



SUBMISSION BY THE CEDAR CENTRE FOR LEGAL STUDIES (CCLS)

To: United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Subject: Lebanon's Counter-Terrorism Legal Framework, the 1958 Terrorism Law, Military Jurisdiction over Civilians, and Safeguards against Torture and Arbitrary Detention

Date: 25 September 2026

I. Introduction

The Cedar Centre for Legal Studies (CCLS) respectfully submits this legal analysis concerning aspects of Lebanon's counter-terrorism legal framework and, in particular, the use of military courts in terrorism-related proceedings involving civilians.

CCLS recognizes the legitimate responsibility of the Lebanese State to prevent and prosecute terrorism and to protect individuals and communities from terrorist violence. At the same time, counter-terrorism measures must comply with Lebanon's obligations under international human rights law, including the rights to liberty and security of person, freedom from torture and other ill-treatment, legality and legal certainty, access to counsel, and the right to a fair and public hearing before a competent, independent and impartial tribunal.

CCLS is particularly concerned by the interaction between:

1. the Law enacted on 11 January 1958¹ amending certain provisions of the Criminal Code (the "1958 Law");
2. Articles 314–316 bis² of the Lebanese Penal Code;

¹ UNODC SHERLOC Database, Law no. 11/1958, https://sherloc.unodc.org/cld/uploads/res/document/law-enacted-on-11-january-1958-amendment-of-certain-articles-of-the-criminal-code.html/law_11_jan_1958_en.pdf (Accessed on 23 September 2026).

² UNODC SHERLOC Database, Articles 314–316 bis² of the Lebanese Penal Code, https://sherloc.unodc.org/cld/fr/legislation/lbn/lebanese_criminal_code_english/book_ii_-_chapter_i/article_314-316bis/article_314-316bis.html (Accessed on 23 September 2026).



3. the Code of Military Justice, Law No. 24/1968³, as amended;
4. the Code of Criminal Procedure, including Articles 32, 47 and 108⁴;
5. Law No. 65/2017⁵ on the punishment of torture and other cruel, inhuman or degrading treatment or punishment;
6. Lebanon's obligations under the International Covenant on Civil and Political Rights⁶ (ICCPR) and the Convention against Torture⁷ (CAT).

Of particular concern is Article 8 of the 1958 Law, which expressly provides that military tribunals have jurisdiction over the offences established by the preceding provisions of that law.

CCLS considers that this framework requires review in light of international standards concerning legality, necessity, proportionality, judicial independence, impartiality and fair-trial guarantees.

II. Lebanon's Counter-Terrorism Legal Framework

Lebanon does not have a single consolidated counter-terrorism code. Terrorism-related offences and procedural rules are distributed across several legislative instruments.

1. Lebanese Penal Code

Articles 314–316 of the Penal Code constitute a principal part of Lebanon's framework concerning terrorism.

³ Cedar Centre for Legal Studies, Law No. 24/1968 (Only in Arabic Language), https://ccls-lebanon.org/wp-content/uploads/2023/12/MilitaryCode1968_AR.pdf (Accessed on 23 September 2026).

⁴ International Humanitarian Law Databases, Code of Criminal Procedure (In Arabic, English and French languages), <https://ihl-databases.icrc.org/en/national-practice/code-criminal-procedure-2001?activeTab=all-national-practice?title=&typeOfPractice=18557&state=17960&language=&from=&to=&sort=country&order=&topic=> (Accessed on 23 September 2026).

⁵ Cedar Centre for Legal Studies, (Only in Arabic Language), Law No. 65/2017, <https://ccls-lebanon.org/wp-content/uploads/2024/06/AntiTortureLaw.pdf> (Accessed on 23 September 2026).

⁶ United Nations Office of the High Commissioner, International Covenant on Civil and Political Rights, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> (Accessed on 23 September 2026).

⁷ United Nations Office of the High Commissioner, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading> (Accessed on 23 September 2026).



Article 314 provides the principal definition of terrorist acts, focusing on acts intended to create a state of terror and committed by means capable of creating a public danger.

Articles 315 and 316 address conspiracy and associations connected with the commission of terrorist acts.

Article 316 bis addresses terrorist financing.

These provisions must be considered together with the exceptional provisions of the 1958 Law and the jurisdictional provisions of the Code of Military Justice.

