



الهيئة الوطنية لحقوق الإنسان
المتضمنة لجنة الوقاية من التعذيب

National Human Rights Commission

including the committee for the prevention of torture

Lebanon Under Attack

Challenges to the Rule of law
and Respect for Human Rights
During the Israeli War on Lebanon



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The National Human Rights Commission, which includes the Committee for the Prevention of Torture, works to protect and promote human rights in Lebanon in accordance with the standards set out in the Constitution, the Universal Declaration of Human Rights, relevant international treaties and conventions, and domestic laws aligned with these standards. It is an independent national institution established under Law No. 62/2016, pursuant to the United Nations General Assembly resolution [Paris Principles] which governs the creation and functioning of national human rights institutions. The Commission also serves as the National Preventive Mechanism against torture, in line with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Lebanon acceded to under Law No. 12/2008.2008.

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EXECUTIVE SUMMARY

This report, issued by the National Human Rights Commission including the Committee for the Prevention of Torture, offers a comprehensive account of the grave violations of human rights and international humanitarian law committed in Lebanon during the Israeli assault that took place between October 8, 2023, and November 27, 2024. It sheds light on the severe impact of the war on the civilian population and the Lebanese state's inadequate response in safeguarding the fundamental rights of its most vulnerable communities.

Based on field monitoring, official documentation, and reports from civil society and international organizations, the Commission documented over 14,775 Israeli attacks that resulted in the death of more than 4,000 people—among them 1,106 children and women—and the injury of over 16,600 others. The assault displaced approximately 1.4 million civilians. These violations included direct targeting of civilians, medical personnel, journalists, and UNIFIL premises, as well as the unlawful use of white phosphorus and the destruction of cultural heritage sites, all constituting serious breaches of international humanitarian law.

Domestically, the report reveals the Lebanese state's failure to implement the national emergency plan effectively. The government's response was slow and insufficient, particularly in meeting the urgent needs of displaced persons. Key challenges were identified in shelter provision, access to food and healthcare, and legal protection—especially for persons with disabilities, women, children, Syrian refugees, and migrant workers—many of whom faced discrimination, exploitation, and neglect, resulting in severe violations of their basic rights to dignity, shelter, education, and health.

The report also addresses the post-war challenges, particularly the absence of a state-led plan for the return of displaced people, the ongoing Israeli occupation of border areas, and the lack of infrastructure and basic services in affected regions, all of which hinder the possibility of safe and dignified return.

As an independent institution, the Commission provides concrete recommendations to Lebanese authorities, including the need to continue documenting Israeli violations and seek international accountability, accelerate reconstruction efforts, guarantee the right to return for the displaced, and implement key legislative reforms—particularly those ensuring judicial independence, combating corruption, regulating refugee status, and protecting freedom of expression. The report emphasizes the urgent need to empower national institutions, including the National Human Rights Commission, to ensure accountability and effective rights monitoring.

The report concludes that the war was not merely a military assault but also a stark exposé of the fragility of Lebanese state institutions. It reaffirms the urgent need to build a state governed by the rule of law—one that upholds the dignity, rights, and freedoms of all individuals residing in Lebanon, without discrimination.

INTRODUCTION

As the recent Israeli attacks and unprecedented military escalation erupted, Lebanon has witnessed severe humanitarian consequences and serious violations of human rights and international humanitarian law. In such circumstances, the National Human Rights Commission, which includes the Committee for the Prevention of Torture (NHRC-CPT) publishes its report: "Challenges of the Rule of Law and the Guarantee of Human Rights Requirements," focusing on the most vulnerable groups, including children, women, Persons with Disabilities (PWDs), refugees, and displaced.

This report aims at presenting a preliminary assessment of the status of human rights during this difficult period by underlining the documented severe violations perpetrated by Israel's army, and highlighting the humanitarian, social, and economic effects of this aggression. The report will also focus on the Lebanese State response to the challenges faced by the targeted and displaced groups further to the implementation of the Emergency Response Plan (ERP), developed to regulate the aid and reconstruction efforts.

The report consists of three chapters that were the results of monitoring work in these topics. Each chapter concludes with a set of practical recommendations to promote the protection of the fundamental human rights in Lebanon. The first chapter will introduce the NHRC-CPT and its role in such challenging times in the country's history. The second chapter will emphasize on the status of the Rule of Law in Lebanon, a country under attack and undergoing exceptional circumstances. It will shed light on the most significant violations committed by Israel's army on the Lebanese territory. The third and final chapter will consider the challenges faced by the State to render effective the Rule of Law and its mechanisms in order to comply with the International Human Rights Law (IHRL). It will also assess the State's response to the basic needs of vulnerable groups throughout and after the attack.

Chapter I: About the National Human Rights Commission,
which includes the Committee for the Prevention of
Torture (NHRC-CPT)



Part 1: NHRC-CPT Mandate

The National Human Rights Commission, which includes the Committee for the Prevention of Torture (NHRC-CPT) was established under Law No. 622016/. It was formed by virtue of Decree No. 3267 of June 19, 2018. The CPT was then formed by virtue of Decree No. 5147 of July 5, 2019.

The Commission is vested with monitoring and evaluating the status of human rights in the country, documenting and resolving violations, providing remedy, submitting recommendations to official authorities, seeking to amend laws, issuing decrees, changing practices, and encouraging the State to adopt effective policies, including the protection and promotion of human rights.

The Commission has also the duty to promote human rights by spreading the human rights culture and education, in addition to publishing public and private reports that highlight violations and produce recommendations. The Commission provides advice independently in periodic reports. It urges the Lebanese State and relevant authorities to submit their periodic reports and implement the recommendations issued by treaty committees and international bodies.

The Commission receives reports and complaints on violations of human rights from any natural person or legal entity, whether Lebanese or foreigner. Therefore, the Commission commits to specific processes that it develops to receive complaints. It undertakes an investigation to reveal and verify information. As a result of this investigation, the Commission either dismisses the complaint or follows up on and resolves it, conducting negotiations and mediation processes, or by submitting reports to the competent Public Prosecution Offices.

The law established the CPT within the Commission. Its jurisdiction covers all detention centers, and it can proceed with unannounced visits to these centers, group and private interviews, and the reception of complaints and reports¹.

Furthermore, the Commission has the duty to monitor and document the violation of IHL throughout armed conflict and use all available means to end impunity. To this end, the Commission established the International Humanitarian Law Committee to work on ensuring the respect of all protocols and conventions of IHL and relevant customary rules. This committee undertakes, inter alia, the following functions:

- a- Monitor and document violations of IHL throughout armed conflict and use all available means to end impunity.
- b- Express an opinion on the legislative and administrative texts, in order

¹For more information on detailed powers of the Commission and the Committee for the Prevention of Torture, please review Law No. 62/2016, in particular articles 15 to 27 (included). <https://nhrc.lb.org/law62>

to adapt IHL and international treaties and to those required for its implementation in compliance with the Lebanese legislative texts.

- c- Develop an annual action plan that addresses the procedures and measures it deems necessary and appropriate to mainstream IHL and introduce its implementation mechanisms.
- d- Submit recommendations to all authorities for the proper application of the relevant legislative and administrative texts.
- e- Spread the culture of IHL 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 actors involved in IHL, and strengthen relations with similar committees in national human rights institutions in member states of the Global Alliance of National Human Rights Institutions².

Part 2: Status of the Commission

Although the NHRC-CPT was formed in 2019, it continues to have significant challenges in order to render its independence effective and fully assume its role. These challenges were seen in the failure of relevant authorities to adopt the necessary processes at this level:

- The failure of the Council of Ministers to adopt the financial and internal bylaws of the Commission and the lack of dedicated permanent headquarters for the Commission despite frequent follow-ups before the General Secretariat of the Council of Ministers since mid-2018, date when the Commission's members were appointed.
- The failure of the Ministry of Justice to take a decision concerning the draft decree addressing the compensation of the Commission's members, taking into account the national currency collapse and its non-conformity with the temporary decrees on increasing the salaries of public servants, which were adopted after October 17, 2019.
- The failure to allocate a budget for the Commission since the date of its establishment up to issuing the second-to-last Budget Law No. /10/ of 152022/11/. A budget of LBP/7.696.450/ was allocated under an independent chapter and an independent section. However, this amount was not transferred to the Commission's account at the Banque du Liban (BDL).

² The National Human Rights Commission, which includes the Committee for the Prevention of Torture Annual Report 2022, page 39, paragraph c, point 106. <https://nhrc.lb.org/wp-content/uploads/2024/01/NHRC-CPT-Annual-Report-2022-Ar.pdf>

Under the 2024 draft budget, a budget was passed for the NHRC-CPT and issued in an amended version in the Official Gazette³ on February 15, 2024 with a total amount of seventeen billion nine hundred twenty-nine million two hundred fifty thousand Lebanese Pounds. However, this budget is not sufficient to manage the Commission and recruit the needed personnel to undertake its work, especially taking into account the powers entrusted to the Commission under Law No. 622016⁴.

Despite all challenges and obstacles, the Commission managed, driven by its members' effort and donors' support, to fulfill its role in the human rights sector through organizing local, regional, and international activities on the protection and promotion of human rights and participating in such activities. The present report focuses on the Israeli aggression on Lebanon and the monitoring of violations of human rights and IHL in the context of these efforts and initiatives.

Part 3: Rationale and Structure

The present report of the NHRC-CPT is part of its mandate as an independent body that has a legal entity and financial and administrative independence, in order to promote the protection of human rights and monitor compliance with international standards in Lebanon.

For this reason, the report will have a major focus on the status of human rights during the war, from October 8, 2023 to the date of ceasefire. The largest part will be dedicated to monitor the status of human rights during the second wave of displacement, i.e. since September 23, 2024 up to the ceasefire on October 27, 2024, and look into how the State responded to the implementation of the emergency plan, resulting in the suffering of hundreds of thousands of Lebanese, especially the most vulnerable groups.

