for they are rejected by their families due to their behaviors, or because they are foreigners and their families are abroad, or because they are detained in lockups that are very far from the place of residence of their families that don't have money for transportation to see and meet them. In some cases, parents reach detention centers to meet their children beyond the timing of locking doors, i.e. after 5:00 p.m. due to the far distance between their place of residence and the lockup. Some of them come at a time not dedicated to a meeting due to social and economic conditions. The Commission's experts noticed that the commanders of centers allow a meeting or not depending on the character of the center's commander and his humanity.

218. Healthcare is considered as one of the rights included in international and national legislations, and as one of the rights of the persons deprived from their

liberty<sup>148</sup>. According to the monitoring of the Commission's experts, medical care in detention centers of the Lebanese Army is of a high level of responsibility and efficiency, as these centers are located in military barracks and supported by a military medical care and dispensaries next to them, allowing doctors to attend to examine detainees and arrested people daily, in addition to the availability of nurses and medication in dispensaries, as well as the possibility of direct intervention in case of emergencies and sending arrested to hospitals for treatment. Furthermore, any detainee is prevented from entering prison before obtaining a paper where it is written: "valid to enter prison", in order to avoid epidemics transmission into prison or the entry of persons who were beaten, whether by agents or civilians, before treating them. Moreover, experts documented in some places a permanent coordination with the International Committee of the Red Cross (ICRC) which provides the necessary medication for detainees, in addition to an information system to organize personal and medical files for every detainee.

219. The lockup detainees rely on parents to secure medication, under medical prescriptions approved by the medical center at the ISF and provided to them by members at their specific timing. Moreover, if a detainee is brought to the ISF's doctor - whether this doctor examines that detainee in person or over the phone - he will give him a medical prescription only, and the detainee will be required to secure it through parents. It is important to note that many of those detainees don't have money and nobody comes to meet them. Therefore, their destiny is not secured in detention centers, due to the lack of medication in pharmacies and medical centers of the ISF. During emergencies, i.e. in cases when the detainee must be transported to the hospital, the Lebanese Red Cross handles this process. The medical center of the ISF limits itself to a pledge to pay the expenses of the emergency unit only. The detainee must pay the costs of any X-rays he will do or any surgery he was forced to have. If not, the detainee will be returned to the detention center without treatment, even if his situation is very bad.

220. As detention centers of the ISF, whether police stations, platoons, or palaces of justice, changed from detention centers for short periods to prisons, where a detainee stays for a period that may be more than one year, prisons' terms must be therefore

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<sup>148</sup> Article (53) and (54) of Decree No. 14310, Article (12) of the International Covenant on Civil and Political Rights, Principle (24) of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and Rules (24), (27), and (30) of the Nelson Mandela Rules.

applied to these places, whether in terms of the doctor's examination of detainees before entering prison or the periodic examination to be done to make sure that detainees are not affected by infectious pandemics and diseases and isolate them, if needed, as well as to give them the adequate medication, especially the persons who stopped drugs or alcohols or suffer difficult mental conditions and need to be followed up during detention. Moreover, the mental conditions of all detainees must be followed up before their exit from detention centers to reintegrate them in society.

## *2.7 The general condition and treatment in detention centers*

221. The transformation of lockups in detention centers of the ISF to prisons and the stay of detainees for long periods that exceed one year sometimes, and due to severe overcrowding in these places and consistent consumption of equipment allocated to such places, as well as due to the whole country's social and economic situation, the maintenance and repair of these places by the Department of Buildings of the ISF has stopped, resulting in their wear. We mentioned herein some observations made by the Commission's experts during their visits to these places.

222. Experts monitored in many lockups of the ISF equipped with cameras that some of these cameras were zoomed in on the entrance of toilets, in violation of the privacy of detainees inside toilets and in contrast with all international standards and the Charter of Human Rights in terms of respecting the human being and his privacy. In addition, in many lockups, toilets have no doors at all or there is a curtain instead of a wooden door. Many toilets are in bad condition and have bad odors. They lack lights and a hood, and the water faucet is broken. Nonetheless, they are used as storage for gallons of water used for showering or for waste bags. Moreover, the walls of some toilets don't exceed one meter, and this issue does not secure privacy for the detainee. Some toilets lack a threshold at their entrance, leading to water leak inside the lockup when showering, which causes the stink of mattresses and blankets.

223. Many detention centers are not equipped with an Air Conditioner, which is necessary in these lockups, because it can provide coolness in summer and warmth in winter. This is what a detainee needs at least given this severe overcrowding. The

Directorate General of the Internal Security Forces allowed the acceptance of equipping these places with ACs on the expenses of donors, but the required terms make finding donors difficult, due to high costs. In addition to electricity outages and small amps provided by the owners of generators to centers, this prevents the operation of many equipment concurrently. Furthermore, the Department of Buildings of the ISF is not able to repair ACs that break due to frequent use.

224. Some detention centers are located in lower or upper floors, but lack a window or a small window, making the availability of a hood inside the lockup critical and necessary, in order to absorb unpleasant odors emerging from toilets, the detainees' sweat, and the odor of cigarettes they smoke. The Commission's experts noticed that there are many lockups not equipped with a hood or that the hoods are broken and not repaired, although many telegrams were sent to the Department of Buildings, with no avail. In some detention centers that lack an AC or a hood, fans were placed on the small windows of the doors of lockups, especially in summer time to secure ventilation. The Commission also noticed that the fans are at the expense of detainees because they are not available in the ISF equipment. If these lockups lack an inmate who has money to buy a fan or has parents to bring him a fan, the jail will remain without any possible ventilation, resulting in unpleasant odors, allergies, and scabies during extreme heat.

