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Submission to the United Nations Special Rapporteur on the Independence of Judges and Lawyers

Date: April 2025

Submitted to: Special Rapporteur on the independence of judges and lawyers

Subject: Call for input of the Special Rapporteur on the independence of judges and lawyers for her next thematic report on artificial Intelligence and judicial systems

I. Introduction

The National Human Rights Commission of Lebanon, which includes the Committee for the Prevention of Torture (NHRC-CPT), welcomes this timely initiative by the Special Rapporteur to examine the promises and perils of artificial intelligence (AI) in judicial systems. As Lebanon’s National Human Rights Institution (NHRI), the NHRC-CPT is constitutionally mandated to promote and protect human rights in accordance with the Paris Principles. A core pillar of our mandate includes monitoring detention conditions, preventing torture, and strengthening access to justice—areas where the use or misuse of AI could carry transformative implications.

This submission draws upon NHRC-CPT’s ongoing work in judicial oversight, including recent assessments of detention centers in Zahle and Tripoli, national dialogues on digital justice, and coordination with the Global Alliance of National Human Rights

Institutions (GANHRI). It also incorporates feedback from civil society partners and legal professionals across Lebanon, highlighting the opportunities and risks posed by AI adoption within the country’s fragile justice system.

II. Context: Lebanon’s Justice System in Transition

Lebanon’s judiciary faces a multifaceted crisis marked by underfunding, staffing shortages, a backlog of cases, and political interference. These structural deficits significantly impair the delivery of timely and fair justice. As NHRC-CPT has documented in recent reports such as “Monitoring Human Rights Violations in Places of Detention in Lebanon: Deprivation of Everything” (August 2024), procedural delays and legal uncertainty are particularly acute in pretrial detention cases, where suspects may be held for months or years without trial.

In this context, there is growing discourse around using digital tools, including AI, to streamline court administration, improve legal access, and assist overburdened judges. However, such developments remain largely unregulated, with little transparency, technical oversight, or rights-based framing.

III. AI and Judicial Independence in Lebanon

A. Use of AI by Judges and Legal Professionals

To date, Lebanon has not institutionalized the use of artificial intelligence in its judiciary. Nevertheless, some judges and legal professionals have begun informally experimenting with generative AI tools such as ChatGPT and Lexis AI to assist with drafting decisions, summarizing legal texts, and performing preliminary research. These practices are carried out individually, without institutional guidelines, technical standards, or oversight mechanisms.

No data regarding the scale or nature of this usage is currently collected or analyzed. Judicial actors have expressed both interest in AI’s potential to reduce caseload burdens and concern about the risk of introducing algorithmic bias or inaccuracies into the judicial process.

B. Structural Challenges to Judicial Independence

The use of AI in Lebanese courts cannot be discussed in isolation from broader systemic weaknesses that affect judicial independence. Notably, Lebanon has been engaged in a long-delayed process to reform its judiciary through legislative means—an effort that remains incomplete as of April 2025.

In 2022 and 2023, Parliament debated two separate draft laws intended to strengthen the independence of judicial and administrative courts. Following amendments by the Administration and Justice Committee regarding the judiciary, the draft law was referred for a full parliamentary vote in April 2023. However, a legislative session scheduled for December 2023 to discuss this law was postponed, leaving the issue unresolved.

In the case of the administrative judiciary, two competing draft laws were submitted. The Ministry of Justice formally requested an opinion from the Venice Commission in June 2023, only on one draft, sidelining the other version. This move raised concerns about transparency and institutional bias.

The Venice Commission reviewed the judicial independence bill in June 2022, emphasizing the need for institutional safeguards to protect judges from political interference and ensure transparent judicial appointments. However, without the formal passage of these laws, the judiciary remains susceptible to external pressures—an issue that could be exacerbated by the introduction of AI without adequate governance.

C. AI Deployment in a Context of Political Interference

The NHRC-CPT stresses that the integrity of any AI system introduced into the judiciary will depend on the institutional environment in which it operates. Lebanon's recent experience with high-profile investigations—including the halt of the Beirut Port explosion probe and financial crime cases—demonstrates how judicial processes can be politically obstructed by manipulating procedural articles.

