



Access Center for Human Rights (ACHR)

Syrians in Lebanese Prisons: Unending Suffering

A report discussing the violations inflicted on Syrian refugees held on remand, in detention and in Lebanese prisons during unfair trial proceedings

Content

	About Us	3
	Executive Summary	3
	Research Methodology	6
	Introduction	7
First	The Arbitrary Deprivation of Liberty of Syrian Refugees	10
Second	Torture and Degrading Treatment	12
Third	The Health Conditions of Prisoners	15
Fourth	Violation of the Right to a Fair Trial	18
Fifth	Violations of the Classification of Prisoners	21
	1. Prisoner Numbers and the Separation of Categories	23
	2. Juvenile Prisoners	23
	3. Drug Users and Prisoners with Mental Disorders	24
Sixth	The Judicial Cooperation Agreement between Lebanon and Syria	25
	Conclusion and Recommendations	29

About Us

Access Center for Human Rights (ACHR) is a refugee-led civil society organisation with practical expertise in law and advocacy, as well as journalism and human rights, and is dedicated to securing justice for Syrian refugees. Founded in 2017, the organisation is registered in both Lebanon and France. ACHR documents and analyses the serious violations facing Syrian refugees and other affected Syrian communities, seeking to ensure that their rights remain a focus of legal, political and public debate. The organisation concentrates its efforts on protection risks, forced or unsafe return, arbitrary detention, deportation, discrimination, legal uncertainty, and the obstacles that prevent voluntary, safe and dignified return. Through evidence-based research, data and reports, ACHR exposes the gap between international humanitarian law and human rights law (as applied) and the lived reality of the communities it supports. These documents and this information are used to inform civil society actors, policymakers, donors, international organisations and accountability initiatives, with the aim of bringing about substantive policy change.

Executive Summary

This report is issued by Access Center for Human Rights (ACHR). It appears at this particular time in order to document, in light of the Lebanese Parliament's adoption of the General Amnesty Law (Law No. 70/2026) in August 2026, the violations that were being committed against Syrian refugees who were held on remand, in detention or in Lebanese prisons during the years preceding that decision, whether in the context of unfair trial proceedings or during periods of temporary detention.

However, on 10 September 2026 the Lebanese Constitutional Council issued Decision No. 10/2026, suspending the effect of Law No. 70/2026 pending a ruling on the challenge brought against it. This means that the implementation of the amnesty provisions is suspended and that, for the time being, those who would benefit from it are neither being released nor having their sentences reduced. In light of this development, this paper takes on twofold importance: on the one hand, it documents the conditions and practices that detainees experienced throughout the period preceding the adoption of the amnesty law; on the other, it keeps this file present and urgent in view of the current state of legal uncertainty in which detainees find themselves, who have so far not benefited from any actual release or reduction of their sentences.

The paper shows that Syrian refugees in Lebanon were subjected, during this period, to arbitrary arrest and torture by the security agencies, particularly in the aftermath of the events in Aarsal in August 2014, when the frequency of these violations clearly escalated and continued throughout the following years through security pursuit and arbitrary arrests, some of which were based on charges that were not proven in accordance with due legal process. In some cases, these violations affected refugee minors who were tortured and subsequently tried on charges that included terrorism or membership of armed groups.

This paper documents the harsh conditions prevailing in places of detention, the methods of investigation and interrogation used, and the outcomes of unfair trials that were not based on conclusive evidence, in addition to the deprivation of detainees of their basic rights inside places of detention and pre-trial detention, such as the right to appoint a lawyer or to seek legal advice at their own expense, the right to contact their families, and the right to obtain medical care.

The importance of this paper also lies in the fact that it follows up on what the Center has previously documented in earlier reports on human rights violations against Syrian refugees, as torture, ill-treatment and methods of arbitrary arrest and detention have remained among the most prominent issues that the Center has monitored and followed over the years, up to the present stage, in which Lebanon is witnessing a legislative and constitutional debate over the fate of the amnesty law itself.