225. The dampness and humidity in detention centers are thorny issues, especially in old buildings of the ISF. The water leak in these centers leads to the stink of mattresses and blankets inside lockups and unpleasant odors, in addition to diseases caused by severe humidity. It is difficult to solve these problems in light of financial challenges suffered by the Department of Buildings of the ISF. The Commission's experts noticed many rotten mattresses and blankets inside lockups. As the ISF's members cannot replace them, they often resort to private associations to make a contribution and help in this issue. However, the contribution of these associations is always below the required range in this regard.

226. The Commission's experts noticed many insects in detention centers, due to humidity and poor hygiene inside and outside detention centers, in addition to the lack of concern of some officers of these centers for this problem. Many remarks were addressed to those officers. During second visits to the same centers, the Commission noticed that the situation changed, and that officers resorted to regional municipalities

and worked on spraying pesticides. Moreover, they asked municipalities for help in cleaning the places surrounding centers to keep out rodents and poisonous insects.

227. Walking and exposure to sunlight is not possible in detention centers, and they are only limited to Lebanese prisons. In addition to a great violation of the detainees' right to dignity and humanitarian treatment, this issue causes many diseases as detainees don't move for long periods that exceed one year sometimes, leading to diseases, such as cholesterol and obesity among others. The lack of exposure to sunlight along with humidity in lockups, as well the quality of water used for showers by detainees, cause scab and allergy diseases. The stay in lockup rooms that lack hoods along with excessive smoking by detainees and unpleasant odors, and not going outside to breathe the necessary air and oxygen lead to lung diseases, such as asthma and shortness of breath among others, in addition to diseases resulting from stress.

228. It has been found that detainees washed their clothing in the bathrooms of detention centers that lacked a place to hang out laundry. Therefore, detainees tear up clothing and blankets to make clothes lines to hang out their laundry to dry. This kind of line is not allowed in lockups. The Commission's experts also noticed that plastic lines, electric wires or regular lines inside these lockups, which represents a risk as they can be used by the detainee to hang himself or attack others.

229. The detention centers of the ISF, such as police stations and platoons, lack safety deposit boxes so that detainees put their money. Therefore, many centers allow the detainee to keep money with him to buy what he needs from shops available in the area through delivery. This issue is not only forbidden, as money must be kept in safety deposit boxes and registered in the record of safety deposit boxes, but may also be a subject of graft between the detainees themselves or between members and detainees, or the reason for gambling inside lockups and causing problems and fights between detainees.

230. It has been noticed that many members left a lighter with detainees in detention centers, so that smoking detainees stop asking members to light cigarettes for them. This issue is not only forbidden, but can also cause arson inside the lockup. This is what really happened in the lockup of the Police Station of Ehden, where detainees burned mattresses and blankets inside their lockup on October 24, 2023, resulting in the death of two detainees by suffocation due to fire.

## *2.8 Allegations of perpetration of torture crimes*

231. The Law no. 65/2017 on the Punishment of Torture and other cruel, inhuman or degrading treatment was passed, whereas a national law has been in force to criminalize torture acts conducted, incited or approved, explicitly or implicitly, by an official employee or any person that acts in his/her official capacity during enquiry, preliminary interrogation, judicial investigation, trials, and execution of penalties<sup>149</sup>.

232. The Commission's experts made 841 interviews with detainees in detention centers across the Lebanese areas. 83 detainees, i.e. 10%, alleged that they were beaten in police stations by investigating officers or during their arrest. The main police stations are Bourj Hammoud, Antelias, Jounieh, Dekwaneh, Beiteddine, Chhim, Aley, Mraijeh, and Ouzai. It is important to note that some of those detainees alleged that they were beaten by anti-drug branches.

233. The highest rate, i.e. 15.5% of those detainees (130 out of 841), alleged that they were beaten and tortured by the Information Division, The Intelligence of the Army, Investigation Detachments, State Security, and Military Police, especially in the areas of Ablah and Baalbek. 41 detainees alleged that they were beaten by the Information Division (31.5%). 71 detainees alleged that they were beaten by the Intelligence of the Army (around 55%). Some detention centers in Lebanon witness cases of beating and ill-treatment. For instance, experts monitored a torture and beating case in the Police Station of Bourj Hammoud. But when investigating into the incident by the Inspection of the ISF at the Directorate, the detainee retracted his statement and confirmed this retraction before the Commission's experts, which prevented any follow-up of the incident.

234. Although no cases of torture caused by members of police stations and platoons were monitored, there were a lot of allegations of being subject to beating and torture by the Information Division and the Intelligence of the Army. Experts monitored ill-treatment cases in some detention places of the Army, such as blindfolding during interrogation and not allowing the detainee to meet with his lawyer privately. There are

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<sup>149</sup> You can review Law 65/2017 on the Punishment of Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, National Human Rights Commission, <https://nhrc.lb.org/law-65>

many allegations of torture made by the Intelligence of the Army, whether with existing detainees or those under interrogation.

## *2.9 Transfer to trial*

235. During their visits to detention centers of the Lebanese Army and the ISF, the National Commission's experts noticed violations and challenges faced by those arrested and detainees transferred to competent courts;

### 2.9.1 Regarding the Lebanese Army

236. The Lebanese Army doesn't have any problems in transferring arrested individuals to military courts. Vehicles and members are available. There is no delay or problem in this issue. However, the Army has a problem in transferring arrested individuals to the departments of General Security. After those departments were receiving arrested individuals immediately, according to the commanders of prisons visited by the Commission, they have become late to do so under the pretext of lack of vacant places to detain them.

