



CEDAR CENTRE FOR LEGAL STUDIES (CCLS)

Submission to OHCHR

Call for Inputs: Counter-Terrorism Law, Organized Crime and Human Rights

June 2026

I. Introduction

The Cedar Centre for Legal Studies (CCLS) is a Lebanese human rights organization providing legal assistance, strategic litigation, and documentation on torture, arbitrary detention, enforced disappearance, refugee protection, and human rights defenders.

This submission addresses the human rights implications of counter-terrorism and organized crime frameworks, based on documented CCLS casework in Lebanon involving security-led detention, migration-related allegations, military jurisdiction, and allegations of torture.

II. Applicable Legal Framework

1. International Legal Framework

Lebanon is bound by:

- **International Covenant on Civil and Political Rights (ICCPR)**
 - Article 6: Right to life
 - Article 7: Prohibition of torture and cruel, inhuman or degrading treatment
 - Article 9: Right to liberty and security of person
 - Article 10: Humane treatment of detainees
 - Article 14: Fair trial guarantees
- **Convention Against Torture (CAT)**
 - Absolute prohibition of torture (Article 2)
 - Obligation to investigate (Articles 12–13)
 - Exclusion of coerced evidence (Article 15)
- **Lebanese Law 105/2018 on Missing and Enforced Disappeared**
- Customary international law prohibiting arbitrary detention and enforced disappearance.

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2. Lebanese Legal Framework

Relevant domestic guarantees include:

- **Lebanese Code of Criminal Procedure, Article 47**
 - Guarantees access to a lawyer from the initial stages of detention and interrogation.
- **Law No. 65/2017 (Anti-Torture Law)**
 - Criminalizes torture in all forms
 - Requires investigation and prosecution
 - Excludes confessions obtained under coercion
- **Law No. 105/2018 (Enforced Disappearance Law)**
 - Criminalizes enforced disappearance
 - Establishes obligations to disclose fate and whereabouts of detainees

Despite these frameworks, CCLS casework demonstrates persistent implementation gaps.

III. Structural Patterns Identified in CCLS Casework

CCLS has documented recurring violations in security-related and organized crime-related cases:

- Conflation of migration-related conduct with security threats
 - Reliance on coerced confessions
 - Weak judicial oversight during early detention
 - Use of exceptional jurisdictions (including military courts) for civilians
 - Lack of accountability for torture and enforced disappearance
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IV. Illustrative Case Studies and Legal Violations

Case 1: Enforced disappearance and torture of a Syrian refugee



CCLS documented the arrest of a Syrian refugee at the border during a return process, followed by detention across multiple facilities without disclosure of location, legal counsel, or judicial oversight.

The individual reported physical and psychological abuse during interrogation.

✦ Case: <https://ccls-lebanon.org/2025/10/06/case-study-enforced-disappearance-and-torture-of-syrian-refugee-ali-abd-al-nabi/>

Legal violations

Lebanese law:

- Law 105/2018: enforced disappearance (failure to disclose detention location)
- Law 65/2017: prohibition of torture and ill-treatment
- Article 47 CPC: denial of access to counsel

International law:

- ICCPR Article 7 (torture and ill-treatment)
- ICCPR Article 9 (arbitrary detention)
- CAT Articles 2, 12, 13 (failure to prevent and investigate torture)

Case 2: Torture risk and coerced confessions in security-led investigations

CCLS documented prolonged detention in a security context where the detainee was held without access to counsel for extended periods, allegedly subjected to coercion, and later presented before judicial authorities with signs consistent with ill-treatment.

✦ Case: <https://ccls-lebanon.org/2026/01/08/despite-lebanons-international-commitments-continuation-of-torture-and-enforced-disappearance-against-lebanese-citizen-unvt-0020/>

Legal violations

Lebanese law:



- Article 47 CPC: violation of early access to lawyer
- Law 65/2017: risk of torture and invalidity of coerced confessions
- Law 105/2018 principles where applicable (incommunicado detention concerns)

International law:

- ICCPR Article 14 (fair trial, equality of arms)
 - CAT Article 15 (exclusion of coerced confessions)
 - ICCPR Article 7
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Case 3: Abuse of military jurisdiction in civilian security-related cases

CCLS documented a case where a civilian was processed in a security-linked case involving allegations treated within an exceptional judicial framework.

Concerns included limited defence access, reliance on security reports, and structural issues regarding independence.

✦ Case: <https://ccls-lebanon.org/arbitrary-arrest-and-torture-of-rabih-fadel-zakaria/>

Legal violations

Lebanese law:

- Constitutional principle of judicial independence
- CPC fair trial guarantees
- Law 65/2017 concerns regarding torture allegations without proper investigation

International law:

- ICCPR Article 14 (independent tribunal, equality of arms)
 - ICCPR Article 9 (arbitrary detention safeguards)
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Case 4: Pressure on lawyers and human rights defenders

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CCLS documented professional and institutional pressure on a lawyer engaged in human rights representation in sensitive detention and security-related cases.

✦ Case: <https://ccls-lebanon.org/harassment-against-attorney-mohammad-sablouh/>

Legal violations

International law:

- UN Basic Principles on the Role of Lawyers (1990): independence of legal profession
- ICCPR Article 14 (right to defence)
- ICCPR Article 19 (freedom of expression in legal advocacy context)

V. Key Legal Concerns

CCLS casework demonstrates systemic violations including:

- Arbitrary detention contrary to ICCPR Article 9
- Torture and ill-treatment contrary to ICCPR Article 7 and CAT
- Failure to investigate torture (CAT Articles 12–13)
- Use of coerced confessions contrary to CAT Article 15
- Weak implementation of Article 47 CPC safeguards
- Expansion of exceptional jurisdictions undermining ICCPR Article 14
- Enforced disappearance in violation of Law 105/2018

VI. Recommendations for Reform

CCLS respectfully recommends that OHCHR and the Special Rapporteur call on States to:

1. Clearly distinguish terrorism, organized crime, and migration-related offences in law and practice
2. Ensure immediate access to legal counsel from the moment of deprivation of liberty
3. Prohibit reliance on evidence obtained under torture or coercion in all proceedings



4. Ensure prompt, independent, and effective investigation of all torture allegations
 5. Restrict use of military or exceptional courts for civilian cases
 6. Strengthen safeguards against incommunicado detention
 7. Ensure protection of lawyers and human rights defenders from reprisals
 8. Guarantee effective judicial oversight of all security-related detention
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VII. Conclusion

CCLS casework demonstrates that when counter-terrorism and organized crime frameworks are applied without strict legal safeguards, they result in violations of both Lebanese and international law, including arbitrary detention, torture risks, procedural violations, and weakened judicial guarantees.

A human rights-compliant approach requires strict legal categorization, effective judicial oversight, and full enforcement of existing domestic and international obligations.