The report will also tackle the mechanism of rendering the Rule of Law and institutions effective and operational, including a guarantee to all residents on the Lebanese territory, especially in terms of facing the challenge of reconstruction, economic recovery, and social safety, in light of great destruction and structural economic damage caused by the Israeli aggression on Lebanon, as the misery of hundreds of thousands of Lebanese was not ended

with the declaration of the ceasefire.

That is apart from looking into the performance of official authorities in terms of the expected major reforms at all levels and resolving deep-rooted issues in Lebanon, such as fighting corruption, the independence of the judiciary, the rehabilitation of courts, prisons, and detention centers, implementing accountability, and ending impunity. The Commission monitored all these topics in its previous reports. However, evading liability and impunity, as well as the indifference toward all residents on the Lebanese territory, whether Lebanese or foreigners, are obvious with every crisis.

The report draws on monitoring the situation resulting from the aggression, especially in terms of measuring respect for human rights, without ever forgetting the crimes that were monitored as being perpetrated by Israel's army. In this regard, the report primarily focuses on the official documents issued by relevant authorities and the reports of the Civil Society Organizations (CSOs) and United Nations agencies, in addition to a field monitoring and consultations with a group of (anonymous) local and international officers and experts involved in the protection of women, children, PWDs, including those who responded to the needs of displaced, refugees, and migrants. Furthermore, the report ensures not to mention any personal or detailed data that disclose the identity of victims or witnesses without their consent.



³ 2024 Budget of the National Human Rights Commission, which includes the Committee for the Prevention of Torture | National Human Rights Commission – Lebanon, you can review this budget by visiting this link <https://nhrc.lb.org/archives/1632>

⁴ A communication sent from the National Human Rights Commission, which includes the Committee for the Prevention of Torture to the Presidency of the Council of Ministers on 16 October 2024.

Chapter II: The Rule of Law under aggression and exceptional circumstances)



Part 1: Effects of the Israeli aggression under IHL

During international armed conflicts, including the situation of occupation, compliance with IHL is mandatory for all parties to the conflict, based on several legal and moral grounds. The Commission monitored the consequences of the Israeli aggression on Lebanon, such as the direct targeting of civilians, civilian objects, the direct targeting of protected groups and objects, as well as the prohibited use of air-burst white phosphorus and explosive ordnance.

The forms of the Israeli aggression on Lebanon varied since 8/2024/10/. In the initial period, attacks were focused on Southern Lebanon and Nabatieh, including airstrikes and artillery fire affecting the infrastructure and residential areas, and some operations carried out against the Southern suburbs of Beirut. The Ministry of Public Health documented the death of 645 people as a result of Israel's shelling before 15/2024⁵/9/.

Direct targeting of civilians and civilian objects

Since September 15, 2024, the Israeli aggression on Lebanon dramatically increased, especially when the Israeli party remotely triggered thousands of pagers and hundreds of radios, which are communication devices used by many civilians, on September 17 and 18, 2024. Both waves of indiscriminate targeting killed 32 people, including two kids, and injured 3,250, including many people affiliated with the medical staff. UN experts were quick to classify these attacks as "a terrifying violation of international law."⁶

As of 23/2024/9/, the humanitarian and security conditions worsened with massive intensification of the Israeli aggression on Lebanon, which killed, in one day, around 500 people, including 35 children, and injured more than 1,600. This matter mobilized the International Commission of Jurists that published a statement on the following day to show how "the extremely high number of civilian casualties, in the space of just a few hours, points to the indiscriminate and disproportionate nature of the Israeli Defense Forces' attacks in violation of international humanitarian law."⁷

As Israel's bombardment of civilian areas escalated, Diakonia, an organization specialized in international humanitarian law, published a report in November 2024, in which it emphasizes on the importance of the principle of proportionality in IHL. This principle, which is a key pillar of IHL, commands that any military attack must not cause excessive damage to civilians or civilian objects in relation to the military advantage anticipated. Due to the intensified Israeli operations that rained suddenly upon Lebanese as of 23/2024/9/, the organization urged the Israeli army to comply with IHL rules and principles, in order to avoid excessive incidental harm against civilians and civilian objects⁸. Israel's forces ignored these commitments completely. This matter was documented in many independent reports by legal actors of the civil society.

According to the Lebanese Ministry of Public Health, all Israeli attacks killed a total of 4,047 people, including 1,106 children and women, in addition to 16,638 injured. Airstrikes also caused the displacement of 1.4 million people, leading to a severe humanitarian crisis. The total number of attacks reached 14,775, according to the detailed report of the National Council for Scientific Research (NCSR) issued in December 2024⁹.

Direct targeting of groups protected by IHL

A huge percentage of these violations forms a flagrant violation of IHL, which prohibits the deliberate targeting of civilians, as well as the residential areas and the failure to distinguish between civilian objects and military targets. It is important to emphasize on Israel's crimes of killing journalists during their work through direct strikes, which were considered as war crimes. Israel targeted journalists on October 13, 2023, when its army targeted a group of journalists in Alma al-Chaab¹¹.

The same scene is noticed in several other Israeli military operations by targeting journalists directly while performing their job mission¹².

Those Israeli attacks on the Press aimed at preventing them from covering the crimes in Southern Lebanon. Although the Lebanese State kept up with these heartbreaking developments in the media and made a decision that acknowledges the jurisdiction of the International Criminal Court (ICC) to investigate crimes of the Israeli enemy, it stepped back from this initiative and amended the decision. These efforts were then deployed by civil society organizations, which led the pathway towards trying to have justice served in the case of killing journalists, in particular the gathering of the Alternative Syndicate of Press (ASP).

⁵ According to the Lebanese Ministry of Public Health, the updated total toll of the Israeli aggression is 4047 deaths and 16638 injuries, 4 December 2024. Data are available at <https://vo.la/UCdHEp>

⁶ UNOHCHR, Exploding pagers and radios: A terrifying violation of international law, say UN experts, 19 September 2024, available at <https://www.ohchr.org/en/press-releases/2024/09/exploding-pagers-and-radios-terrifying-violation-international-law-say-un>

⁷ International Commission of Jurists, "Stop Unlawful Attacks and Protect Civilians Now", 24 September 2024, available at: <https://www.icj.org/lebanon-israel-stop-unlawful-attacks-and-protect-civilians-now/>

⁸ Diakonia, International Humanitarian Law Centre, Israel's Military Actions in Lebanon, Concerns over IHL Compliance, November 2024, page 6, available at https://apidiakoniase.cdn.triggerfish.cloud/uploads/sites/2/2025/01/Proportionality-and-Precaution_Ar.pdf

⁹ National Council for Scientific Research, 2023-2024, a summary report on Israeli attacks and sectorial damage, Beirut, 10 December 2024, available at <https://www.cnrs.edu.lb/Library/Files/Uploaded%20Files/CNRS-L%20report%20on%20Israeli%20Offensive%20against%20Lebanon%202023%20-%202024%20Arabic.pdf>

¹⁰ Amnesty International, Lebanon: Deadly Israeli attack on journalists must be investigated as a war crime, 7 December 2024, available at <https://www.amnesty.org/ar/latest/news/2023/12/lebanon-deadly-israeli-attack-on-journalists-must-be-investigated-as-a-war-crime/>

¹¹ The bombardment killed the photographer Issam Abdallah, who was working for Reuters, and injured the journalists Carmen Joukhadar, Elie Brakhya, Christina Assi, Dylan Collins, Maher Nazeh, and Thaier al-Sudani, see: Amnesty International, Lebanon: Deadly Israeli attack on journalists must be investigated as a war crime, 7 December 2023, available at <https://www.amnesty.org/en/latest/news/2023/12/lebanon-deadly-israeli-attack-on-journalists-must-be-investigated-as-a-war-crime/>; Human Rights Watch, Israel: Strikes on Journalists in Lebanon Apparently Deliberate Intentionally Targeting Civilians a War Crime, 7 December 2023, available at <https://www.hrw.org/news/2023/12/07/israel-strikes-journalists-lebanon-apparently-deliberate>; Reuter, Israeli tank fire killed Reuters journalist Issam Abdallah in Lebanon, 7 December 2023, available at <https://www.reuters.com/graphics/ISRAEL-LEBANON/JOURNALIST/akveabxrzvr/index.html>; Agence France Press, Journalists killed and injured in Lebanon AFP's investigation points to Israeli Army, December 2023, available at https://showcase.afp.com/pages/journalists-killed-and-injured-in-lebanon_afps-investigation-points-to-israeli-army_jloC6PQA_616/

¹² On 21 November 2023, Farah Omar, Rabih Maamari, and Hussein Akil who work for Al Mayadeen Channel were killed after being targeted by Israel's enemy army in the village of Tayr Harfa in Southern Lebanon, see: Al Mayadeen channel, Reporter Farah Omar and cameraman Rabih Maamari killed by an Israeli strike on Tayr Harfa, 21 November 2023, available at <https://vo.la/kUeDqxv> Also, the journalist Hadi al-Sayed who works for Al Mayadeen online was killed by an Israeli shelling on the village of Burj Rahal in the South on 24 September 2024, available at <https://vo.la/CgUqMs> Furthermore, on 28 September 2024, large fragments of Israeli missiles hit the Rest House Tyr Hotel, which was a key spot for journalists to cover the war events in the South. Journalists had to evacuate it, see: Post by Al Jadeed channel, available at https://x.com/AlJadeed_TV/status/1839800927886139537 On 16 October 2024, Israel killed the photographer Mohammad Ghabboun in the Southern region of Qana while performing his job, see: Skeyes, Photographer Mohammad Ghabboun killed by an Israeli strike on Qana, 16 October 2024, available at https://www.skeyesmedia.org/ar/News/News/16-10-2024/11988?fbclid=IwY2xjawGIJvZleHRuA2FlbQlxMAABHU7pOzme-NBP_v83sSEcSH6RU8UDw4eRhPbEBbtqzqvz_b3TZixoblOAKQ_aem_zxkxPOnHsq5l6j7Pnlk5Mw On 23 October 2024, Israel killed the journalist Hassan Roumieh, a reporter at Wadi Press, in the village of Maarake, see: A post by the Alternative Syndicate of Press (ASP) on Instagram, 23 October 2024, available at <https://www.instagram.com/p/DBeK24hMp2h/?hl=en> On 25 October 2024, Israel killed the cameraman in Al Manar TV, Wissam Kassem, the cameraman in Al Mayadeen channel, Ghassan Najjar, and the broadcast engineer in Al Mayadeen, Mohammad Reda after deliberately targeting the residence of journalists in Hasbaya, who were covering attacks in the South, although this place was identified as a residence for journalists, and cars were clearly pointing out that they were affiliated with TV channels, see: AlArabiya video, AlArabiya reporter: The attack on the residence of journalists in Hasbaya resulted in killing three journalists and injuring two others, YouTube, 25 October 2024, available at <https://www.youtube.com/watch?v=-Vc76vOhc>