237. Regarding those arrested as a trust to the Public Prosecution at the Court of Appeal, and who represent the majority of arrested persons in the Army's prisons, the ISF don't receive them under the pretext of lack of vacant places in prisons and lockups. The law prevents them from being transferred by the Military Police, although their stay in these prisons is not the responsibility of the Army legally. Therefore, the arrested person received and transferred to competent courts by the ISF's troops cannot be returned to the prisons of the police, which delays transferring arrested persons by those troops. Except the single decision made by the Commander of the Military Police in the region of North, which requires help in transferring arrested persons to competent courts, provided that agents of the Army don't enter the court centers and that they are satisfied with delivering arrested persons to the ISF that are legally mandated to transfer them and then return them after the end of sessions to the prison of the Military Police, in order to facilitate the process of ending their arrest and reduce overcrowding in these prisons.

## 2.9.2 Regarding the Internal Security Forces

238. The group of transfer platoons in the prison of Roumieh is mandated to transfer the arrested persons at the police of central prisons (the Prison of Roumieh, the Prison of Baabda for Women, the Police Station of the palace of Justice of Beirut, and the Prison of Dahr Al Bacheq for Minor Girls) to competent courts. This group doesn't face a problem in terms of vehicles. They were repaired in cooperation with associations and donors. However, there is a problem with the shortage of personnel. This group provides BOX cars for other platoons and police stations, if there is any risk in transferring detainees.

239. The transfer of those arrested and detainees to military courts is available and mandatory, because it subjects the infringers to the adequate legal penalty, although the patrol that secures the transfer to the Military Court is forced to wait the closing time of sessions to return detainees to the lockup, which exhausts the patrol and prevents it from performing any other activity due to long waiting to finish formalities before military courts.

240. Although the impossibility of transfer to civil courts subjects the infringer to a penalty and fine, the troops of the ISF say that this is due to the lack of vehicles, the lack of personnel or mandating them with other missions that are more important (investigations, raids, or demonstrations). It is important to note that the patrol that transfers detainees to these courts can deposit the arrested person in the police station of the palace of justice, and transfer other arrested persons to other courts, or continue their work and missions and return later to receive arrested persons from palaces of justice.

241. More than 80% of detainees in detention centers of the ISF are considered as a trust to other troops. The transfer of those detainees must fall on the troop that arrested them and the troop where they are present. In order to limit overcrowding and reduce their functions and responsibilities, it is in the interest of these troops to transfer detainees in their lockups before detainees in other lockups. Many detainees alleged before the Commission's experts that they were forced to pay money and bribes to the members of centers that arrested them to be transferred to courts from other lockups.

242. In addition, experts recorded the breakdown of many vehicles in the ISF's centers, the lack of capacity of the Department of vehicles in this directorate to repair them, the non-purchase of new vehicles due to the country's economic and social conditions, and the rely on donors to repair, maintain, and change the oil of these vehicles. This issue is subject to the whims, activity, and responsibility of the troop's chief officer. Otherwise, he addresses a telegram to the Department of Vehicles that cannot do repair, and disables this vehicle. Therefore, he disables the functions he's in charge of, including the transfer of arrested persons to courts. It is important to note that some transfer operations need more than one vehicle and many members due to the number of detainees and the seriousness of their condition.

243. Experts monitored a total loss about the issue of detainees to more than one court, such as releasing them in one case and keeping them under detention in another case, or detaining them in one center and keeping their papers in another one. When a competent court sends a telegram to transfer them to attend a session, it doesn't know where to send it and to which troop. The notification deadline may expire before the arrival of transfer paper to its legal destination. the Commander of the Military Police in North said to the Commission that the members of the Police Station of Al Abdeh came to transfer a detainee at this prison to the court, but it has been found that the detainee's papers are with the Military Police in North, while he was still in the prison of the Military Police of Al Rayhanieh for technical reasons, resulting in the impossibility to hold the session.

244. Sometimes, the transfer of detainees to courts is secured many times. However, the disruption of sessions for private reasons or due to not transferring a detainee from another center leads to a delay of trials, and probably to the inability to transfer detainees in another timing. Furthermore, the presence of detainees to several courts in a place far away from the center of other courts causes a problem in securing transfer to these courts. This applies to detainees who have been supported by officials in transferring them to a place close to their place of residence in order to reduce the burden on their parents and the cost of transportation. However, this leads to problems in terms of transfer to courts due to far distance. Mandating patrols to transfer arrested persons to courts and being late to return to their centers hinder other missions at centers, such as securing food for detainees or undertaking notifications, investigations, or other security missions.

## *2.10 Detention centers in the South*

245. Security tension across Lebanese Southern borders worsened the situation, as the Command of the ISF was forced to shut down some lockups in the border centers at risk, especially within the detachments of Tyre and Nabatieh. Among these closed lockups (the police stations of Bourj Al Moulouk, Rachaya Al Fakhar, and Al Khiyam within the scope of the detachment of Nabatieh, and the police stations of Alma Al Chaab, Ramya, Bint Jbeil, Debel, Ain Ebel, and Rmeich within the detachment of Tyre). It is important to note that the prisons located within the scope of both detachments are still operating, i.e. the prisons of Tebnin, Tyre, Bint Jbeil, and Marjeoun. The renovation of the prison of Nabatieh was completed in November 2023, and was opened to receive detainees of border areas. Furthermore, the Gendarmerie Command booked places in the Prison of Roumieh to contain a greater number of detainees in case of outbreak of the war.

246. Therefore, experts recorded the care of officers to keep detainees out of conflict areas and to put their safety at risk. Detainees in Southern Lebanon are transferred from areas near to shelling to other safer areas.

# Chapter IV: Conclusions and recommendations

## 1. Conclusions

### *1.1 Economic, social and cultural rights*

247. Failure of authorities to protect key economic, social and cultural rights affected by the country's economic crisis, leading to the deprivation of population from access to adequate healthcare and water, and continuing crises of education and medication and increase in the number of children suffering from hunger in Lebanon.