III. The 1958 Law and the Relevant Terrorism Provisions

The Law enacted on 11 January 1958 introduced exceptional provisions concerning offences against the State and terrorism.

For the purposes of this submission, Articles 5, 6, 7 and 8 are particularly relevant.

Article 5: *Any person who, for the purpose of committing or aiding and abetting the commission of one of the offences set out in the preceding articles or any other offence against the State, manufactures, obtains or has in his possession explosives or inflammable substances or toxic or incendiary products, or components or ingredients entering into the composition or manufacture of such products, shall be liable to hard labour for life.*

Article 6: *Any act of terrorism shall be punishable by hard labour for life. Where the act results in the death of one or more individuals, the total or partial destruction of a building having one or more individuals inside it, the total or partial destruction of a public building, an industrial plant, a ship or other facilities, or disrupts the functioning of telecommunication or transport services, it shall be punishable by death.*

Article 7: *Any person who enters into a conspiracy with a view to the commission of any of the offences set out in the preceding articles shall be punishable by hard labour for life.*

Article 8: *Military tribunals shall have jurisdiction for the offences set out in the preceding articles.*

IV. Articles 5–7: Concerns Regarding the Definition and Proportionality of Terrorism-Related Offences

A. Article 5



Article 5 imposes life imprisonment with hard labour on a person who, for the purpose of committing or aiding or abetting certain offences against the State, manufactures, obtains or possesses explosives, inflammable substances, toxic or incendiary products or their components.

CCLS considers that the provision raises questions concerning:

- the degree of proximity required between the prohibited conduct and an actual terrorist act;
- the distinction between preparation, possession, assistance and completed terrorist conduct;
- the requirement of a sufficiently specific and foreseeable criminal offence;
- the differentiation between different levels of participation and culpability; and
- the proportionality of the penalty imposed.

The seriousness of terrorism cannot remove the requirement that criminal offences be formulated with sufficient precision to allow individuals to foresee the circumstances in which criminal responsibility may arise.

Article 15 of the ICCPR protects the principle of legality and requires criminal offences and penalties to comply with that principle.

CCLS therefore recommends that Article 5 be reviewed to ensure that criminal liability is sufficiently precise, foreseeable and proportionate.

B. Article 6

Article 6 establishes life imprisonment with hard labour for terrorism and historically provided for the death penalty in specified circumstances.

However, this aspect of the provision must now be considered in light of a significant legislative development.

On 12 August 2026⁸, the Lebanese Parliament adopted a law abolishing the death penalty in Lebanon.

CCLS recognizes this important legislative development. Accordingly, the present submission does not rely on the continued availability of capital punishment as its principal concern.

The abolition of the death penalty, however, does not resolve the separate questions concerning:

⁸ World Coalition Against the Death Penalty, Lebanon Abolishes the Death Penalty, 10 September 2026, <https://worldcoalition.org/lebanon-abolishes-the-death-penalty/> (Accessed on 23 September 2026).



- the breadth and formulation of terrorism-related offences;
- the severity and proportionality of penalties;
- the assignment of terrorism-related offences to military tribunals;
- the prosecution of civilians before military courts;
- judicial independence and impartiality;
- access to counsel;
- the use of evidence allegedly obtained through torture; and
- prolonged or exceptional pre-trial detention.

The recent abolition should therefore be reflected in the assessment of Article 6, while the remaining elements of the counter-terrorism framework continue to require review.

V. Article 8: The Central Concern — Military Jurisdiction over Terrorism Offences

Article 8 of the 1958 Law provides:

Military tribunals shall have jurisdiction for the offences set out in the preceding articles.

CCLS considers Article 8 to be the central provision requiring examination by the Special Rapporteur.

Articles 5–7 establish substantive offences and penalties. Article 8 determines the judicial forum competent to hear those offences.

Consequently, the human-rights assessment should not be limited to whether the terrorism offences are sufficiently defined. It must also examine whether the statutory assignment of those offences to military tribunals is compatible with Lebanon's obligations under Article 14 of the ICCPR when the accused is a civilian.

The provision is particularly significant because it does not, in its wording, distinguish between military personnel and civilians.

The result is that the exceptional terrorism provisions of the 1958 Law may bring civilians within military judicial jurisdiction.