Israeli forces deliberately and repeatedly attacked rescue workers, medical personnel, and healthcare facilities. These attacks were classified as “apparent war crimes” by Human Rights Watch¹³. Up to October 25, 2024, the Lebanese Ministry of Public Health said that “163 workers in the healthcare and hospitalization sector in Lebanon were killed [...] and 158 ambulances, 55 hospitals, and 201 aid associations were damaged.”¹⁴ In light of this excessive use of weapons, the Lebanese MoPH recalled the “impartial nature” of healthcare services and medical personnel, which should be protected and not compromised, even in times of conflict.¹⁵ “since the international humanitarian law pays particular attention to the protection of healthcare facilities, medical personnel, and means of transporting injured and patients during armed conflicts, in order to ensure the sustainability of providing healthcare to affected people.

Furthermore, the sites of the United Nations Interim Force in Lebanon (UNIFIL) were hit by more than 30 attacks, including a shelling of its sites¹⁶, representing a severe violation of the international law and decisions of the Security Council.

Direct targeting of objects protected by IHL

Israeli forces deliberately and directly shelled objects that are protected under the rules of IHL in particular, such as archeological and historical sites. Many sites were bombarded by Israel, leading to significant damage to the country’s cultural heritage. Strikes hit the city of Baalbek and the surrounding of its archeological fortress¹⁷, in addition to damages that affected other archeological sites in Lebanon, such as Qsarnaba Temple and Niha Temple in Beqaa area and the traditional market of Nabatieh in Southern Lebanon (on the evening of October 12, 2024), causing significant economic losses for store owners and households that depend on the market as a main source of income. This attack did not target the economic infrastructure only, but also affected the cultural and historical identity of the city, where the market is an integral part of the memory and heritage of Nabatieh¹⁸.

International organizations, including the United Nations Educational, Scientific, and Cultural Organization (UNESCO), advocated the need to protect these archeological sites from destruction, underlining that the cultural heritage is an integral part of people’s identity and history. It is important to note that the UNESCO’s Committee for the Protection of Cultural Property held an emergency session on October 18, 2024¹⁹, highlighting the real risks that affected the Lebanese and global heritage as a result of these deliberate strikes.

¹³ Human Rights Watch, Lebanon: Israeli Attacks on Medics Apparent War Crimes, October 30, 2024, available at <https://www.hrw.org/ar/news/2024/10/30/lebanon-israeli-attacks-medics-apparent-war-crimes>
¹⁴ Lebanese Ministry of Public Health, Israeli attacks on the healthcare sector in Lebanon, from 8 October 2023 to 24-25 October 2024, available at <https://www.moph.gov.lb/userfiles/images/News/25-10-2024%20Press%20conference/Attacks%20on%20health%20sector-Arabic-24-10-2024.pdf>
¹⁵ National Council for Scientific Research, 2023-2024, a summary report on Israeli attacks and sectorial damage, Beirut, 10 December 2024, page 3, available at <https://www.cnrs.edu.lb/Library/Files/Uploaded%20Files/CNRS-L%20report%20on%20Israeli%20Offensive%20against%20Lebanon%202023%20-%202024%20Arabic.pdf>
¹⁶ See for example: Aljazeera.net: A new Israeli attack on the UNIFIL causes injuries and an international condemnation of attacks, 11 October 2024, available at <https://vo.la/ytkTe>
¹⁷ Aljazeera.net, Baalbek under fire: An Israeli bombardment destroys archeological and historical landmarks, 17 October 2024, available at <https://vo.la/Eewwtajo>
¹⁸ Aljournhouria, Loss of the historical market of Nabatieh: a heartfelt farewell of an ancient landmark, 15 October 2024, available at <https://vo.la/hjgxNWt>
¹⁹ Al-Sharq, An emergency session by UNESCO to protect heritage sites in Lebanon, 8 October 2024, available at <https://vo.la/bdxGMm>

Prohibited use of air-burst white phosphorus and explosive ordnance

The escalation of Israel’s military operations included a significant shelling and destruction of agricultural lands and the use of white phosphorus explosives since October 2023. The fire resulting from the Israeli shelling “burned 2400 dunum of agricultural lands completely and 6500 dunum partially²⁰, in addition to 40 thousand olive trees, and damaged 790 hectares of agricultural lands, while 340 thousand of livestock were lost, leading to agricultural losses of around three billion US dollars.

Human rights organizations, such as Human Rights Watch and Amnesty International, documented “evidence on Israel’s use of the unlawful white phosphorus in Southern Lebanon²¹” in its military operations along Lebanese Southern borders between October 10 and 16, 2023, especially in rural areas. These organizations considered that the use of white phosphorus in populated areas was a violation of IHL, due to its indiscriminate and serious effects on civilians as it puts them “at grave risk and contributes to their displacement.”²²

Due to Israel’s serious violations of IHL during its recent aggression against Lebanon, the National Human Rights Commission is interested to present the following recommendations to the Lebanese authorities, further to the ones issued in a previous report²³.

Follow-up of the documentation of Israel’s crimes against Lebanon and Lebanese people

- Enhance a comprehensive database of violations and infringements;
- Cooperate with international organizations to document crimes, gather evidence, and provide full support in the context of their efforts to access information and coordinate with official institutions;
- Issue accurate reports based on IHL to show the unlawful hostilities of Israel’s army in Lebanon.

Advocate to prosecute Israel’s perpetrators of international crimes

- Advocate the United Nations Human Rights Council to establish an International Commission of Inquiry;
- Submit evidence to the States that practice universal jurisdiction to interrogate Israelis who are involved in crimes;
- Refer these crimes to the Prosecutor of the International Criminal Court through the Lebanese Government, upon the declaration of Lebanon confirming the jurisdiction of this court, according to Article 15, paragraph 3 of the Rome Statute.

Hold Israel accountable before international fora

- File complaints against Israel before the Security Council and require compensation for the damage resulting from the aggressions against Lebanon;
- Coordinate with countries to pressure Israel to be held accountable for its actions;
- In case of blockages at the Security Council, head to the General Assembly of the United Nations to obtain a decision that condemns Israel and calls it to compensate for damage.

²⁰ Aljazeera.net, 2400 dunum were completely burned by the occupation. We will file a complaint to the Security Council, says the Lebanese Minister of Agriculture to Aljazeera.net, 13 June 2024, available at <https://vo.la/ITZvOoA>
²¹ Amnesty International, Lebanon: Evidence of Israel’s unlawful use of white phosphorus in Southern Lebanon as cross-border hostilities escalate, 31 October 2023, available at <https://www.amnesty.org/ar/latest/news/2023/10/lebanon-evidence-of-israels-unlawful-use-of-white-phosphorus-in-southern-lebanon-as-cross-border-hostilities-escalate/>
²² Human Rights Watch, Lebanon: Israel’s White Phosphorous Use Risks Civilian Harm, 25 June 2024 available at <https://www.hrw.org/ar/news/2024/06/05/lebanon-israels-white-phosphorous-use-risks-civilian-harm>
²³ National Human Rights Commission in Lebanon, An alternative assessment of Israel’s army violations of International Humanitarian Law in Lebanon, 15 November 2024, available at <https://nhrc.lb.org/archives/2585>

Part 2: Effects of the aggression on the human rights situation

The recent Israeli aggression on Lebanon significantly worsened the country's status of human rights at the humanitarian, economic, social, as well as environmental levels. More than one million people were displaced from the targeted areas in Southern Lebanon, Beqaa, and the Southern suburbs of Beirut, especially when Israel's military operations escalated as of September 23, 2024. The Israeli army's demand for residents of many of these areas to evacuate their homes violates the principle of military necessity in the law of war.

This section will address the effects of these attacks and the resulting deprivation of human rights on several levels. It will also examine the performance of the Lebanese authorities in their response to the plight of the groups most affected by the aggression and provide a preliminary assessment of these efforts.

Challenges of implementing the National Emergency Response Plan (ERP)

The Lebanese State considered a possible and rapid expansion of Israel's attacks by developing a National ERP on October 31, 2023. However, the financial and economic deteriorating state of its institutions weakened its capacity to secure a strong and effective response and take into account the challenges resulting from the aggression.

The plan, which was developed by the National Disaster and Crisis Response Coordination Committee, and approved by the Presidency of the Council of Ministers on October 31, 2023, aimed at "protecting Lebanese people from the consequences of a large Israeli aggression, securing their needs, and rescuing them in case of any significant displacement from their lands to more secure areas in Lebanon, in addition to enhancing the readiness of the relevant sectors to the situation of complex emergency."²⁴

Although a general regulatory framework has been developed and worst assumptions and scenarios have been anticipated, it is important to point out to the failure of the State and its bodies charged with the rapid response to the effects of the aggression, when Israel's attacks increased by targeting Southern Lebanon, Beqaa, and the Southern suburbs of Beirut in particular. Reports by some CSOs, as well as interviews conducted by the Commission with a certain number of experts expressed the great challenges that blocked the State's response to the troubles of the Lebanese as a result of the escalation of the aggression. Consequently, the situation led to the "confusion of authorities empowered to implement or update the plan, especially regarding housing the displaced and securing their fundamental rights."²⁴

This is a clear sign of the weakness of anticipatory planning by governmental authorities, since plans and actions didn't show a clear strategy to respond to the war and its impacts on the population, marginalized groups, and infrastructure, leading to delayed and uncoordinated responses. Although official supporting actors on the ground tried to coordinate with committees that were established by the Ministry of Social Affairs in governorates, districts, and areas, some complications emerged, such as the associations' need for obtaining permits to secure these needs, which blocked their action²⁵.