### *1.2 Civil and political rights and the administration of justice*

248. General chaos in practicing and protecting the freedoms of opinion and expression and a broad use of defamation laws; failure to pass the law on the independence of the judiciary to date; postponement of municipal elections and violation of the right to vote and participation to decision-making; and failure of the Lebanese authorities to protect the right to peaceful assembly during the marches of freedom.

249. Presentation of a draft law to amend the Code of Military Court in Lebanon to ensure that this court will not violate its jurisdiction and not transform this court from an extraordinary court to a court that substitutes judicial courts.

250. Establishment of the principle of impunity regarding the crime of the port explosion, in violation of the right of victims and their families to access justice and know the truth of what happened on August 4, 2020.

251. Non-registration of online civil marriages, leaving the children of married couples through this service at risk and their deprivation of their right to nationality.

252. Serious deterioration of prison conditions in Lebanon amid the country's economic crisis.

### *1.3 Vulnerable groups*

253. Violations against foreign workers, especially against female domestic workers, under the unfair discriminatory sponsorship (kafala) system.

254. Unfair discrimination in law and actual practice against women.

255. Need to commit to the principle of non-refoulement of Syrian refugees and not to act to support their continued asylum through financial inducements.

256. Condemnation of attack and hate speech against the LGBT community.

257. Lebanon's launching of the program of social grants that aims at providing the country's Persons with Disabilities with direct economic support.

### *1.4 Violation of the international humanitarian law*

258. Violation of the international humanitarian law and war crimes by the Israeli Army in the armed conflict in Southern Lebanon by targeting civilians, journalists, houses, civil cars, and orchards through internationally prohibited weapons, such as the white phosphorus.

### *1.5 Conditions of the arrest and detention centers*

259. The failure to secure the basic and essential needs of detainees, especially in detention centers of the ISF, such as food, drinking water, water for use, electricity, healthcare, and the quality of rooms among others, is due to the economic condition of

the Directorate General of Internal Security Forces. Furthermore, the problem of overcrowding is not only due to pre-trial detention and delayed trials, but also to the suspension of some centers due to the members' economic conditions.

260. The need to amend article (108) of the Code of Criminal Procedure, whereas detention for a misdemeanor becomes limited, in addition to reducing felonies that may cause a detention for more than one year. The quick and effective action of the judiciary reduces the problem of overcrowding in detention centers and the consequent other problems and violations of the detainees' rights.

261. Sometimes, the obstacle that hinders securing basic services to detainees may not be the financial problem, but the control. For instance, the problem for food is the lack of control over the type and quality of food brought to detention centers of the ISF.

262. The lack of coordination between the officers of the Army centers and the officers of the ISF leads to hindering their activities and violating the rights of their detainees.

## *1.6 Criminalization of torture and punishment of its perpetrators*

263. The National Human Rights Commission, which includes the Committee for the Prevention of Torture reached conclusions in its activities, through which it said that there are reasonable grounds to believe that crimes of torture, arbitrary detention, and other inhuman actions were perpetrated in many detention centres in Lebanon since ratifying the Convention against Torture to date. The Commission and Committee documented the widespread acts that are crimes in prisons and detention centers of different military and security bodies.

264. The Lebanese authorities must recognize unequivocally the following issues and reaffirms that:

- a. The prevention, investigation and prosecution of acts of torture and ill-treatment, bringing the perpetrators to justice and compensating the victims is not a matter of public policy, but an absolute and non-restrictive obligation binding on the Lebanese state, regardless of its treaty obligations;
- b. No exceptional circumstances can be invoked to justify or condone any practice of torture or ill-treatment;

c. Individual criminal liability under universal jurisdiction does not only arise from active participation in acts of torture, but also from tacit acceptance of torture by state officials.

d. With the lack of full transparency and strict accountability, tolerance of torture and ill-treatment will remain deeply ingrained in any society and system of government.

265. The protection of perpetrators of torture and other crimes enhances impunity and violate the right to access justice. The ratification of the decision on the implementation of provisions of Law No. 65/2017 by the Criminal Court of Cassation for the first time is a legal precedent that must be considered and drawn upon in the next similar proceedings.

## 2. Recommendations

### *2.1 Activation of the National Human Rights Commission, which includes the Committee for the Prevention of Torture*

266. The ratification and publication of all executive decrees of Law No. 62/2016, to fully implement articles 7 and 30, in addition to the full respect of article 18 of the Optional Protocol to the Convention against Torture and the Principles Relating to the Status of National Institutions (Paris Principles) adopted by the General Assembly Resolution No. 48/134 of 20 December 1993 and in the context of General Observation 1.10 of the Global Alliance of National Human Rights Institutions on adequate funding of these institutions.

267. The acknowledgement that the prevailing patterns of interaction of the Lebanese authorities with the National Human Rights Commission, which includes the Committee for the Prevention of Torture, do not yet clearly meet the standard of “full cooperation” established by Law 62/2016; especially in terms of allocation of budgets, issuance of the regulatory decrees, provision of a permanent headquarters, and responding to the Commission’s requests for the prevention of torture and facilitating

the work of the National Preventive Mechanism (Committee for the Prevention of Torture), which prevents the establishment of an effective monitoring system and does not effectively address the majority of allegations of torture and ill-treatment brought to justice.

268. The Lebanese authorities, when assessing their interaction with the mandate and jurisdiction of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, should consider the following: (a) Whether there has been a response to the allegations of torture or ill-treatment that were referred to the judiciary or contained in the National Commission's reports to the bodies Contractual and non-contractual contracts that were officially sent to relevant departments and law enforcement agencies, or that were raised in reports by international non-governmental organizations, (b) whether appropriate prevention, investigation, prosecution, and compensation measures effectively addressed them.