Although Lebanon has received large numbers of Syrian refugees, the procedures and policies adopted by the Lebanese authorities in dealing with the Syrian asylum file throughout that period fell short of the level required to ensure their protection, safety and dignity. Since the start of the waves of displacement into Lebanon, the security agencies and the Lebanese state have not shouldered their responsibilities in a manner consistent with their obligations under domestic laws and international conventions.

Since the start of the waves of displacement into Lebanon, the security agencies and the Lebanese state have not shouldered their responsibilities in a manner consistent with their obligations under domestic laws and international conventions.

Most Syrian refugee detainees were denied the right to appoint a lawyer during the investigation proceedings, which restricted their ability to defend themselves or to challenge their detention. In

addition, they waited for prolonged periods before appearing before the investigating judge, without any legal justification, even though in the eyes of the law they remained innocent. This constituted a flagrant violation of fair trial standards, which this paper seeks to document as part of the record on which any subsequent path to accountability or reform should be built, regardless of the ultimate legal fate of the amnesty law.

The Lebanese authorities were also required to take into account the health conditions of refugees held on remand, in detention or in prison inside detention and pre-trial detention centres, since placing them in unclean environments lacking proper sanitary conditions was unacceptable. This paper documents these conditions as part of the reality that preceded the adoption of the amnesty law, and which remains in place for most detainees given the suspension of the law.

In light of the foregoing, the paper considers that the General Amnesty Law, although it carries the possibility of achieving a humanitarian gain for a number of detainees, remains, as of the date of publication of this paper, suspended by a decision of the Constitutional Council, which leaves the reality of detainees as it was before the law's adoption. Regardless of the outcome of the challenge before the Constitutional Council, the Lebanese authorities remain obliged to respect the domestic and international laws that bind them, to curb arbitrary arrest procedures against Syrian refugees, to ensure their protection and safeguard their dignity, to stop the practices of torture and all other forms of ill-treatment, and not to be lax in holding the perpetrators of torture crimes to account in accordance with the law.

We propose that the European Union, supporting states and donors, in view of the legal uncertainty surrounding the amnesty file, establish an independent oversight mechanism to assess the Lebanese authorities' response in addressing the legacy of violations of arbitrary arrest and torture against Syrian refugees, including following the course and outcome of the constitutional challenge, and ensuring that the state of legal suspension is not used as a pretext for postponing any actual reform. We stress the need for the European Union and supporting states to back advocacy and pressure efforts on Lebanon to comply with the International Bill of Human Rights, and to involve civil society organisations in monitoring processes. We also recommend strengthening the role of supporting states in monitoring Lebanon's violations of international conventions and treaties, and intensifying effective engagement with the relevant civil society organisations.

Research Methodology

Access Center for Human Rights (ACHR) begins the documentation phase by having the team members provide their personal details in order to gain the victims' trust, to identify the intermediary contacts who helped facilitate communication, and to introduce the Center, its way of working and its scope. The documentation process set out in this paper covers cases that occurred during the period preceding the adoption of the General Amnesty Law (Law No. 70/2026) in August 2026, making it a record that documents the reality of detainees before that decision.

This documentation takes on additional importance now that the Lebanese Constitutional Council, on 10 September 2026, issued a decision suspending the effect of Law No. 70/2026 pending a ruling on the challenge brought against it, which means that the reality of detainees documented in this paper remains the situation actually in place as of the date of preparation of this paper. The record remains usable at a later stage in following up the outcome of the constitutional challenge and the situation of those who may benefit from the amnesty if it is ultimately adopted, or of those who may not be covered by it. The team also takes care to stress its commitment to the working principles set out in the internal work policies, including the confidentiality of information, the retention of data, and obtaining the victim's prior consent to the disclosure of information.

The scope of communication, whether in person or through secure encrypted and/or open-source means of communication, is determined according to the likelihood of the team, the victims and/or their families being exposed to security risks, and according to whether the information can be shared by voice call. In most cases the team makes contact through one of the secure means of communication to obtain initial information, in preparation for conducting the interview and building a direct communication relationship with the victims or their families.