When the caretaker government announced the activation of a national emergency plan to address humanitarian and social crises resulting from Israel's military escalation, there was a real

problem to implement this plan in light of many challenges, especially field developments related to the displacement crisis as follows:

Challenges of displacement

The situation of displacement started along with the first Israeli strikes on Southern Lebanon at the end of 2023. However, it turned into severe waves after September 23, 2024, leading to an escalated housing crisis as thousands of people had to sleep on sidewalks and in public squares in search of safety; a scene that reflects the scale of human suffering²⁶.

Meanwhile, many displaced families had to search for a safe shelter away from shelling, causing an increase of demand on furnished apartments in the most stable areas, such as Beirut, Mount Lebanon, and some Northern areas. However, this displacement led to commercial exploitation²⁷, as rental prices unreasonably increased, making securing an adequate shelter an additional challenge for the displaced. It is important to note that national and domestic authorities couldn't address these aspects of the crisis.

These developments indicate that field shifts and humanitarian crises are overpowering the governmental response plans, which did not adequately consider the scale of challenges in these circumstances. Therefore, the gaps affecting official authorities in terms of planning, implementation mechanisms, and coordination became more flagrant, despite the deployed efforts on the ground.

These efforts were reflected in establishing reception centers by the caretaker government for the displaced in host cities, such as Saida and Beirut, and securing a minimum level of access to basic services by cooperating with international organizations and coordinating with the United Nations and aid agencies to provide humanitarian assistance, such as food and medicine. Furthermore, the Ministry of Public Health enhanced its capacity by securing field hospitals and distributing medical teams in affected areas, along with partners from international organizations and civil society institutions.

During this period, 1177 reception centers were established across different Lebanese areas. Around 44,400 displaced families, which included 200,000²⁸ people approximately, registered in these centers, although the scale of displacement reached about 900,000 displaced, according to the International Organization for Migration (IOM)²⁹ and 1,400,000, according to the caretaker government³⁰, including more than 600,000 Lebanese and Syrian displaced who had to resort to Syria.

Although the caretaker government activated the national emergency plan to address these humanitarian and social crises, this plan faced several implementation challenges on the ground, which have negatively affected the fundamental rights of many marginalized and vulnerable groups, although they were mentioned as a priority under the proposed plan. Therefore, the practical measure taken by the caretaker government disregarded helping and protecting these groups, providing them with adequate housing, and supporting their basic needs. The report will point to the protection of the disabled, children, women, Syrian refugees, as well as migrants. With regard to the protection of Persons with Disabilities, an activist in this field pointed out that the impact is usually worse for those individuals in the event of disasters³¹, whereas the risk of

²⁴ Nizar Saghie, Rana Saghie, It's not a National Emergency Plan [1]: General Trends of the State's Responsibility while Planning for Disasters, The Legal Agenda, 7 October 2024, available at <https://vo.la/rhpufAn>
²⁵ Interview with a group of activists in the protection of the Child, Beirut on 20 December 2024.
²⁶ Alhurra, After a terrible night, the streets of Beirut turn into a shelter for hundreds of families, 28 September 2024, available at <https://vo.la/kTcaXCX>

²⁷ Al Markazia, Astronomical rise in rental prices ... the Lebanese are paying a heavy price for safety, 10 August 2024, available at <https://vo.la/vtvCtiV>
²⁸ National Council for Scientific Research, 2023-2024, a summary report on Israeli attacks and sectorial damage, bis, page 24.
²⁹ International Organization for Migration, Lebanon page, available at <https://dtm.iom.int/lebanon>
³⁰ Aljazeera.net, The number of refugees exceeded 1,400,000, says a Lebanese minister, 16 October 2024, available at <https://vo.la/xolxEPI>
³¹ Handicap International, Devastating impact of conflict on persons with disabilities living in Lebanon, Briefing paper 2024, 28 September 2024, available at https://www.hi.org/sn_uploads/document/Lebanon-2024-Issue-Brief-on-Persons-with-Disabilities---Humanity--Inclusion--HI-.pdf

death of PWDs is four times that of other people. due to the lack of an enabling and inclusive environment. During the Israeli aggression. data on the presence of those people remained "chaotic and not systematic. and relevant authorities didn't activate a communication mechanism with the disabled. ^{32"}

Meanwhile. during the war. PWDs lacked appropriate transportation means with professionally trained drivers to displace them. Furthermore. displacement centers that had to receive the disabled during the war were not identified. although there were around 150 centers in Lebanon that were rehabilitated by the United Nations Children's Fund (UNICEF). The Ministry of Education has been required to adopt the list of schools qualified by the UNICEF to receive PWDs. but this did not happen³³.

PWDs and their families at risk faced discrimination. None of them were received in reception centers during the first wave of displacement. i.e. with the start of the war on October 8. Consequently. some of them had to return home or lease houses. For those who were received in temporary reception centers. these places lacked the necessary facilities for PWDs. such as ramps. accessible toilets. or adequate sleeping places. Furthermore. no compensatory tools and devices were provided. such as wheelchairs. hearing aids. or mobility aids. Many disabled were neglected under difficult and inhuman conditions.

The State failed to implement the Convention on the Rights of Persons with Disabilities of 2006. whereas PWDs should be accounted for in all measures during disasters. Specialized associations expressed regret and dismay over the situation of failure and severe slowness of the Lebanese State at this level. in addition to not training the members in charge of managing the crisis on how to deal with the disabled.

With regard to the protection of children. more than 400.000 children suffered from forced displacement with their families ³⁴. forcing them to live under challenging conditions in the temporary reception centers that lacked the basic needs secured by official authorities. such as adequate food. clean water. and healthcare. Save the Children said that children were at risk of "skin diseases. cholera. and other waterborne diseases due to overcrowded. basic conditions in collective shelters and a lack of water and sanitation facilities.^{35"}

A group of activists involved in the protection of children indicated how they have seen a great number of children "remaining on roads. When they were relocated. they were transferred to unequipped and overcrowded reception centers without the minimum standards. encouraging an environment of violence and exploitation. Basic needs for children. such as food and beverage. were not secured.^{36"} Relevant authorities failed to provide safe spaces for children. paving the way for supporting violence cases. Also. some CSOs pointed out the risk in some cases to bring children [girls] under 18 into prostitution.

It was also noted that children were possibly employed during the crisis. Parents brought their young children to work with them in displacement areas due to their poor conditions. Furthermore. it was also pointed out that early marriage of some young girls likely happened. in order to mitigate the economic burden on the parents or in exchange of financial compensation ³⁷.

These statements depend on monitoring and tracking efforts by the relevant civil society actors. which will be published in future reports. Meanwhile. the number of children isolated from their parents increased in reception centers. due to the death or loss of their parents. creating a challenging social climate for such children. It is also noted how many children and parents lacked any identification documents. This issue had effects on some emergency procedures. while relevant authorities failed to solve it.

It is also critical to recall the destruction or suspension of a great number of schools and healthcare facilities during the Israeli aggression. which had an effect on the rights of children to education and the right of everyone to access healthcare. Children stopped their studies during displacement³⁸. Moreover. the use of many schools as shelters affected the ability of children to attend their classes and study online. A large group of parents couldn't have access to this option. due to their hard living conditions.

Activists point out the lack of the State's response and how needs had to be secured by CSOs and international organizations. such as UNICEF and the United Nations High Commissioner for Refugees (UNHCR)³⁹.

With regard to the protection of women. women were under dire humanitarian conditions and severe suffering due to forced displacement. as they lost their basic resources and faced many violations of their rights. According to UN Women. an estimated 520.000 women and girls were displaced as of early October. Also. estimates pointed out that 12.000 displaced families were headed by women⁴⁰. UN Women considered that these groups were the most groups at grave risks to their health. safety and dignity. as they faced multiple challenges due to their social role and family responsibilities⁴¹. According to workers involved in protection. a certain number of women reported some risks of physical violence and harassment during displacement and in reception centers. due to the lack of security and protection of privacy. An activist specialized in the protection of women that had been interviewed said that she received reports on "a visible and clear rise of violence against women.⁴² whether by persons who accompanied them during the war or by the people responsible for reception centres. This violence ranged from physical violence to sexual and verbal harassment and abuse of power ⁴³. These statements depend on monitoring and tracking efforts by the relevant bodies of the civil society. which would be published in future reports.

Women refugees also suffered from a severe lack of basic healthcare services. especially the services related to reproductive health. Specialized associations noticed the lack of adequate sanitary facilities in reception centers. which left pregnant and breastfeeding women at grave risks to their life and the health of their children. Meanwhile. these associations pointed out the lack of hygiene kits

and health services. which had effects on the health of women in general. especially during monthly periods and pregnancy. Furthermore. official institutions failed to protect some women from exploitation by some persons responsible for reception centers. and from pressure attempts.

Also. it has been reported about women exploitation cases by extorting them and requiring other services in exchange for delivering them aid. These statements included more accurate details given by the relevant parties⁴⁴.

The main responsibilities related to the response had to be assumed by the CSOs. especially women support related institutions. The State's role remained shy during the preliminary phase of displacement. The State was late to intervene. as it was not equipped to face these crises on the ground. Also. women-focused organizations and women gender-experts were not consulted. This led to the exclusion of women and their issues and needs. when the caretaker government developed the emergency plan. Women are usually excluded from these response measures⁴⁵. However. the State deployed efforts to intervene through the Minister of Public Health and the Ministry of Social Affairs. Yet. according to the representatives of associations. they were in charge of the main responses.