269. To verify that the interaction with the National Human Rights Commission, which includes the Committee for the Prevention of Torture, meets the standard of "full cooperation" set out in the founding law and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Lebanese authorities should in particular:

- a. Cooperate fully with the National Human Rights Commission, which includes the Committee for the Prevention of Torture and assists it in carrying out its functions;
- b. Provide the National Human Rights Commission, which includes the Committee for the Prevention of torture with all the information it requests, and respond to its letters adequately and promptly;
- c. Respond to its requests related to activating its role and engaging in constructive dialogue with it on these requests;
- d. Ensure that its recommendations and conclusions are duly followed up.
- e. Open serious investigations and take prompt preventive measures to ensure that the acts of torture described in the report are not perpetuated.

## *2.2 Civil, political, economic, social and cultural rights*

270. Abide by the commitments made to the Human Rights Council in previous years, particularly during the Universal Periodic Review, to use the Commission's findings and recommendations for future reports on Lebanon to the Human Rights Council under the Universal Periodic Review and the human rights treaty bodies.

271. Fully cooperate with the United Nations human rights system and implement the recommendations of all United Nations Special Procedures mandate holders. In addition, when required, facilitate unobstructed and safe access all over Lebanon and to all places of detention.

272. Bearing in mind the indivisibility of all human rights, the Commission encourages ratifying international human rights instruments to which it is not yet a party to be considered. The Commission reiterates its recommendations contained in the UPR, urging the Lebanese authorities to abolish the sponsorship system, ensure that the employment of migrant domestic workers is regulated under the Labour Law, and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Domestic Workers Convention of 2011 (No. 189) of the International Labour Organization. It also calls for combating the abuses of foreign migrant workers recruiting agencies and for ensuring that a standard contract that adequately protects the rights of such workers is adopted and effectively enforced.

273. Develop specific plans to enhance economic activities, implement programs of social safety networks, and implement national policies on poverty reduction by following a human rights-based approach that focuses on Goals 1 and 10 of the Sustainable Development Goals (SDGs).

274. Ensure everyone has access to safe drinking water and sanitation services.

275. Increase investment in health and education, and continue to secure people's right to health and education.

276. Adequately investigate attacks on journalists, media professionals, bloggers, and human rights defenders and ensure the full implementation of the rule of law.

277. Support the right to freedom of expression and peaceful assembly, including ending the detention of persons due to their expression of views that criticize the

government, and ensure that security forces practice self-control in response to protests.

278. Pass the law on the independence of the judiciary as soon as possible to enhance the independence of the judicial authority so that the judiciary can perform its duties to protect people's rights.

279. Ensure the independence of the judiciary and fight impunity by carrying out an independent and reliable investigation into the reasons for the explosion of 4 August 2020 and determine the responsibility thereof.

280. Amend Law No. 65/2017 criminalizing inhuman or degrading treatment and/or punishment to explicitly state that the crime of torture shall not be subject to a statute of limitations and that penalties be imposed for cruel, inhuman, or degrading treatment or punishment. Pending the amendments, the Anti-Torture Law No. 65/2017 should be fully respected and implemented. Allegations of torture should be investigated by a judicial investigative judge, especially upon receipt of a complaint or notification by the Public Prosecutor's Office, within 48 hours to decide either to dismiss the complaint or to bring it before the investigating judge without allowing any preliminary investigation or inquiry in this regard to be conducted but by it personally, except for the necessary decisions to preserve and seize the evidence and to assign a forensic doctor to examine the alleged victim of torture in case the complaint or notification's annexes do not contain such a medical report. The investigating judge must undertake all procedures for investigating acts provided for in Article 401 of the Penal Code without commissioning the Judicial Police or any other security agency to carry out any action except for technical tasks.

281. Investigate and prosecute individuals who have allegedly committed violations and abuses contrary to international humanitarian law, international human rights law, and domestic criminal law, prosecuting them according to due process guarantees and the principle of legality. To this end, amnesties for serious human rights violations must be excluded, and a safe working environment must be provided for judges, lawyers, and prosecutors.

282. Amend the law on the military judiciary to limit its jurisdiction and prevent it from prosecuting civilians in a way that contradicts global standards for a fair trial.

283. Continue to improve the living conditions, meet the basic requests and needs of prisoners, and continue to take steps to improve the performance of the system of prisons.

284. Amend the provisions of the Lebanese Penal Code, the Publications Law, the Electronic Transactions and Personal Data Law, and the legislation related to the media, as necessary to bring them into conformity with international human rights law.

285. Strengthen legislation prohibiting racist hate speech and crimes of a racist nature, in particular by amending articles 317 and 318 of the Penal Code so that they are fully compatible with the provisions of Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and the Rabat Plan of Action, take measures to prevent, condemn and combat racist hate speech against migrants and refugees, including on the Internet and social media, and by public figures and political officials, and ensure that all reported cases of racist hate speech are effectively investigated and, where appropriate, prosecuted and punished.