This raises a fundamental question:



Why should a civilian accused of a terrorism-related offence be tried before a military tribunal rather than an ordinary independent and impartial civilian court?

CCLS considers that the seriousness of a terrorism allegation cannot, by itself, provide sufficient justification for depriving a civilian of the ordinary civilian judicial forum.

VI. The Code of Military Justice and the Prosecution of Civilians

The Code of Military Justice, Law No. 24/1968, as amended, establishes the organization and jurisdiction of Lebanon's military judiciary.

Lebanese law gives military courts jurisdiction extending beyond purely disciplinary matters concerning military personnel and includes certain offences affecting military and security institutions and other categories of cases established by law.

The 1958 Law itself expressly places the offences contained in its preceding articles within military jurisdiction.

The resulting framework therefore permits the military judiciary to become involved in cases concerning civilians, including cases arising from terrorism and national-security allegations.

CCLS recognizes that domestic legislation may establish military jurisdiction. However, under international human rights law, domestic authorization does not by itself answer the question of compatibility with the ICCPR.

The relevant question is whether the resulting proceedings satisfy the requirements of Article 14 of the ICCPR, including the right to a fair and public hearing before a competent, independent and impartial tribunal.

VII. International Human Rights Standards on Military Trials of Civilians

Article 14 (1) of the ICCPR guarantees the right to a fair and public hearing by a competent, independent and impartial tribunal established by law.

The Human Rights Committee's General Comment No. 32⁹ recognizes that the Covenant does not absolutely prohibit military courts from trying civilians, but requires such trials to be exceptional and to comply fully with Article 14 guarantees.

⁹ United Nations Digital Library, General comment no. 32, Article 14, Right to equality before courts and tribunals and to fair trial, 23 Aug. 2007, <https://digitallibrary.un.org/record/606075?ln=en&v=pdf> (Accessed on 23 September 2026).



The Human Rights Committee has specifically raised concerns¹⁰ regarding Lebanon's military jurisdiction over civilians and has called upon Lebanon to ensure that trials before military courts are exceptional and take place under conditions that genuinely afford the full guarantees of Article 14.

The Committee has also called for the transfer of pending civilian cases from military to civilian courts and for appropriate appeal mechanisms in cases involving civilians already adjudicated by military courts.

The Committee against Torture has similarly expressed concern¹¹ that Lebanon's military court system continues to exercise jurisdiction over criminal cases involving civilians, and recommended that Lebanon prohibit military courts from exercising jurisdiction over civilians.

These recommendations are directly relevant to the continued operation of Article 8 of the 1958 Law.

CCLS therefore recommends that civilians accused of terrorism-related offences be prosecuted before ordinary, independent and impartial civilian courts, with appropriate security measures where necessary.

VIII. Procedural Safeguards under Lebanese Law

Lebanon's Code of Criminal Procedure contains important safeguards that are particularly relevant in terrorism and national-security investigations.

Article 32

Article 32 establishes limits on initial custody, including the applicable period and the possibility of an extension.

Article 47

Article 47 establishes important procedural rights for persons under investigation, including access to a lawyer, communication with family, the right to remain silent, information concerning the investigation and medical examination.

¹⁰ Human Rights Committee, Concluding observations on Lebanon, UN Doc. CCPR/C/79/Add.78 (1997), para. 14, 05 May 1997, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Download.aspx?symbolno=CCPR%2FC%2F79%2FAdd.78&Lang=en (Accessed on 23 September 2026).

¹¹ United Nations Office of the High Commissioner, Committee against Torture considers initial report of Lebanon, 21 April 2017, <https://www.ohchr.org/en/press-releases/2017/04/committee-against-torture-considers-initial-report-lebanon> (Accessed on 23 September 2026).



These safeguards are particularly important in terrorism investigations because the initial period of detention and interrogation may determine whether evidence and confessions subsequently relied upon by prosecutors and courts were obtained lawfully.

The UNVT-0020 case¹² documented by CCLS illustrates concerns regarding the practical implementation of these safeguards.

Article 108

Article 108 establishes limits on pre-trial detention but provides important exceptions concerning terrorism and State-security offences. It states:

With the exception of a person previously sentenced to at least one year's imprisonment, the period of detention for a misdemeanour may not exceed two months. This period may be extended by, at a maximum, a similar period where urgently necessary.