With regard to the protection of Syrian refugees during the war. especially against discrimination. the situation of Syrian refugees in Lebanon was significantly affected. According to the UNHCR. no fewer than 100.000 refugees had fled during the war⁴⁶. They were already really

³² Interview with an activist specialized in Rights of Persons with Disabilities. Beirut. 18 December 2024.
³³ Ibid.
³⁴ Save the Children. Lebanon: Over 400.000 forcibly displaced children at growing risk of scabies. cholera and waterborne diseases. 22 October 2024. available at [https://www.savethechildren.net/news/lebanon-over-400000-forcibly-displaced-children-growing-risk-scabies-cholera-and-waterborne#:~:text=BEIRUT%2C%2022%20October%202024%20%E2%80%93%20Over,facilities%2C%20said%20Save%20the%20Children](https://www.savethechildren.net/news/lebanon-over-400000-forcibly-displaced-children-growing-risk-scabies-cholera-and-waterborne#:~:text=BEIRUT%2C%2022%20October%202024%20%E2%80%93%20Over,facilities%2C%20said%20Save%20the%20Children.).
³⁵ Ibid.
³⁶ Interview with a group of activists in the protection of children. Beirut. 20 December 2024.
³⁷ Ibid.
³⁸ Interview with an officer from the Office of the United Nations High Commissioner for Human Rights. Beirut. 6 February. 2025.

³⁹ Ibid.
⁴⁰ UN Women. Women share stories of crisis and displacement in Lebanon. 3 October 2024. available at <https://www.unwomen.org/en/news-stories/feature-story/2024/10/women-share-stories-of-crisis-and-displacement-in-lebanon>
⁴¹ Cf. UN Women. Women and girls face grave risks to their health. safety and dignity amid the armed conflict in Lebanon. 25 October 2024. available at <https://lebanon.unwomen.org/en/stories/press-release/2024/10/women-and-girls-face-grave-risks-to-their-health-safety-and-dignity-amid-the-armed-conflict-in-lebanon-un-women>
⁴² Interview with an officer from the Office of the United Nations High Commissioner for Human Rights. Beirut. 6 February. 2025.
⁴³ Interview with an activist specialized in the protection of women. Beirut. 30 December 2024.
⁴⁴ Ibid.
⁴⁵ Ibid.
⁴⁶ Interview with an officer from the UNHCR. Beirut. 21 January 2024..

suffering from dire living conditions. and had to face new challenges related to the security and economic escalation in the country. Despite efforts by some humanitarian and international bodies to protect them. Syrian refugees faced different forms of discrimination and abuse during this period. As the security and economic situation deteriorated in Lebanon with the escalation of the aggression. relevant authorities focused aid efforts mainly on Lebanese citizens. marginalizing Syrian refugees and exposing them to many problems.

Consequently. many Syrian refugees were abused during the distribution of humanitarian aid that had not been frequently equal. They were deprived of access to food. water and basic services. due to their exclusion from emergency plans developed by Lebanese authorities. Their living conditions deteriorated and their freedom of mobility was restricted by forcing many families to evacuate specific areas⁴⁷. Refugees were not allowed to benefit from reception centers. as preference went to Lebanese and other foreign displaced⁴⁸. Despite international organization efforts. such as the UNHCR. resources failed to cover the refugee needs during the crisis. Also. the lack of coordination with local authorities led to gaps in providing services⁴⁹.

Furthermore. refugees were at risk of detention or harassment. since they lacked legal residency documents. As the war's impact increased. they lost the legal aid service that was often and usually granted by many civil organizations. which made them more vulnerable to exploitation or arbitrary detention. However. official authorities didn't exert effort up to date to regulate the legal status of Syrian refugees on the Lebanese territory. which increased the problems of Syrian households as well as the security agencies. A security officer said to the Commission: "We have a problem regarding the measures to be taken for refugees. We can neither let them stay nor deport them. if they don't hold legal residencies."⁵⁰

With regard to migrant workers. the war had a profound impact on all residents in Lebanon. including foreign migrant workers who represent a key part of the country's labor force. Migrant workers are more than 28.000. according to the IOM. Some were living in South Lebanon and the eastern Beqaa Valley⁵¹. Most of these workers were women employed in domestic service. in addition to workers from the agriculture and construction sectors.

They represented one of the most vulnerable groups during the war. Many cases of migrant domestic workers left to their fate by their employers were monitored⁵². This group was also exposed to unstable conditions and severe suffering due to the worsening security situation and ongoing explosions. This group was also at risk of detention as they didn't have their identification documents that remained stored with their employers⁵³.

Workers had to face highly vulnerable situations. Many of them were left under extremely harsh conditions without any governmental or institutional support to protect them. It was also noticed that no evacuation plans for foreign migrants were developed. leaving them at risk without a support or guidance by official authorities or embassies and without receiving any instructions and information on how to behave in light of severe shelling that affected many Lebanese areas⁵⁴. As with Syrian refugees. foreign migrants were excluded from emergency aid programs and discriminated against. Priority was given to Lebanese people. They were not provided with their basic needs. such as food. shelter. and healthcare. which is a clear failure of the State's responsibility for securing their minimum rights.

With regard to the protection of the freedom of expression during the war: Lebanese legislations ensure the freedom of expression which is a fundamental right guaranteed under the Lebanese Constitution and international conventions

endorsed by Lebanon. Although Lebanon has a considerable leeway for expression. the country has witnessed censorship by summoning a certain number of activists before the Cybercrime Bureau of the Internal Security Forces [ISF]. Consequently. associations and activists intervened to address these practices⁵⁵.

In this context. relevant authorities are expected to safeguard civil and political rights. including the freedom of expression and the prevention of any violation or arbitrary action by security and judicial agencies.

Challenges related to the return of the displaced

According to the IOM website. the number of displaced decreased after the official announcement of ceasefire to about 124.000 in December 2024 and to 115.000 in early January 2025 ⁵⁶. However. the national plan did not mention at all the return of the displaced after the end of war. More than 23% of displaced are still in reception centers. according to the governmental emergency committee. due to the ongoing Israeli occupation of borderline villages. as well as the non-payment of indemnities to complete the necessary restoration and infrastructure for return⁵⁷.

This is apart from people returning to their villages. who live under poor conditions without basic services or safety. In light of continuous Israeli occupation of a certain number of military spots. it became necessary for the Lebanese State to work with the guarantors of the implementation of the Resolution 1701. in order to pressure the Israeli enemy to fully withdraw from the Lebanese territory and stop all violations. and start working with donors by securing guarantees and undertaking anti-corruption reforms to start reconstruction immediately. The Lebanese State should secure the right to adequate housing for the displaced until they safely return to their villages. As agricultural lands and essential infrastructure were targeted in many areas. thousands of households lost their income sources. leading to an aggravation of poverty and unemployment rates. as well as of the economic conditions that were already worsening in Lebanon. Relevant authorities should address these problems without any delay by accelerating reconstruction. restoring rights and removing unexploded ordnance. in addition to reviving the economy in the most destroyed areas. and safeguarding the right to work in the areas affected by the aggression.

The Commission suggests to relevant authorities the following recommendations:

- Reconstruction efforts should be accelerated to secure adequate return. such as infrastructure and providing public services. education. and healthcare.
- The right to housing for every person who lost his/her house. as a result of the Israeli shelling. should be secured.
- Legally established indemnities should be paid without any delay or disruption.

⁴⁷ Syrian Dialogue Center. Syrian refugees in Lebanon; a multiple suffering and more difficult options. 7 November 2024. available at <https://sydialogue.org/%D8%A7%D9%84%D9%84%D8%A7%D8%AC%D8%A6%D9%88%D9%86-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A%D9%88%D9%86-%D9%81%D9%8A-%D9%84%D8%A8%D9%86%D8%A7%D9%86-%D9%85%D8%B9%D8%A7%D9%86%D8%A7%D8%A9-%D9%85%D8%AA%D8%B6>

⁴⁸ Interview with an officer from the Office of the United Nations High Commissioner for Human Rights. Beirut. 6 February. 2025.

⁴⁹ Interview with an activist involved in the protection of refugees on 14 January. 2025.

⁵⁰ Interview with a security officer. Beirut on 23 December 2024.

⁵¹ Madeline Edwards. Joao Sousa. Lebanon's migrant workers left stranded and homeless by Israeli attacks. The New Humanitarian. 26 September 2024. available at <https://www.thenewhumanitarian.org/news-feature/2024/09/26/lebanons-migrant-workers-left-stranded-homeless-israeli-attacks>

⁵² Sara Matar. Migrant domestic workers left to their fate during the Israeli aggression. AlArabi Al Jadeed. 27 October 2024. available at <https://vo.la/IDgBJWg>

⁵³ Interview with an officer in an association specialized in the protection of rights of women employed in domestic service. Beirut. 4 February 2025.

⁵⁴ Ibid.