In all interviews, the team is committed to using secure means of communication to preserve the safety and privacy of victims, undertaking not to publish personal data without direct authorisation, maintaining the confidentiality of information lists, protecting the confidentiality of sources, whether these are personal data or material or physical evidence, and adhering to safety standards for the storage and archiving of information on secure servers to which access is restricted to specific individuals within the Center's team.

The interviews rely on a standardised list of questions contained in questionnaires prepared in advance by the team on the basis of international documentation mechanisms and the United Nations form approved for recording and reporting violations, in the interviewees' original language and without any

material or non-material consideration. A forensic doctor is engaged in some cases to document the conditions of victims who suffered serious psychological and/or physical violations, either at the direct request of the victims themselves or based on the team's assessment of the case.

In all monitoring, documentation and review operations, the team takes special precautions to assess and rank the monitored and documented information in terms of its credibility and accuracy, by verifying: the primary and secondary sources of information, the level of precise detail, the existence of contradictions, the presence or absence of elements that support or refute the violation, the date on which it occurred and/or was recorded, and the party responsible for it.

In documentation operations the Center relies on the definitions of violations adopted by the United Nations Office of the High Commissioner for Human Rights and its standards, which include "accuracy", "objectivity" and "impartiality", as fundamental pillars of documentation and of the preparation of research papers and reports.

The monitoring and documentation process faces numerous challenges in the Lebanese context, notably the security risks to which human rights workers are exposed. It should therefore be noted that all of the team's efforts to monitor and document violations reflect only the statistical values of what it was possible to reach during the period preceding the adoption of the amnesty law, and remain unable to encompass all violations through scientifically representative random samples. Nevertheless, they contribute to clarifying the general patterns that prevailed in that period, and to drawing attention to the scale of the systematic violations inflicted on refugees during it, amid accumulated security and economic constraints, thereby providing a necessary background for understanding the context in which the amnesty law was issued, and for following the consequences of the suspension of its operation.

Introduction

With the outbreak of the Syrian revolution in 2011 and the transformation of peaceful protests into armed conflict, large numbers of Syrian refugees were displaced to Lebanon, by virtue of geography, fleeing the killing and destruction that ravaged their regions, their livelihoods, their property and their lives for nearly thirteen years. During that time Lebanon hosted nearly two million displaced people at the peak of the waves of displacement. Because the government authorities did not formally organise the waves of displacement, no precise figures were available for the number of these displaced people; estimates, however, indicated that the number of Syrian refugees in Lebanon reached about 1.8 million

people, of whom around 880,000 were registered with the United Nations High Commissioner for Refugees, according to 2025 statistics, and the numbers have begun to decline annually.

The Syrian displacement crisis in Lebanon coincided with severe economic repercussions, manifested in the economic collapse Lebanon experienced in 2019, described as one of the worst in the world, followed by the COVID-19 pandemic, and then the Beirut Port explosion on 4 August 2020. These events were accompanied by security tensions in some Lebanese regions that in some respects took on a sectarian character, as a result of Lebanon's natural exposure to the nature of the events unfolding in Syria. All of this weakened the state administratively, in terms of security, and economically, and also contributed to the growth of hate speech between the components of the Lebanese people and the displaced community, which rose or subsided depending on the atmosphere sweeping over the two countries.

Amid these deteriorating conditions sweeping the region, which continue, albeit in a different form represented by the war on Gaza, Lebanon was unable to control the internal security situation. This resulted in the spread of crime in multiple forms, from theft and killings through to terrorist acts. All of this was accompanied by the absence of a clear vision on the part of the Lebanese state on how to organise the waves of displacement, and the absence of any real mechanism for granting these displaced people legal residency guaranteeing them a dignified and safe stay in Lebanon.