With the exception of homicide, felonies involving drugs and endangerment of state security, felonies entailing extreme danger and crimes of terrorism, and with the exception of persons with a previous criminal conviction, the period of custody may not exceed six months for a felony. This period of custody may be renewed once on the basis of a reasoned decision.

The Investigating Judge may decide to prevent the defendant from travelling for a period not exceeding two months for a misdemeanour and a year for a felony from the date of being released or left at liberty.

CCLS considers that these exceptions warrant scrutiny under Article 9 of the ICCPR, particularly where detention becomes prolonged and effective judicial review is inadequate.

The seriousness of terrorism allegations may justify carefully tailored investigative measures, but it should not automatically result in disproportionate detention or diminished procedural safeguards.

IX. Law No. 65/2017 and the Prohibition of Torture

Lebanon adopted Law No. 65/2017, which criminalizes torture and other cruel, inhuman or degrading treatment or punishment.

¹² Cedar Centre for Legal Studies, *Despite Lebanon's International Commitments: Continuation of Torture and Enforced Disappearance Against Lebanese Citizen UNVT-0020*, 08 January 2026, <https://ccls-lebanon.org/2026/01/08/despite-lebanons-international-commitments-continuation-of-torture-and-enforced-disappearance-against-lebanese-citizen-unvt-0020/> (Accessed on 23 September 2026).



The law amended Article 401 of the Penal Code and introduced a definition of torture, while also addressing issues including orders to commit torture, evidence, investigation procedures and the protection of complainants.

CCLS considers Law No. 65/2017 particularly relevant to counter-terrorism investigations because military and security personnel may be directly involved in arrest, detention and interrogation in terrorism-related cases.

The existence of a domestic anti-torture law must be accompanied by effective implementation.

The Committee against Torture has previously expressed concern regarding reports of torture by security forces and military personnel against suspects in custody, including allegations that torture was used to extract confessions for criminal proceedings.

X. Independent Investigation of Torture by Military and Security Personnel

CCLS respectfully submits that allegations of torture or other serious human rights violations committed by military or security personnel should be investigated and, where appropriate, prosecuted by ordinary civilian judicial authorities that are institutionally independent from the alleged perpetrators.

The need for independence is particularly acute where:

- the alleged perpetrator belongs to the military or security services;
- the alleged victim was detained by those services;
- the alleged abuse occurred during interrogation;
- the complaint concerns the extraction of a confession;
- the victim subsequently faces criminal proceedings; or
- the alleged abuse resulted in serious injury or death.

The institution implicated in the alleged violation should not be placed in a position where it can effectively investigate itself.

This principle is also supported by the concerns previously expressed by the Committee against Torture regarding military jurisdiction over civilians and the need for effective investigation and accountability for torture.



XI. Documented CCLS Cases

The concerns identified above are not merely theoretical. CCLS has documented cases illustrating the practical interaction between security detention, terrorism-related investigations, allegations of torture, military judicial proceedings and accountability.

1. UNVT-0020 — Terrorism-Related Detention, Alleged Torture and Enforced Disappearance

The case designated by CCLS as UNVT-0020¹³ is particularly relevant to the mandate of the Special Rapporteur because it directly concerns terrorism-related allegations.

According to CCLS documentation, UNVT-0020, a 30-year-old Lebanese-Brazilian national, was arrested by the General Directorate of General Security on 16 September 2025, shortly after arriving in Lebanon. No arrest warrant was presented and his whereabouts were not disclosed to his family or legal counsel for more than 35 days.

According to the indictment, he was accused of forming a terrorist cell allegedly operating in favour of Israel and its affiliated Mossad intelligence service.

CCLS documented serious concerns concerning his treatment during the initial period of detention, including allegations of beatings, deprivation of food and water, forced signatures on blank papers, coercion to provide confessions, continued physical and psychological pressure, and denial of timely access to counsel.

CCLS also documented concerns that he was interrogated without his lawyer being present and that his detention exceeded the ordinary limits established under Article 32 of the Code of Criminal Procedure.

CCLS submitted the case to the Working Group on Arbitrary Detention on 17 April 2026, requesting an assessment of the arbitrary nature of his detention and the serious violations of his fundamental rights.