⁵⁵ On 19 October 2024. a group of the State Security arrived to the house of the journalist Alia Mansour and took her. after taking over her mobile and laptop. to the Monitoring Bureau of the Director General of the State Security. and interrogated her for many hours on charges of spying in connection with a fake account on X platform. Tweets are attributed to Mansour. but she is innocent of such charges. She has been released on the same day. but her devices were not delivered to her. They remained with the security agency for more than one month. See: Alia Mansour. the dawn visitors...when fabrication becomes more important than the Constitution. Al Majalla. 20 October 2024. available at <https://vo.la/cPjwzDG> The journalists Firas Hatoum and Nancyal-Sabeh were summoned by the Criminal Investigation for interrogation in connection with investigative reports related to the case of pager explosions presented by Firas Hatoum on Tafaseel platform. See a "video on Tafaseel platform." Firas Hatoum asks about the data exposed to Tel Aviv and discusses the entry of journalists with Israel's army to the South. YouTube. 24 November 2024. available at <https://youtu.be/chZNp4WdE4c>

⁵⁶ IOM. Lebanon page. available at <https://dtm.iom.int/lebanon>

⁵⁷ Enass Sherry. The displacement crisis is not over: 23% of refugees in reception centres did not return. The Legal Agenda. 30 November 2024. available at <https://vo.la/eKWlBkkm>

Chapter III: Challenges of Realization of the Rule of Law and its mechanisms in order to comply with IHL



This chapter is an attempt by the National Human Rights Commission, which includes the Committee for the Prevention of Torture to develop a road map that aims at placing the Lebanese State before its responsibilities and commitment towards establishing the Rule of Law on all of the Lebanese territory and safeguarding the rights of its people.

Part 1: Ensuring political and civil participation

The failure to hold elections on schedule along with permanent delay is a violation of human rights and of the right of citizens to practice their civil and political rights. It also blocks the establishment of the Rule of Law, the organization of workflow of the legislative and executive authorities, and the initiation of desired reforms. It is a violation of many obligations under the International Covenant on Civil and Political Rights, especially and directly a violation of its Article 25. It is also a violation of the International Covenant on Economic, Social and Cultural Rights, along with the impact of the several breaches against economic, social, and even cultural rights of citizens committed at institutional levels.

Therefore, the Commission welcomes the election of the President of the Republic on January 9, 2025, the designation of the international judge Nawaf Salam as a Prime Minister and his formation of a new government on February 8, 2025. These developments come after a long period of political conflict which impacted the State’s capacity to practice its powers and address the huge number of troubles suffered by the Lebanese and residents in Lebanon.

The Commission hopes that the revival of the functioning of constitutional institutions will open a new page that would abide by the Rule of Law, and lead towards operationalizing constitutional authorities, and holding elections on schedule, in accordance with the Constitution, applicable laws, and international conventions, especially the International Covenant on Civil and Political Rights.

In addition to the presidential vacancy and having a caretaker government, the Parliament held a meeting on April 18, 2023 and decided on the second extension of municipal and mayor representatives, applicable until May 31, 2024⁵⁸. The Commission is concerned that the Parliament then approved on April 25, 2024 the third extension for municipal councils⁵⁹. In light of permanent extension and disregard of due process, the Commission denounces the self-proclaimed extension made by the legislative authority. This extension remained until 2009. The mandate of the Parliament was then extended for three times in a row before recent elections that were held on May 20, 2018⁶⁰.

It is important to point out the failure to comply with and respect constitutional and legal rules, which was reflected in the return in the formation of successive governments that were usually late to be established for many years, due to political disputes among the country’s ruling parties. The Commission will not list all violations in this field.

⁵⁸ France 24, The Parliament postpones the date of municipal elections for the second time amid a continuous political crisis, 18 April 2023, available at <https://vo.la/EO0soCA>
⁵⁹ Fadi Ibrahim, Full results of the session of 25/4/2024: The “war” is blocking municipal elections for the third time, The Legal Agenda, 25 April 2024, available at <https://vo.la/FMvpNud>
⁶⁰ Salwa al-Achkar, from 2009 to 2017, what are the reasons that led to the first, second, and third extensions, Annahar newspaper, 16 June 2017

The habit of extension affected security agencies and the judiciary, presenting a risk on the mechanism of power transfer within these agencies and on the independence of the judiciary.

Furthermore, the Lebanese State suffers from an unprecedented economic crisis and impacts of a destructive war by Israel’s army, whereas losses exceed ten billion US dollars. In light of formation of the new government, it is important for this government to have a capacity to develop a clear program based reform, as a top priority, considering the respect for State sovereignty in the issues of peace and war, the protection of human rights, the preservation of elections schedules, including the organization of municipal council elections, and later the election of the Parliament on its constitutional date.

Part 2: Operationalizing Constitutional Authorities

The Legislative Authority

States cannot function properly without the constant update of laws and legislations that keep pace with development. The Parliament’s legislative mechanism is far from that, especially in terms of slow approval and amendment of laws and the political conflict that usually blocks passing some necessary laws.

The respect for human rights starts by enacting new and modern laws that follow international standards and Lebanon’s obligations under both contractual and non-contractual engagements. Lebanon certainly needs a full and quick legislative workshop. In this sense, the Commission recommends that the legislative authority should pass the following laws:

- A modern Media Law should be passed. This law should cancel the Publications Law and its annexed decrees. The first version of the new draft media law was presented in 2010. This draft is still under discussion in the Parliament up to date. The Commission recommends:
 - a] The new law should uphold the freedom of expression and delete prison sentences related to the freedom of expression, especially the articles of vilification and defamation, and Article 157 of the Military Justice Code that allows the sentencing of opinion makers before the Military Justice.
 - b] These articles should be replaced with civil law articles that would prosecute the accused before civil courts and would end with an indemnity penalty.
 - c] All expression-related crimes that are practiced on social media and websites should be subject to the same due process.
 - d] The new National Media Council to be established under the new law should not be granted any powers that may restrict the freedom of expression.
 - e] The mechanism of granting permits for media institutions should be characterized by transparency and equality, and be based on the different categories of media institutions.

- Law No. 652017/ on Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 202017/10/ should be amended. The adoption of the law on punishment of torture was certainly a quantum leap in fighting and ending torture. However, the law includes problems that violate the International Convention against Torture and limit the effectiveness of this law. Therefore, this law should be amended to be compliant with general principles and conventions that the Lebanese State adopted. The amendments would be as follows:

- a) Torture should not be limited to a specific time frame by adding both expressions: “during investigation, preliminary investigation, judicial investigations, and trials.” and “during the implementation of the penalty.” This limitation led to the exclusion of torture acts beyond this specific time frame, despite that the risk of torture is existent whenever the person is detained or arrested, and despite the legal reasoning and the interpretation of the convention that doesn’t distinguish between a torture act and another and doesn’t limit it to a specific time frame. Consequently, this point defined in the article of this law should be amended⁶¹.
- b) The law didn’t criminalize the attempt of torture, which clearly and directly violates Article 4 of the convention. Therefore, the attempt should be criminalized.
- c) Adding a statute of limitations in Article 3 of Law No. 652014/ is a legal gap and clear violation of the very concept of torture. Therefore, the statute of limitations should be deleted.
- d) The jurisdiction of common courts should be defined clearly to review torture crimes, in order to prevent any misinterpretation that leads to referring the case to the Military Court.
- e) A clear mechanism for the rehabilitation and redress of victims of torture crimes should be developed⁶².

- The Military Justice Act must be amended. The Parliament is considering a draft amendment to some provisions of the Military Justice Law No. 24 of 131968/8/ through a sub-committee emanating from the Administration and Justice Committee headed by the Member of Parliament Georges Okais⁶³. The trial of civilians before the Military Court was a source of concern for the Commission, especially during the successive demonstrations in Lebanon, in addition to the trial of civilians due to crimes that fall under the freedom of opinion and expression⁶⁴. Therefore, the Commission recommends that Parliament should, at the time of approving the act, respect the following principles:

- a) Civilians should not be prosecuted before the Military Court.
- b) The jurisdiction of the Military Court should be limited to military crimes.
- c) The lack of jurisdiction of the Military Court to look into torture and forced disappearance cases.

⁶¹ According to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions. 2- This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.

⁶² Friedrich Ebert. A study on the Law on the Criminalization of Torture, an undated document, available at <https://library.fes.de/pdf-files/bueros/beirut/19517.pdf>

⁶³ The Legal Agenda. The workshop of the Military Court in wartime, 27 March 2024, available at <https://vo.la/OQxzHWK>

⁶⁴ 2023 Annual Report of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, paragraph 3.3, available at <https://nhrc.lb.org/archives/1914>

- The law for an independent judiciary must be approved as soon as possible, provided that the law respects the following principles:

- a) Enhance the independence and internal and external transparency of judicial institutions.
- b) Enhance the guarantees for the independence of the judge.
- c) Ensure the rights of litigants to the well-functioning of the public facility, filing complaints, and punishing judicial violations.
- d) Align the hierarchical structure of the Public Prosecution and the independence of its judges⁶⁵.

The judiciary

“Justice is the basis of the Rule.” Any country cannot exist without an independent and determined judiciary that is able to achieve justice. The judiciary is responsible for a great burden in this sensitive stage of the country’s history through restoring confidence in the judiciary, establishing the governance of the Rule of Law, bringing justice, and fighting corruption. Therefore, the Commission recommends that the judiciary should:

- Secure the right of defense, accelerate trials, and activate accountability.
- Distance itself from the country’s political tensions, activate the action mechanisms of the Judicial Inspection Authority, accelerate trials, and start making decisions on all suspended cases.
- Start the prosecution of all perpetrators of corruption and the investigation regarding the crime of withholding people’s deposits in Lebanon without taking into account the political, confessional and religious affiliation of perpetrators.
- Prosecute the perpetrators of torture crimes from among public officials before the ordinary courts, without referring such cases to the Military Court.
- Achieve investigations in the case of Beirut port blast and prosecute perpetrators.
- Investigate all crimes of political killing and assassination that remain without ruling and arrest their perpetrators.
- Protect public freedoms, not referring journalists before security institutions for investigation, and not arresting people because they expressed their opinions.
- Ensure the transparency and swiftness of criminal and civil procedures, which reduce overcrowding in prisons and detention centers, and rebuild trust in the economy, and encourage investors.
- Activate whistleblower protection mechanisms, especially the Public Prosecution Office at the Court of Cassation, in order to protect whistleblowers according to the Whistleblower Protection Law of 2018, and coordinate with relevant authorities to approve the operational and practical measures for this protection, such as the National Anti-Corruption Commission [NACC] and security agencies.