Amid this security, economic and social reality on the one hand, and the weakness of the state and its institutions on the other, Lebanese prisons were not immune to the general crisis afflicting the country. The Access Center for Human Rights, along with other local and international human rights organisations, has documented serious abuses in this regard: arbitrary arrests and detentions affecting Syrian refugees in the various Lebanese regions were documented, carried out through security campaigns and raids on displacement centres, and at times going as far as pursuing them at their workplaces or detaining them on the roads.

Lebanese prisons were not immune to the general crisis afflicting the country.

Acts of torture and humiliation against refugees were also documented, the frequency of which rises from time to time, and which at times went as far as killing and causing permanent disabilities. These events were accompanied by serious violations of the right to a fair trial: in addition to arbitrary arrest and degrading treatment, refugee detainees were deprived of rights guaranteed to them by international and domestic laws, such as the right to appoint a lawyer upon arrest, to contact their

families, and even to know the charge brought against them. These violations continued to pursue refugees even after they entered prison, where wretched conditions were documented in Lebanese prisons in terms of severe overcrowding, sanitation and weak medical follow-up. In the broad sense adopted in this report, prisons include places of temporary detention and holding cells in which, by judicial decision, the liberty of accused persons or persons complained against who are still under investigation or trial is restricted.

- **Refugee detainees were deprived of rights guaranteed to them by international and domestic laws, such as the right to appoint a lawyer upon arrest, to contact their families, and even to know the charge brought against them.**

All of this takes place despite the existence of a Lebanese legal system that expressly prohibits such abuses, starting from the Constitution and passing through the Penal Code and the Code of Criminal Procedure, and including Law No. 65/2017, which criminalises torture and cruel, inhuman or degrading treatment or punishment, in addition to guidance documents and codes of conduct relating to the military and security corps: the Army, the Internal Security Forces, General Security and State Security. A number of international conventions, both binding and non-binding, also require Lebanon to adopt a completely different approach in dealing with the Syrian refugee who fled the ravages of armed conflict to Lebanon and for whom no ground for voluntary return has been secured after the fall of the Syrian regime, rather than treating him or her in a manner that may at times be harsher than what he or she would have faced had he or she remained in Syria.

Amid this accumulated reality, the Lebanese Parliament adopted the General Amnesty Law (Law No. 70/2026) in August 2026, which at first glance appeared a glimmer of hope for a number of Syrian refugees held on remand, in detention or in prison. However, on 10 September 2026 the Lebanese Constitutional Council issued a decision suspending the effect of this law pending a ruling on the challenge brought against it, which has left the situation of these detainees in limbo, with no release or actual reduction of sentences as of the date of preparation of this paper. It is precisely this development that has prompted the Access Center for Human Rights to issue this research paper at this time, with the aim of documenting the reality that Syrian refugees lived inside Lebanese places of detention and prisons throughout the period preceding the issuance of the amnesty law, and which remains the reality in force in practice while the law is suspended.

This research paper focuses specifically on the situation of Syrian refugees inside Lebanese prisons, given the essential role that prisons should play in every country in the world in reform and rehabilitation. The paper addresses the refugee's path from being pursued by the security agencies,

through the period of detention and trial, up to documenting the period of stay inside Lebanese prisons, and the extent to which this course accords with the relevant domestic and international laws. The paper concludes by addressing the Judicial Cooperation Agreement between Lebanon and Syria, and the role expected of it, together with the fate of the General Amnesty Law once the challenge before the Constitutional Council is decided, in alleviating the suffering of the Syrian refugee inside Lebanese prisons.