286. Take remedial measures to implement the rights of victims, especially those of enforced disappearance, to truth, justice, and reparation. To this end:

a. Develop and adopt a comprehensive national action plan for human rights that reflects international human rights law and standards and addresses all findings and recommendations international human rights bodies reach.

b. Enact legislation and a system for protecting victims and witnesses from reprisals.

c. Develop a comprehensive, inclusive, and detailed victim-centered roadmap for transitional justice and accountability in Lebanon.

d. Initiate a search for mass graves about which information has been received or which are still missing. To this end, steps must be taken to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

## *2.3 Detention centers and places of deprivation of liberty*

287. Regarding juveniles, not to hear any juvenile before the arrival of the representative of juveniles, who must arrive within six hours of being notified, under penalty of administrative prosecution. Resort to all available means in the lack of identity papers of the arrested individual and not to be satisfied with his/her verbal statement. Prevent putting the arrested juvenile with adults, even temporarily, and keep him/her in a closed room at the center until securing his/her transfer to a lockup

for juveniles. Prevent arresting minor girls in the lockups of adult women, and establish a lockup at least for them in every area or governorate. The arrest must be the last punitive phase for the juvenile due to his/her young age and immaturity. The juvenile must only be arrested in case of perpetrating a felony or repeating a misdemeanor if not satisfied with correctional penalties and alternative procedures, such as close monitoring, centered care, placement with a family, an institution, or an education center, or undertake social actions for the public interest. Speed up bringing the detained juveniles to the competent judiciary to make a decision about them as soon as possible, release who is supposed to exit, and transfer the rest to the prisons of juveniles for what they receive there in terms of rehabilitation and education operations that help them to reintegrate in society. Secure the maintenance and rehabilitation of the lockups of juveniles by the competent associations or by the Directorate General of the Internal Security Forces. Secure food, medical, and psychological treatment for juveniles at the lockup, and ensure meetings and communication according to the established laws.

288. Regarding women, coordinate with the judiciary to speed up decisions on women's issues and issue arrest warrants against them to be transferred to women's prisons, where treatment is much better than lockups. Coordinate with national and international associations to secure the needs of women detained in lockups. Secure general health doctors and psychotherapists to undertake a periodic examination, at least on a weekly basis, on women detainees in order to follow up on their health and mental condition and follow up on their children's condition if they stay with them in the lockup. Coordinate with embassies and consulates to which foreign detainees in lockups are affiliated to work on helping them secure a lawyer to address their cases in the first phase and then secure a travel ticket to deport them in the next phase. Allocate female members to the police stations and platoons that include women lockups to supervise detainees, secure their screening, and follow up on their livelihood issues to avoid being subjected to violations and abuses by male members. Increase the number of women in lockups across areas to reduce overcrowding first and facilitate parents' visits second.

289. In terms of the application of articles of the Code of Criminal Procedure, follow up with the Public Prosecution at the Court of Cassation to mainstream judges to respect and commit to article (402) and present periodic reports on the situation under their supervision to secure a prompt course of proceedings and the respect of a human

being's dignity regardless of his/her legal status. Prepare training courses for the ISF's members and specialized training courses for investigating officers on the importance of application and imperative respect of article (47) and the penalties imposed on the infringer. Apply penalties on infringers after mainstreaming the application of this article to urge them to respect it. In centers where there are cameras except in interrogation rooms, cameras must be moved and installed in interrogation rooms. Follow up with the Bar of Associations of Beirut and Tripoli to activate the role of mechanisms related to article 47 to supervise the application of Article (47) in detention centers and even to prepare awareness campaigns on the rights established in this article and training courses for the members of security forces and specialized training courses for the investigating officers. Follow up with both bar associations to activate the legal aid committee so it can communicate with the commanders of platoons and coordinate with them on the mechanism to request representatives to attend interrogation sessions. Follow up with the Public Prosecution at the Court of Cassation to bind the judges of Public Prosecutions to be strict in applying article (47), and also bind judges to respect article (402) that stipulates the need for judicial supervision over detention centers so that investigating officers stay alert to apply article (47). Activate the work project with the investigating judges to follow up on some detainee's files, confirm the continued monitoring and supervision by the Commission, urge the judges of Public Prosecution and investigating judges to speed up proceedings, and commit to the content of the Code of Criminal Procedure articles. 290. In terms of overcrowding, immediate solutions require following up on the issue of speeding up proceedings and submitting release permissions to judges. Secure the transfer of those arrested and detainees to competent courts. Follow up on the issue of overcrowding by direct heads of the troops of the ISF after it has been noticed that some lockups suffer from overcrowding, while the condition of other lockups is good. Work on repairing and operating disabled lockups across Lebanese areas, especially since many of them don't need large amounts of money to be rehabilitated (Among these lockups: The platoon of Al Jemaizeh, the platoon of Al Nahr, Al Bitar Hospital center, the police station of Dhour El Choueir, the police station of Bteghrine, the police station of Baskinta, the platoon of Ghazir, the platoon of Qartaba, Casino du Liban center, the police station of Baabda, the Police station of Bir Hassan, the police station of Old Saida, the police station of Hula, the police station of Kfarhim, the police station of Zefta, the police station of Marjeyoun, the police station of Meis Al Jabal, the police

station of Al Oudaisseh, the police station of Al Abdeh, the police station of Al Abboudiyeh, the police station of Akroum, the police station of Qaraoun, and the police station of Machghara).

291. In terms of overcrowding, future solutions require building new central prisons in the Lebanese areas and governorates that can contain all detainees, arrested, and convicts and reduce burdens on lockups in police stations, platoons, and lockups of palaces of justice to return to their main role in accordance with the Code of Criminal Code, provided that these prisons shall be rehabilitation centers and not punitive centers, to return the arrested person to his/her natural role in society.

292. In terms of food, undertake careful control by the ISF's supervision committee, prisons' commanders, and heads of detention centers over food suppliers at the ISF regarding hygiene, cooking methodology, and the quantity of food content and its compliance with standards and qualifications mentioned in agreements, in accordance with the instructions of the law on prisons. Delegate a patrol by a regional detachment to secure food for detainees within its scope to receive food from the competent prison on time and distribute it to detention centers within the scope. Supply security force centers with a refrigerator for members and allow detainees to put their leftovers. Secure dehydrated food and cans, especially for mountain centers, where roads may be blocked due to snow, for 10 days to provide the needs of detainees and members until reopening roads so that this problem doesn't lead to serious damage.