In March 2023, nine MPs introduced two legislative proposals to enhance judicial investigations' independence. These bills sought to amend Article 751 of the Code of Civil Procedure and Article 52 of the Code of Criminal Procedure—provisions used to

suspend investigations into major national tragedies and financial scandals. At the same time, other MPs from the Strong Republic Bloc proposed amending the Military Courts Law No. 24 of 1968. They argued that military courts have unconstitutionally expanded their jurisdiction to prosecute civilians, in contravention of international law and fair trial standards.

Integrating AI into judicial systems—absent strong safeguards—could unintentionally reinforce opaque or politically motivated judicial practices in such an environment. For example, if algorithmic tools are fed biased data reflecting these flawed precedents or are deployed to justify opaque case allocations, they may replicate or even amplify patterns of injustice.

D. Key Threats and Concerns

AI could jeopardize judicial independence in Lebanon in the following ways:

1. **Algorithmic opacity and vendor lock-in:** If AI tools are procured from unaccountable private vendors, judges and court staff may not understand how algorithmic decisions are made, leaving room for manipulation or technical abuse.
2. **Automated bias in politically sensitive cases:** Algorithms trained on historical judicial data could replicate systemic discrimination or political interference, particularly in cases involving dissent, corruption, or state accountability.
3. **Judicial de-skilling and deskilling of the bench:** Judges may become overly dependent on AI to interpret law, undermining their critical reasoning and professional autonomy.
4. **Parallel digital justice systems:** Without harmonization, AI-powered tools could be used by political actors, security agencies, or administrative tribunals to create parallel forms of justice that bypass ordinary legal procedures.

5. **Data exploitation risks:** Without a national data protection law, judicial data processed through AI systems may be exposed to misuse or leaks, further compromising judicial credibility.

IV. AI, Discrimination, and Inequality

Lebanon's justice system already reflects deep societal inequalities shaped by gender, nationality, religion, and class. The uncritical adoption of AI could exacerbate these disparities. The NHRC-CPT is particularly concerned about the impact of AI on labour rights within the legal and justice sectors—an issue that is becoming increasingly urgent as economic conditions worsen across Lebanon.

A. Evolving Labour Dynamics in Legal and Professional Sectors

Labour rights will become an increasingly prominent issue as economic dislocations impact Lebanon's service and professional sectors. Generative AI tools can already replicate or automate some of the work performed by lawyers (e.g., document review), paralegals, journalists, computer programmers, and customer service representatives. These tools are being developed to generate legal briefs, summarize case law, and even simulate litigation strategies.

The implications are profound. As generative AI capabilities improve—both in the scope of tasks they can perform and in the speed and precision with which they do so—the pressure on legal employment will intensify. Moreover, the cost of these tools will decrease over time, potentially making it more cost-effective to rely on AI systems than to hire junior associates, clerks, or administrative staff.

Without safeguards, this shift could erode decent work protections, widen the digital divide, and destabilize employment in sectors already weakened by Lebanon's prolonged economic crisis. Legal professionals, particularly young lawyers, women, and those from marginalized regions, could be disproportionately affected. The NHRC-CPT underscores the need to integrate labour rights and social protection considerations into all national AI strategies, including those targeting justice system reform.

B. Broader Inequality and Bias Risks

Beyond labour implications, algorithmic bias remains a systemic concern. If AI tools are trained on data reflecting discriminatory jurisprudence, such as rulings affected by gender bias or religious preference, they may replicate those biases at scale. This risk is especially acute in areas governed by Lebanon's personal status laws, where civil and religious jurisdictions intersect in ways that often undermine gender equality.

C. AI-Driven Surveillance and the Right to Privacy

A particularly concerning application of AI is in state surveillance, primarily through facial recognition technology (FRT). While not formally deployed in the Lebanese judicial context, FRT is increasingly being discussed as part of broader digital security reforms. The NHRC-CPT warns that FRT systems carry serious risks of rights violations, especially when introduced in contexts lacking adequate oversight, public consultation, or privacy legislation.

A classic example involves the deployment of FRT in public spaces and at border checkpoints, which relies heavily on AI algorithms trained on large image datasets. Studies have consistently shown that FRT performs with significantly lower accuracy on people of color, mainly due to training datasets embedded with racial biases and gaps. These disparities reflect structural racism in the societies where such datasets were developed, and they could be reproduced or amplified in Lebanon, particularly against refugee populations, migrant workers, and racialized communities.