⁶⁵ See Farouk al-Maghrebi. The Lebanese judiciary on the rocks, Lokman Slim Foundation, 17 July 2024, available at https://www.lokman Slim Foundation.org/AR/documents_detail/40/

The executive authority

The executive authority is responsible for many difficult functions. Any reform cannot be implemented without a willing government that would execute the required reforms by the people and that sets the respect for human rights as a top priority. Therefore, the Commission recommends that the new government should:

- Work on developing the National Action Plan for Human Rights, developed by the Human Rights Committee of the Parliament⁶⁶, which addresses comprehensive issues over five years (2014-2019-), in cooperation with the United Nations Development Programme (UNDP) and the OHCHR. This plan is divided into a legislative part and an executive/institutional part. A viable plan should be developed in light of the failure to implement most items of the previous plan, after consultations with stakeholders, including the NHRC-CPT.
- The Commission requires the Lebanese government to develop a comprehensive work plan to implement the part related to it within the National Action Plan for Human Rights.
- Develop a comprehensive plan to implement international recommendations. In this regard, support the national committee to develop reports and follow-up recommendations. The government should develop a comprehensive plan to implement the international recommendations in accordance with relevant treaties. The Lebanese State adhered to seven treaties: the International Covenant on Civil and political Rights, the International Covenant on Economic, Social, and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention on the Elimination of All forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, in addition to the recommendations issued under the Universal Periodic Review⁶⁷. Consequently, the national committee should be supported. The recommendations issued under Decree No. 3268 of 192018/6/ should be followed up by this authority that was charged with this mission. Supporting the said authority can take place by approving its internal bylaws, securing a full-time secretariat and funding to organize activities, training members and employees, and paying travel fees for delegations to represent the State during the discussion of reports.

- Independent authorities should be empowered to implement their role:
 - a) Support the NHRC-CPT to be able to perform its role.
 - b) Support the National Commission for the Missing and Forcibly Disappeared to be able to perform its role.
 - c) Support the National Anti-Corruption Commission to be able to perform its role.

Part 3: Protection of refugees and managing their affairs

Due to accumulated violations by the Lebanese State against Syrian refugees, especially since the amendment of the frameworks of the response in 2015, the respect for the principle of non-refoulement, sustainable solutions, and the principle of safe and voluntary return should be secured under a legislative framework to manage the issues of refugees in Lebanon.

Indeed, Lebanon didn't ratify the International Convention related to the Status of Refugees of 1951 and the protocol to the convention of 1967, since it wasn't ready to be an asylum country due to social, economic and demographic considerations. Furthermore, the situation worsened following the Syrian refugee crisis, as the Lebanese State considered itself as a "transit country" and not as an asylum country⁶⁸.

All these issues didn't push legislative authorities to draft a law that manages refugee-related matters in Lebanon, except the memorandum of understanding signed between the Directorate General of General Security and the UNHCR Regional Office on how to deal with asylum seekers at the UNHCR office in Beirut, without taking into consideration the worsening of the refugee crisis in Lebanon after the Syrian war and the escape of around 1.500.000 refugee to Lebanon.

The law on regulating the entry, residency, and exit from Lebanon issued on 10 July 1962 was a cutting-edge law at that time, especially Chapter VIII related to asylum (articles 26 to 31). However, this law is no longer adequate to face legal challenges.

Therefore, the Commission recommends as necessary the adherence and ratification of the Convention related to the Convention related to the Status of Refugees of 1951 and the protocol to the convention of 1967. The Commission recommends the importance of issuing a law that is inconsistent with the abovementioned international convention and protocol and the Universal Declaration of Human Rights (UDHR), which was adopted by paragraph b of the introduction of the Lebanese Constitution. The most important principles that should be respected within the law are the refugee and family's right to decent and dignified life, securing the principle of non-refoulement or extradition to any other authorities that would torture this refugee or put the refugee's life at risk.

Part 4: Security institutions and human rights protection

Security institutions and law enforcement agencies have a significant and pivotal role in respecting human rights and respecting the rights of all residents on the Lebanese territory. Such roles are enshrined in applicable laws. Therefore, the Commission recommends the following:

- With regard to improving the situation of law enforcement institutions: these institutions in charge with the protection of citizens, enforcing security, and guarding prisons and detention centers face themselves feelings of lack of safety for many reasons:
 - a) The erosion of the value of salaries to no more than 200 US dollars.
 - b) Waiting for aid and subsidies to operate the public facility, such as electricity, stationary, detergents, and securing food and medicine to detainees.
 - c) The lack of healthcare for members and officers.
 - d) The lack of school allowance.
 - e) Members having to undertake a second job to secure a living.
 - f) Desertion.

All these factors reflected negatively on the performance of members and officers, as without improving their living conditions, they will not be able to enhance performance and undertake their role⁶⁹.

⁶⁶ A version of the plan is available for review at <https://nhrc.lb.org/archives/2362>

⁶⁷ Review the following link: <https://www.ohchr.org/en/countries/lebanon>

⁶⁸ Review the memorandum of understanding signed between the Directorate General of General Security and the UNHCR Regional Office on how to deal with asylum seekers at the UNHCR office in Lebanon, available at <http://77.42.251.205/ViewAgreementPage.aspx?ID=3748>

⁶⁹ Review the report of the National Human Rights Commission: "Monitoring human rights violations in detention centres: deprivation of everything," available at <https://nhrc.lb.org/archives/1744>

- Activate internal accounting mechanisms: The security sector should activate a transparent complaint mechanism that allows the victim to file any complaint in the case of any violation of his/her rights. Therefore, the Commission recommends that law enforcement agencies should take the following steps:
 - a) Secure a clear and transparent mechanism that enables the victim to file a complaint easily.
 - b) Deal with the complaint seriously.
 - c) Address the complaint in a neutral manner.
 - d) Ensure the victim's rights.
 - e) Implement relevant laws and hold perpetrators accountable.
 - f) Inform the victim about the result of the complaint and measure that has been taken.
- Develop restraints and take measures to prevent torture cases: Security institutions should develop strict restraints for their members and officers to prevent any torture, especially in light of this phenomenon at several security agencies, whereas death cases occurred in detention centers due to torture during preliminary investigations. The torture crime should be prevented through behavioral accountability and developing a series of measures to end torture and train on modern investigation methods, where the scientific factor is the basis and "confession is not the main evidence."

With respect to the implementation of Article 47 of the criminal procedure code: The implementation of Article 47 of the criminal procedure, amended under Law No. 1912020/, is a key pillar for the respect of the right of defense and the transparency of investigations. However, after visiting 190 centers of deprivation of liberty, the Commission noticed the inadequate and incomplete understanding of Article (47) by some members of the Judicial Police and the focus on one part over another, and that the enforcement of this article was restricted to writing it down in the investigation report without reading it clearly and in details. As noted, suspected detainees were not aware of their rights established by the article and of the importance of requesting to benefit from it⁷⁰.

The implementation of the first part of Article 47 is the presence of the lawyer during preliminary investigations with all its relevant guarantees, in addition to the second part that consists in the use of audio and video recordings throughout the investigation limiting torture to a large extent, in addition to ending the crime of forced disappearance. The Commission recommends that security institutions should train members and officers on implementing Article 47 and take punitive measures against its violation. It also recommends that the Lebanese government should secure adequate funding to equip investigation centers with necessary rooms and equipment for recording investigations.

Part 5: Crisis of prisons and detention centers

The deep crisis of prisons and detention centers emerged again during the Israeli aggression on Lebanon, especially after transferring prisoners and detainees from prisons and detention centers in attacked areas to more safe areas. The Commission tried to contribute to solving this crisis by submitting applications for release to reduce overcrowding. However, the solution is one of a comprehensive and integral plan under the contribution of all authorities and institutions.

⁷⁰ Review the report of the National Human Rights Commission: "Monitoring human rights violations in detention centres: deprivation of everything," Chapter VII, paragraph b, available at <https://nhrc.lb.org/archives/1744>

The overcrowding in prisons has become known for everyone. The rate of overcrowding increased from 270% to 330% during the war, due to the closing of six prisons, including Baalbek, Tyre, Nabatieh, Marjaayoun, Bint Jbeil, and Tebnine⁷¹. This number confirms that the rights of detainees and prisoners are violated on daily basis due to overcrowding, and highlights the violation of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), as the number of prisoners and detainees is 6,100 persons, out of which 30% are Syrians and 10% are from different foreign nationalities.

The percentage of individuals held in pre-trial detention varies significantly between the Ministry of Justice and the General Directorate of Internal Security Forces (ISF). The Ministry of Justice considers a person to be in pre-trial detention until a final sentence is issued for all charges, resulting in an estimated pre-trial detention rate of 82%. In contrast, the ISF considers that a person ceases to be a pre-trial detainee once any verdict is issued, even if other charges are still pending. Based on this approach, the ISF reports a lower rate of 65%. It is important to note that these figures significantly exceed international standards, which recommend that pre-trial detention should not exceed 33% of the total prison population⁷².

This overcrowding leads to violating the minimum rights of detainees and prisoners, as they were mixed together and not classified according to the appropriate method, such as the separation between the prisoner and the detainee, the failure to respect the minimum space that should be dedicated for each prisoner, the lack of right to daily walk or the limitation of such walk, the inadequate healthcare and unhealthy environment, the lack of educational, social and rehabilitation activities, and the difficulty of making visits.