293. In terms of water, undertake a periodic test for the water of faucets inside the toilets of lockups, which are drunk by many detainees who don't meet their parents and don't have money to buy water. The test shall be done in official laboratories to ensure that the water meets the standards and is safe to drink. Delegate the members of detention centers to use gallons to fill water from fountains available within their regional scope, especially in rural areas, and from water filtration centers in cities to provide it to detainees and reduce financial costs for them and their families. Request the Directorate General of Internal Security Forces to install water filters in detention centers similarly to the bodies that supply lockups with such filters, especially after these places turn into prolonged detention prisons that lack the most basic living conditions or find donors to install water filtration machines in these places. Check and follow up with the Establishment of the Water of Lebanon and water departments across areas to repair the networks of detention centers of the ISF and connect some centers with the network. However, many centers don't have access to the State's

water. Work on securing ground storage tanks in the squares of centers owned by the DGISF and on the roofs of these centers with a capacity for more water to be filled through tanks of security forces, the civil defense, or donors. However, the cost of water transfer in a tank is the same if 20,000 or 2,000 liters of water are filled. Request the owners of centers leased to the ISF to allow increasing the number and capacity of storage tanks in these places in a way good enough for members and detainees. Secure personal and general hygiene items to take showers and clean living spaces of detainees from associations and donors to save costs for the parents of detainees, especially since most of them are financially disadvantaged, and also to keep out diseases, odors, pandemics, and allergies.

294. In terms of electricity, work on supplying all ISF centers with solar power panels to be installed on the roofs of occupied buildings in order to provide constant electricity, especially since the sun is out for more than 300 days per year across Lebanese areas. Address the issue of securing the cost of installing these panels and their accessories by relying on national and international associations, local donors, and the administration of the ISF, as this problem is on top of problems affecting the institution's activity. Communicate and coordinate with the International Committee of the Red Cross, which is currently lighting all military prisons in the Lebanese Army's barracks, in addition to its contribution to installing solar power panels to provide electricity to many of these prisons. It is important to note that the ISF's centers and their economic conditions require greater assistance than the Lebanese Army's barracks, which get a lot of assistance from individuals and national and foreign institutions.

295. In terms of communication and meetings, install Telecarte machines in all detention centers and places of the ISF with the relevant voucher cards, and apply both service memorandums of the DGISF with emphasis on equal treatment for detainees in terms of communication in detention centers. Apply the Law on Prisons over the lockups of the ISF regarding meetings, whether in person or through video, as well as regarding the period allowed for meetings and the ability of parents to see their detained children. Issue of a decision by the DGISF that determines the days and duration of the meetings and distance between people meeting each other, and the proportionality of this issue in all centers. Urge members and commanders of detention centers to develop their humanitarian sense to make the right decisions in case of any delay or reason that leads to the failure of a meeting, especially for those

who suffer great costs due to the far distance to visit their detained children or for children and wives that come for a meeting.

296. In terms of medical care, coordinate with the International Committee of the Red Cross, similar to the Lebanese Army, to improve the conditions of prisons and lockups or contribute to the establishment of medical dispensaries in the ISF's barracks and pay greater attention to the issue of the detainees' medication. Coordinate with Lebanese and non-Lebanese charities to contribute to finding adequate funds for detainees in need of surgeries and provide them with the necessary medication, especially stress, scab, and allergy medication. The DGISF must urge detention center officers, members, and commanders to coordinate with available dispensaries in areas or within their regional scope to secure the necessary medication and find donors who contribute to treating detainees in all aspects. The DGISF must contract with a large number of doctors to enable them to undertake periodic detection, even on a weekly basis, of detention centers and examine patients on-site, as well as to examine food and drink provided to prisoners and their compliance with international standards. Improve the living conditions of detainees within detention centers, especially regarding overcrowding, and securing constant electricity, service water, and water for use, as well as take care of the issue of food and paying it the necessary attention while taking into account the issue of air conditioning, heating, damp, humidity, ventilation, clothing, showering, hygiene of places, and permanent change of mattresses and blankets, and providing them with more blankets in winter time to reduce their diseases. Coordinate with the Ministry of Public Health and the Lebanese Army to treat detainees for free in government hospitals and the Central Military Hospital. However, the budget of the Lebanese Army is different from that of the ISF. We are all responsible and involved in reducing the serious medical condition of prisoners and preventing the outbreak of pandemics and diseases among them. Prepare isolation places for prisoners infected with infectious pandemics or diseases so that the pandemic doesn't outbreak in all detainees.

297. In terms of the general situation, work on removing cameras from all lockups because they affect the privacy and personal freedom of the detainee. Work on repairing and maintaining lockups, especially regarding the problems related to the toilets and their doors and faucets, secure water for use and service, and repair hoods and air conditioners of detention centers or supply such centers with fans to ensure ventilation by relying on donors and municipalities in case of the lack of an adequate

budget at the DGISF to carry out this mission. Work on removing all lines from lockups and secure places to hang out laundry. Control the record of safety deposit boxes more strictly, keep money in a closed drawer or safe, and do not leave it with detainees for misuse, graft, and gambling. Coordinate with municipalities constantly to spray pesticides inside and around detention centers. Work on treating dampness and humidity within detention centers, which may entail diseases and pandemics for detainees. Change mattresses and blankets permanently or remove them from lockups to be exposed to sunlight on the roofs of the ISF' buildings to clean, dry, and reuse them.