This case is particularly significant for the present submission because it illustrates the intersection between:

- terrorism allegations;
- security detention;
- alleged enforced disappearance;
- alleged torture and ill-treatment;
- denial of access to counsel;

¹³ CCLS, “UNVT-0020,” *supra* note 12.



- alleged coerced confessions; and
- military judicial proceedings.

It therefore provides a concrete example through which the Special Rapporteur can assess whether Lebanon's counter-terrorism framework provides adequate safeguards against abuse during the investigative stage.

2. Bashar Abed Al-Saud — Death in Custody and Military Prosecution of Security Personnel

Bashar Abed Al-Saud¹⁴, a Syrian refugee, died on 31 August 2022, one day after his arrest by the State Security Directorate.

CCLS documented allegations that he was subjected to severe torture during his detention and interrogation at the General Directorate of State Security facility in Tebnine. The case was subsequently referred to the military judiciary.

On 1 November 2024, the Beirut Military Court issued its judgment. According to CCLS's trial monitoring documentation, the court did not uphold the allegation that the torture constituted torture leading to Al-Saud's death. Instead, the court reclassified the offences and convicted the State Security officers of lesser offences, imposing sentences ranging from two months to one and a half years.

The case is particularly relevant because military/security personnel accused of serious torture against a detainee who subsequently died were prosecuted before a military court.

CCLS considers that this raises fundamental questions concerning whether a military tribunal can provide the necessary independence and impartiality when the alleged perpetrators belong to a military or security institution.

The case also illustrates the importance of independent forensic investigation and independent judicial assessment of causation where a person dies following alleged torture in State custody.

3. Rabih Fadel Zakaria — Arbitrary Detention, Torture and Military Proceedings

¹⁴ Cedar Centre for Legal Studies, Trial Monitoring Report of Bachar Abed Saoud Case, 04 April 2025, <https://ccls-lebanon.org/2025/04/04/trial-monitoring-report-of-bachar-abed-saoud-case/> (Accessed on 25 September 2026).



Mr. Rabih Fadel Zakaria¹⁵, a Lebanese citizen born on 20 February 1983, served in the Lebanese Army for more than 18 years.

According to CCLS's documentation, on 31 August 2022 he was summoned by the Mount Lebanon Military Police in connection with an investigation concerning counterfeit currency.

CCLS documented allegations that he was blindfolded, handcuffed, deprived of food and water and subjected to repeated physical abuse during interrogation, allegedly to force a confession. He was subsequently examined by a military doctor and reported the alleged abuse to his military superiors.

CCLS subsequently filed a torture complaint against members of the Mount Lebanon Military Police.

On 21 May 2024, Mr. Zakaria was summoned by the Military Investigative Judge and faced charges relating to counterfeit currency. CCLS documented concerns that his subsequent proceedings were connected to the retaliation he experienced after reporting torture.

The Military Investigative Judge indicted him on 24 July 2024, and on 23 September 2024 he was sentenced to 60 days' imprisonment. As he had already been detained for a period exceeding that sentence, he was released.

CCLS submitted an urgent appeal concerning the case to the UN Working Group on Arbitrary Detention and the Special Rapporteur on Torture.

The case raises concerns concerning:

- torture and ill-treatment;
- denial of access to legal representation during initial interrogation;
- failure to adequately protect a complainant of torture;
- retaliation following a torture complaint;
- arbitrary detention; and
- military judicial involvement.

The case demonstrates the importance of ensuring that persons who report torture by military or security personnel are protected from retaliation and that their complaints are investigated independently.

¹⁵ Cedar Centre for Legal Studies, Arbitrary Arrest and Torture of Rabih Fadel Zakaria. 27 May 2024, <https://ccls-lebanon.org/2024/05/27/arbitrary-arrest-and-torture-of-rabih-fadel-zakaria/> (Accessed on 25 September 2026).



4. Mohamad Sablounh — Restrictions on a Lawyer's Access to the Military Court

The case of Mr. Mohamad Sablounh¹⁶, Head of Legal Support at CCLS, illustrates concerns regarding lawyers' ability to represent clients effectively before military courts.

On 12 August 2024, Mr. Sablounh attended a hearing before the Military Court in Beirut involving one of his clients. On the same day, he published a public statement criticizing a Military Court judgment and calling for reform of the military judiciary.