Lockups certainly have the same problem of overcrowding. They fail to meet standards and are poorly equipped. Alternatively, they are buildings that had been transformed into lockups and centers of deprivation of liberty⁷³. Solving this problem requires drastic and immediate measures by official authorities and institutions in the first place. Therefore, the Commission recommends that the executive authority should undertake the following measures:

- Update a comprehensive plan for prisons and detention centers: This plan should be compliant with the international standards on detention enshrined in the international human rights law. We point out herein to its most important instruments⁷⁴:
 - a) Universal Declaration of Human Rights
 - b) International Covenant on Civil and political Rights
 - c) Article 9 of the general comment of the Human Rights Committee (Liberty and security of persons)
 - d) Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)
 - e) United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok rules)
 - f) United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
 - g) United Nations Rules for the Protection of Juveniles Deprived of their Liberty

⁷¹ Maria Rahal, An overcrowding and tragic conditions in prisons, while 42% are not Lebanese, Lebanon Debate, 8 February 2024, available at <https://vo.la/TuSGtti>
⁷² Interview with an officer of the Internal Security Forces, Beirut, 15 January 2025.
⁷³ Review Raja Salim Abi Nader, Overcrowding and pre-trial detention in prisons and lockups, Report of the Supervising Judge of the Directorate of Prisons at the Ministry of Justice, not published.
⁷⁴ Office of the United Nations Higher Commissioner for Human Rights, International Standard on Detention, available at <https://www.ohchr.org/ar/detention/international-standards-detention>

- Secure all the necessary to implement Law No. 1382019/ (Law on Alternative Penalties by Social Work) and Article 111 of the Code of Criminal Procedure (Taking alternative measures to detention).
- Transfer the Directorate of Prisons to the Ministry of Justice and implement Decree No. 173151964/ by transferring the Administration of Prisons from the Ministry of Interior to the Ministry of Justice so that the jurisdiction falls within the same authority that issues arrest warrants and supervises prisons. provided that this directorate would be prior to that transfer equipped to be specialized in managing prisons⁷⁵.
- Courts should be automated and connected to detention centers and prisons.

Furthermore, the Commission recommends that the legislative authority:

- Amends Law No. 1382019/ on Alternative Penalties by Social Work of 92019/7/.
- Undertakes amendments to the Lebanese Criminal Code, especially some defined articles that would contribute to reducing overcrowding. These amendments are as follows:
 - a) Articles 54 and 62 of the Criminal Code that stipulate that the fine may be replaced with the penalty of imprisonment should be deleted. The Article 112⁷⁶ of the same code should be amended so that the “prison for fine” would not be mentioned and be replaced with a legal article that states: “any person cannot be imprisoned because of a financial fine, and this should be replaced by giving the State the right to take civil action against that person.”
 - b) Undertake amendments in the Code of Criminal Procedure.
- Also, legal amendments should be made to reduce pre-trial detention as follows:
 - a) Articles related to the pre-trial detention (defined in Articles 32 and 47 amended under Law No. 1912020/) and Article 42 should be amended. These articles place a timeframe for pre-trial detention by Public Prosecutions and the Judicial Police, which is determined by 48

⁷⁵ Review Raja Salim Abi Nader, Overcrowding and pre-trial detention in prisons and lockups, Report of the Supervising Judge of the Directorate of Prisons at the Ministry of Justice, not published.

⁷⁶ Article 54 – amended according to the law of 5/2/1948 and the Law 239 of 27/5/1993. A fine shall be replaced with ordinary imprisonment, without a prior notice, if it is not paid within 30 days of the date on which the judgment becomes final, in accordance with the rules in force. The period of substitute imprisonment shall be specified in the sentence, or otherwise in a special decision, it being understood that one day of such a penalty shall be equivalent to a fine ranging from 2.000 to 10.000 Lebanese pounds. The substitute imprisonment may not exceed one year or the maximum primary custodial penalty carried by the offence. If the convicted person is known to have a garnishable income, recourse may be had to mandatory enforcement prior to imprisonment. Any partial payment made before or during imprisonment and any sum paid in full shall be deducted from the amount of this penalty in accordance with the proportion fixed by the judgement, as set forth in the second paragraph of this article.

Article 62 – Amended according to the law of 5/2/1948 and Law No. 239 of 27/5/1993:
A fine shall be replaced with ordinary imprisonment, without prior notice, if it is not paid within a period of 30 days from the date on which the judgement becomes final: The period of substitute imprisonment shall be specified in the sentence, or otherwise in a special decision, it being understood that one day of such a penalty shall be equivalent to a fine ranging from 1.000 to 4.000 Lebanese pounds. The substitute imprisonment may not exceed 10 days, or the maximum primary custodial penalty carried by the offence. Any partial payment made before or during custody shall be deducted from the amount of this penalty in accordance with the proportion fixed by the judgement, as set forth in the second paragraph of this Article.

Article 112, notwithstanding any other provision, except for the penalty of imprisonment for fine, one day of a penalty or precautionary measure is 24 hours and one month is 30 days. Unless the sentence is less than one year of imprisonment, one month shall be in this case 20 days. If the sentence is an imprisonment for more than one year, this year shall be calculated nine months from date to date, in accordance with the Western calendar. Sentenced persons under indeterminate sentences shall not benefit from the provisions of this text, as well as, as of the effectiveness of the law, the recidivists and repeat offenders defined in accordance with the provisions of Article 258 et seq. of the Penal Code, provided that the judgement or decision being implemented on this description is defined.

- hours to be renewed for a similar period, once.
- Pre-trial detention undertaken by Public Prosecution for offences should be conditioned, and calling the detainee before the investigative judge or the criminal court’s sole judge within a timeframe of 72 hours pursuant to the law should be decreased. If the detainee was not brought before the sole judge or the investigative judge during the timeframe, he should be released on parole by the Judicial Police.
- b) Paragraph 3 of Article 107⁷⁷ of the same code that addresses decisions to detain issued by the investigative judge should be amended, so that it sets narrow and specific conditions when deciding to arrest the accused. The current text sets as a condition that the crime he is accused of be sentenced for more than one year of imprisonment which could be replaced, for instance, with a condition of repetition of offences].
- c) Article 108⁷⁸ of the same code gives the judge and court the right to arrest a person for an offence for two months to be extended for an additional two months. The right given by this article should be repealed. Alternatively, this article should be amended by making the period of arrest for offences very limited, in line with the abovementioned. Also, drug crimes (i.e. drug trafficking and merchandizing) and overall high global risk crimes that grant the right to arrest for an indefinite period of time should be defined, to avoid discretionary arrest.
- d) Amend Article 113⁷⁹ to include the righteous release for all offences after five days of detention, instead of limiting it to crimes which sentence is no longer than two years⁸⁰.

Furthermore, the Commission recommends that the judiciary should:

- Reconsider the decisions of pre-trial detention and adopt such decisions only when absolutely necessary, whereas pre-trial detention should be an exception, which would reduce overcrowding in prisons and detention centers.
- Accelerate trials and be strict concerning the necessary calling of detainees before courts, noting that 65% to 82% of inmates in prisons and detention centers are still waiting for their first trial before court. Therefore, these solutions would reduce overcrowding in detention centers and prisons.
- Reopening of Roumieh Court: the judiciary and Bar of Association should cooperate to reopen the court of Roumieh, which contributed during Covid-19 to complete a great number

⁷⁷ After that the investigative judge interrogates the defendant and consults the Public Prosecution, he/she can issue a decision on arresting the accused, provided that the crime he/she is charged with is sentenced to imprisonment for over one year or that he/she had been already sentenced to a criminal sentence or a non-suspended sentence of over three months’ imprisonment.

⁷⁸ Article 108 – Except in the case of those already sentenced to a sentence of at least one year, the period of detention for crime should not exceed two months. It can be extended to a similar period maximum when absolutely necessary. Except the offences of killing, drugs and attack on the State’s security, the offences of overall risk, the crimes of terrorism, and the situation of the arrested who is already sentenced to a criminal sentence, the period of detention for the offence should not exceed six months. This period can be renewed once under a justified decision. The investigative judge may decide to prevent the defendant from traveling for a period no longer than two months for the offence, and one year for the offence as of the date of being released or abandoned.

⁷⁹ Article 113 – If the crime is an offence, the imprisonment sentence is no longer than two years, and the defendant is Lebanese and has an address in Lebanon, he/she should be duly released five days following the day of his/her arrest, provided that he/she is not already sentenced to a sentence of infamous crime or an imprisonment sentence for at least one year. The released defendant should pledge to attend all investigative formalities, trial procedures, and enforcement of the sentence.

⁸⁰ Necessary reforms to stop torture, DCAF 2023, developed by Farouk al-Maghribi. They were distributed and discussed, but were not published for technical reasons. This research used many paragraphs of this report.

of cases. i.e. about 570 sentences and 1271 different decisions within 10 months. especially in light of the crisis of the transportation of detainees that was suffered by the Internal Security Forces due to the lack of fuel and vehicles. as confirmed by an officer during an interview⁸¹. The Directorate General of the Internal Security Forces pledged to provide all facilities to access this court. especially for lawyers. The Chairman of the National Human Rights Commission had tried to act with relevant authorities to reactivate this court.



CONCLUSION

The new phase of the Israeli aggression and unprecedented military escalation in Lebanon led to a severe humanitarian crisis. accompanied by significant violations of human rights and the international humanitarian law. In this context. the NHRC-CPT insisted on issuing this report on the challenges of the Rule of Law and the respect for human rights in Lebanon. with a focus on the most vulnerable groups. such as children. women. PWDs. refugees. and migrants.

The report included a preliminary assessment of the status of human rights during this critical period by documenting violations perpetrated by Israel's army. and presenting the humanitarian. social. and economic consequences of these attacks. The report also detailed the Lebanese State's response to the challenges of affected groups and the implementation of the national emergency plan to manage aid efforts and reconstruction. In this regard. the new Administration in Lebanon has significant challenges. as a President of the Republic has been elected and trust has been granted to a new government that can now be held liable before the parliament and Lebanese people. the latter awaiting necessary reforms to exit the accumulated crises affecting the society.

Therefore. the NHRC-CPT presented a road map to establish and preserve the Rule of Law in Lebanon through a significant set of recommendations. in order to enhance the protection of basic rights. consolidate the principles of justice and equality. and ensure the State's commitment to its obligations under emergency circumstances. including the prosecution of Israel's war criminals with all available means in international law.

⁸¹ Interview with an office of the Internal Security Forces. Beirut. 15 January 2025.