298. In terms of transfer to trial, emphasize the commanders of troops of the ISF to work hard and do constant checks with associations, friends, and donors to secure the repair and maintenance of vehicles at their disposal in light of current conditions until the Department of Vehicles of this directorate can take care of those vehicles, to be able to perform their duties, including the transfer of detainees to courts, which reduces overcrowding in the lockups of these troops. Check and coordinate with judges on organizing sessions through a video call or online in all centers, especially those far from courts, reducing the burden on the ISF patrols, speeding up trials, and helping reduce overcrowding in jails. Delegate a vehicle from each regional detachment to transfer detainees from all their platoons and police station centers to courts and redistribute them. Work on providing the BOX vehicle for each detachment because it fits many detainees. Regarding security, this vehicle is much better than small vehicles used for this purpose. Transfer the files of detainees to the troops where they are present and allow these troops to transfer them to courts, encouraging them not to make this transfer impossible to reduce overcrowding in their lockups. Furthermore, address a letter to the Public Prosecution at the Court of Cassation to allow the members of the Military Police to transfer their detainees to the courts of the Public Prosecution at the Court of Appeal, contributing to speeding up files and not waiting for the ISF's troops to transfer them. Arrest the detainees and arrested persons in the regional scope of their trial and not according to mediations, making their transfer to trial easier and cheaper. Attendance of judges to the courtroom of the Prison of Roumieh or some other prisons and ISF's centers, where there are courtrooms, and hold trials there to save time in the transfer of detainees and speed up the completion of proceedings. Due to severe overcrowding currently, the delay in transferring detainees to courts, the economic situation, and the failure of the ISF's body to secure

cars or repair and maintain cars in their custody to use them to transfer convicts, a temporary method can be used, according to the Chairman of the National Human Rights Commission, Doctor Fadi Gerges, by contracting with a security company that has all the available equipment to transfer detainees and arrested persons to competent courts, provided that financing is secured from international institutions and associations.

## *2.4 Vulnerable groups*

299. Promote the protection of refugees' rights and freedoms, including by respecting their commitments to non-refoulement. Enhance measures targeting vulnerable groups, including, in particular, support for access to social security.

300. Take the necessary measures to secure effective protection against discrimination in all aspects of the work of migrant domestic workers in accordance with Lebanon's international obligations on forced labor and discrimination.

301. Implement and enforce the new standard contract to protect the rights of migrant domestic workers as a key step toward breaking up the employment sponsorship system.

302. Ensure the promotion and protection of all the Rights of the Child, including ending all forms of violence, and ensure that all children access a good education at reasonable prices, especially the children living in the most vulnerable conditions.

303. Protect and promote the rights of women and people of different sexual orientations and gender identities, civil society activists, journalists, and human rights defenders, and encourage their participation in political and public life. Eliminate all forms of discrimination against women, including by taking appropriate measures to modify practices that marginalize women in the public and private spheres. Ensure that comprehensive legislation contributes to the protection from, prevention, and punishment of violence against women.

304. If needed, continue to introduce legal reforms and implement programs to ensure gender equality.

305. Fight the intimidation of the LGBTQ community and human rights defenders.

306. Proceed with and continue to enact legislation that protects the rights of Persons with Disabilities and ensures their integration into society.

## *2.5 The International Humanitarian Law*

307. Commit to international humanitarian and human rights law during armed conflicts and hold violators accountable.

308. Activate the Reporting and Follow-up Committee established in 2018 under Decree No. 3268, headed by the Prime Minister and the Secretariat of the Ministry of Foreign Affairs, to report to contracting mechanisms, interact with the Special Procedures of the United Nations, and contribute to documenting Israeli violations in accordance with internationally recognized protocols.

309. Legal aid and necessary support to victims, especially in terms of providing experience and information for individuals to communicate with the United Nations' Special Rapporteurs on attacks to file complaints against Israel. If possible, help individuals file cases in foreign countries against Israeli soldiers and officials by providing them with the required documents, information, and legal aid.

310. Act at the diplomatic level with the group of Arab countries and the Organisation of Islamic Cooperation (OIC) inside the Human Rights Council, and with all countries supporting the Question of Palestine and refusing Israeli attacks, to establish a fact-finding committee on all ongoing Israeli violations.

311. According to the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) of 1948, States must prevent genocide and punish "direct and public incitement to commit genocide." Israeli officials threatened to ruin the lives of Lebanese in Beirut and Lebanon. This indicates an element of destruction, fully or partially, of a national, ethnic, or religious group. Consequently, this may lead to adopting this action by inciting to commit genocide.

312. Ratify the Rome Statute on the International Criminal Court by the Lebanese Parliament to allow the filing of complaints against Israel before it per what is permitted by the court's jurisdiction.

313. Respect the mandate of the National Human Rights Commission in controlling and monitoring the violations of international humanitarian law and stop obstacles to the approval of decrees that regulate this mandate, especially the observations of the Ministry of Justice on the Commission's by-laws.

## *2.6 The United Nations and donors*

314. Implement a strict human rights due diligence policy when providing support to the authorities in Lebanon, particularly with regard to the security sector in Lebanon.

315. Assist Lebanon in developing and implementing a national human rights action plan by providing independent national bodies with technical support, capacity building, and more.

316. Adopt a zero-tolerance approach regarding Israeli attacks on Lebanon and ensure that the perpetrators of such attacks on the Lebanese people are held accountable.



The prevailing patterns of interaction of the Lebanese authorities with the National Human Rights Commission, which includes the Committee for the Prevention of Torture, do not yet clearly meet the standard of “full cooperation” established by Law 62/2016, especially in terms of allocation of budgets, issuance of the regulatory decrees, provision of a permanent headquarters, and responding to the Commission’s requests for the prevention of torture and facilitating the work of the National Preventive Mechanism (Committee for the Prevention of Torture), which prevents the establishment of an effective monitoring system and does not effectively address the majority of allegations of torture and ill-treatment brought to justice.



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