On 14 August 2024, while attending another client's hearing, he was informed that the Head of the Military Court had decided to prevent him from entering the Military Court for three months because of his social-media publication.

The decision was formally communicated on 19 August 2024, and Mr. Sablounh appealed it before the Military Court of Cassation.

On 25 September 2024, the Military Court of Cassation rescinded the decision preventing him from entering the Military Court, finding that the Facebook post did not fall within the circumstances covered by Article 59 of the Military Judiciary Law.

Although the decision was ultimately overturned, the incident raises concerns regarding:

- the independence of lawyers;
- effective access to legal representation;
- the ability of lawyers to advocate for their clients without retaliation;
- the exercise of freedom of expression concerning matters of public interest; and
- the institutional environment in which civilians are required to defend themselves before military courts.

These safeguards are particularly important in terrorism-related proceedings, where the accused may face severe penalties and where defence lawyers may need to challenge evidence obtained during security investigations.

5. Mohamad Harkous — Death Following Detention and Failure to Open an Investigation

¹⁶ Cedar Centre for Legal Studies, Harassment against Attorney Mohammad Sablounh, 21 August 2025, <https://ccls-lebanon.org/2025/08/21/harassment-against-attorney-mohammad-sablounh/> (Accessed on 25 September 2026).



CCLS has documented the case of Mohamad Harkous¹⁷, a Lebanese citizen born in 1995, who died in January 2026 following his detention by Lebanese authorities.

CCLS raised the case with the relevant United Nations Special Procedures, including concerns concerning the circumstances of his death and allegations relating to torture and ill-treatment.

Despite the circumstances surrounding his death following State detention and the serious concerns raised regarding possible violations by State agents, no investigation was opened by the Lebanese authorities into the circumstances of Mr. Harkous's death or into the possible responsibility of the authorities involved in his detention.

CCLS considers the absence of an investigation particularly concerning in light of Lebanon's obligations under the Convention against Torture and the ICCPR.

A death occurring following State detention requires a prompt, effective, independent and impartial investigation capable of establishing the circumstances and cause of death, identifying any State responsibility and ensuring accountability where violations are established.

The Harkous case therefore illustrates a broader accountability concern: the existence of legislation criminalizing torture and ill-treatment, including Law No. 65/2017, does not by itself ensure that allegations involving State agents are actually investigated and prosecuted.

XII. Recommended Legislative and Institutional Reforms

CCLS respectfully recommends that the Special Rapporteur engage with the Lebanese authorities concerning the following reforms.

1. Review Articles 5–8 of the 1958 Law

Lebanon should review Articles 5–8 of the 1958 Law to ensure compliance with international human rights standards concerning:

- legality;
- legal certainty;
- necessity;

¹⁷ Cedar Centre for Legal Studies, The Death of Mohammad Harkous in Custody: Seeking Truth, Justice and Accountability, 14 August 2026, <https://ccls-lebanon.org/2026/08/14/the-death-of-mohammad-harkous-in-custody-seeking-truth-justice-and-accountability/> (Accessed on 25 September 2026).



- proportionality;
- individual culpability; and
- fair trial.

The recent abolition of the death penalty should also be reflected throughout the relevant terrorism legislation.

2. Remove civilian terrorism cases from military jurisdiction

Article 8 of the 1958 Law should be amended or repealed to remove military jurisdiction over terrorism-related offences committed by civilians.

Such offences should be prosecuted before ordinary, independent and impartial civilian courts.

The existence of a terrorism allegation should not, by itself, constitute sufficient justification for transferring a civilian case to military jurisdiction.

3. Limit military jurisdiction to genuinely military matters

The jurisdiction of military courts should be confined to matters that are genuinely military in nature and should not extend to ordinary criminal offences committed by civilians.

4. Ensure independent investigation of torture allegations

Any allegation of torture or ill-treatment by military or security personnel should be immediately referred to an independent civilian judicial authority.

The institution implicated in the alleged violation should not investigate itself.

5. Ensure protection for complainants

Persons who complain of torture should be protected against intimidation, retaliation, arbitrary detention or subsequent prosecution connected to their complaint.