Further compounding these concerns is that facial recognition systems rely on mass scraping individuals' images and likenesses, often without their knowledge or consent. This means that such systems are inherently designed as tools of mass surveillance, incompatible with the right to privacy and data protection principles. Lebanon has no comprehensive personal data protection law or independent data protection authority, leaving citizens and residents vulnerable to unchecked biometric surveillance.

With both these observations in mind, the NHRC-CPT strongly opposes introducing facial recognition technology into Lebanon's justice or public security infrastructure. Any deployment would likely result in compounding human rights harms, particularly

for marginalized and vulnerable groups already over-policed or subject to discriminatory treatment.

V. AI and Access to Justice

A. Legal Aid and Self-Representation

Given Lebanon’s limited legal aid infrastructure, AI could be a force multiplier for access to justice—if deployed carefully:

- **Some NGOs have piloted AI-powered legal chatbots** offering advice to victims of domestic violence or migrant workers. However, these are donor-dependent, linguistically constrained, and unrelated to public defense services.
- **No national digital justice portal** exists for pro se litigants, and legal information remains fragmented and inaccessible to non-experts.

NHRC-CPT believes AI tools such as multilingual legal chatbots and automated legal form generators could assist underrepresented litigants—but only if human oversight is retained, and the systems are linguistically and culturally adapted.

B. Administrative Efficiency

AI offers promising tools for improving judicial efficiency in Lebanon, including:

- **Automated case triaging**, particularly in minor offenses or administrative disputes;
- **Real-time translation and transcription** for Arabic, French, and English court proceedings;
- **AI-based document analysis** is used to identify jurisprudence or case trends.

Such systems could significantly ease workloads, especially in Mount Lebanon and Beirut governorates, where caseloads are highest. However, any deployment must adhere to data protection standards, ensure judicial control over outputs, and remain open to public scrutiny.

VI. Regulatory Gaps and Oversight

Lebanon lacks any specific regulatory or legislative framework addressing the use of AI in judicial systems. Existing cybercrime and digital governance laws do not cover judicial use, and the draft personal data protection law remains stalled in Parliament.

This regulatory vacuum exposes the judiciary to several risks:

- **No licensing or auditing requirements** for AI tools used in court processes;
- **No liability mechanisms** for harms caused by faulty or biased algorithms;
- **No ethical framework** guiding the use of AI in sentencing, detention, or risk assessment.

NHRC-CPT believes any national AI deployment strategy must be grounded in a binding human rights framework. We urge the Special Rapporteur to recommend that States adopt human rights impact assessments as a prerequisite for AI use in justice systems.

VII. Recommendations

The NHRC-CPT offers the following recommendations to the Special Rapporteur and Member States:

1. **Adopt clear regulatory frameworks** governing AI use in justice, based on international human rights standards, particularly the right to a fair trial, equality before the law, and protection from discrimination.

2. **Mandate judicial independence safeguards** in AI procurement and implementation, including guarantees that political or commercial interests cannot manipulate systems.
3. **Prohibit automated decision-making** in criminal sentencing, pretrial detention, or asylum cases without robust human review and legal remedy mechanisms.
4. **Invest in AI training** for judges, lawyers, and court staff, developed in collaboration with bar associations, civil society, and NHRIs.
5. **Support open-source, locally developed AI tools** that reflect each jurisdiction's linguistic, cultural, and legal diversity, particularly in multi-sectarian or multi-legal systems like Lebanon.
6. **Ensure regular audits** of AI tools used in judicial systems, including for algorithmic bias, performance, and rights impact, with transparent publication of results.
7. **Integrate AI into broader judicial reform efforts**, ensuring that its use complements—rather than replaces—investments in court staffing, infrastructure, and legal aid services.

VIII. Conclusion

Lebanon stands at a digital crossroads. As our country navigates overlapping economic, political, and social crises, the temptation to rely on AI for quick fixes to judicial inefficiency is strong. But AI must not become a substitute for rights-based reform. Without public oversight, ethical regulation, and human-centered design, AI risks undermining the very principles of justice it purports to serve.

The National Human Rights Commission (including the Committee for the Prevention of Torture) thanks the Special Rapporteur for her commitment to inclusive and

intersectional dialogue. We reiterate our willingness to cooperate further and provide supplementary material, including field reports, detention assessments, and digital justice research conducted by our Commission and partners.