6. Exclude evidence obtained through torture

Statements, confessions or other evidence obtained through torture or coercion should be excluded from criminal proceedings, consistent with Lebanon's obligations under the Convention against Torture and the ICCPR.

7. Guarantee access to counsel from the earliest stage



Article 47 of the Code of Criminal Procedure should be effectively implemented in practice, including during the initial stages of detention and interrogation.

8. Review exceptional pre-trial detention provisions

The exceptions applicable to terrorism and State-security offences under Article 108 of the Code of Criminal Procedure should be reviewed to ensure compliance with Article 9 of the ICCPR.

9. Guarantee lawyers' independence

Lawyers appearing before military or other specialized courts should be able to represent their clients without intimidation, retaliation or arbitrary restrictions on their access to proceedings.

10. Ensure effective investigation of deaths in State custody

Any death occurring following detention by military or security authorities should be subject to an immediate, effective, independent and impartial investigation, regardless of the status of the institution or personnel potentially implicated.

XIII. Questions for the Lebanese Authorities

CCLS respectfully invites the Special Rapporteur to seek clarification from the Lebanese authorities concerning the following:

1. How many civilians have been prosecuted before military courts under Article 8 of the 1958 Law since 2010?
2. How many civilians are currently subject to military judicial proceedings for terrorism-related offences?
3. How many civilian defendants have been convicted under the 1958 Law?
4. How does Lebanon reconcile Article 8 of the 1958 Law with Article 14 of the ICCPR and the Human Rights Committee's requirement that civilian trials before military courts be exceptional?
5. What objective and serious reasons justify the trial of civilians accused of terrorism before military rather than ordinary civilian courts?
6. What safeguards guarantee the independence and impartiality of military courts when the accused is a civilian?



7. How many terrorism-related cases have involved allegations of torture or ill-treatment during detention or interrogation?
8. How many allegations of torture involving military or security personnel have been investigated by independent civilian judicial authorities under Law No. 65/2017?
9. What measures ensure that military or security institutions do not investigate allegations concerning their own personnel?
10. What safeguards ensure that evidence or confessions obtained through torture or coercion are excluded from terrorism-related proceedings?
11. What measures are in place to ensure that lawyers representing persons accused of terrorism can access their clients and participate in proceedings from the earliest stage?
12. How does Lebanon ensure that persons who submit complaints of torture are protected from retaliation or subsequent proceedings connected to their complaints?
13. What independent investigations have been opened into deaths occurring following detention by Lebanese security or military authorities, and in particular, why was no investigation opened into the death of Mohamad Harkous?
14. Following the abolition of the death penalty in August 2026, what legislative amendments have been made to ensure that the provisions of the 1958 Law and other terrorism-related legislation are consistent with the new legal framework?

XIV. Conclusion

CCLS recognizes the legitimate responsibility of the Lebanese State to prevent and prosecute terrorism and to protect the population from terrorist violence. Such measures, however, must be implemented consistently with Lebanon's obligations under international human rights law and the rule of law.

This submission highlights particular concerns arising from the interaction between Lebanon's counter-terrorism legislation, military jurisdiction, security detention and interrogation practices, and mechanisms for investigating allegations of torture and other serious violations.

At the centre of these concerns is Article 8 of the 1958 Law, which assigns jurisdiction over the offences established in its preceding provisions to military tribunals. When read together with the broader jurisdiction of the military judiciary, this provision raises important questions concerning the trial of civilians before military courts and the guarantees of independence, impartiality and fair trial required by Article 14 of the ICCPR.



The cases documented by CCLS, including UNVT-0020, Bashar Abed Al-Saud, Rabih Fadel Zakaria, Mohamad Sablounh and Mohamad Harkous, provide concrete examples of the practical challenges arising in this context. They demonstrate the importance of effective safeguards from the earliest stages of detention and investigation, particularly where military or security personnel are involved.

CCLS therefore respectfully invites the Special Rapporteur to examine Lebanon's counter-terrorism framework, with particular attention to Article 8 of the 1958 Law and the use of military jurisdiction in cases involving civilians, as well as the effectiveness and independence of mechanisms for investigating allegations of torture and deaths following State detention.

CCLS remains available to provide the Special Rapporteur with further case documentation, legal analysis and supporting materials concerning the cases and issues addressed in this submission.