First | The Arbitrary Deprivation of Liberty of Syrian Refugees

Under international law, deprivation of liberty is arbitrary if it occurs in one of the following cases:¹

- 1 Where the deprivation of liberty cannot be justified on any legal basis, such as keeping a person in detention after the end of his or her sentence.
- 2 Where the deprivation of liberty results from the exercise of the rights and freedoms guaranteed by international laws and norms, such as the right to choose one's religion and belief or to express an opinion.
- 3 Where there is total or partial non-compliance with the international rules relating to a fair trial, such as those set out in the Universal Declaration of Human Rights and the relevant international instruments accepted by the State concerned, for example the duty to inform the detainee of the reasons for his or her arrest, to bring him or her promptly before the judiciary, and to guarantee the right to challenge the lawfulness of his or her detention or arrest.
- 4 Where asylum seekers or migrants are subjected to prolonged administrative detention without the possibility of administrative or judicial review or appeal.
- 5 Where the deprivation of liberty is based on discrimination on grounds of birth, national origin, language, religion, economic or social status, political opinion, sex or any other status, such that it ultimately aims at, or leads to, the negation of equality in human rights.

As for Lebanese law, we note its full consistency with international law in terms of prohibiting any form of arbitrary deprivation of liberty, given that Lebanon is a founding member of the United Nations and contributed to drafting the most prominent instruments that govern its work, such as the Universal Declaration of Human Rights, and it is therefore a signatory to and has acceded to these treaties and

1 Arbitrary arrest or detention is the deprivation of an individual of his or her liberty unlawfully or without a clear legislative basis, or outside the framework of due legal process, or through detention resulting from the arbitrariness and despotism of authority without any crime or offence having been committed. Overview of arbitrary detention: <https://www.ohchr.org/ar/about-arbitrary-detention>

legislation and is bound by them, as stipulated in the Lebanese Constitution.² For this reason we see that Lebanese laws as a whole seek to respect the rights of detainees, remand detainees and prisoners; for example, and not exhaustively, during the period of custody before the judicial police, the period of detention may not generally exceed 48 hours,³ and any breach of this principle exposes the person responsible to criminal penalties.⁴ This embodies the principle of “no punishment without a legal provision”: since the deprivation of any person’s liberty is a form of punishment, imposing this punishment without an express provision permitting it violates Article 8 of the Lebanese Constitution and, by extension, the Lebanese domestic laws.

However, the existence of legal provisions does not necessarily mean that they are applied to the letter. According to what the Access Center for Human Rights has documented, arbitrary arrest is one of the most prominent violations to which Syrian refugees in Lebanon are subjected: in 2023 the Center monitored 1,080 cases, and in 2025 it monitored 1,353 cases, distributed between individual and collective arrests.

1,080

In 2023 the Center monitored 1,080 cases

1,353

In 2025 it monitored 1,353 cases

Several organisations, including Amnesty International, also monitored in previous years numerous arrests carried out by the Lebanese state, represented by its security and judicial agencies, which were described as arbitrary, as many refugees were arrested without being informed of the charges against them, which constitutes a flagrant violation of both international law and Lebanese law, as we have set out above. Furthermore, many cases were monitored in which detainees were denied contact with their families or even the appointment of a lawyer, which amounts to a deprivation of their most basic rights and undoubtedly embodies the arbitrary nature of their detention.⁵

The Center also documented cases in which detainees among the Syrian refugees stated that the main reason for their arrest was their opposition to the regime of Bashar al-Assad, with the investigators focusing in their interrogations on ascertaining their political orientation. This is confirmed by

² Preamble to the Lebanese Constitution, paragraph (b).

³ Article 47(2), Code of Criminal Procedure: They are prohibited from holding the suspect in their holding cells except by a decision of the Public Prosecution and for a period not exceeding forty-eight hours. It may be extended for a similar period only with the approval of the Public Prosecution.

⁴ Article 367, Lebanese Penal Code: Any official who arrests or imprisons a person in cases other than those provided for by law shall be punished with temporary hard labour.

⁵ Amnesty International, “‘I Wished I Would Die’: Syrian Refugees Arbitrarily Detained on Terrorism-Related Charges and Tortured in Lebanon”, 2021, <https://bit.ly/3u2ImCI>

organisations including the Syrian Network for Human Rights, and it is clear evidence that the arrest was based on political opinion.⁶ Nor did Syrian refugee women escape arbitrary arrest; Amnesty International monitored cases in which some women were arrested solely in order to pressure their husbands into confessing, an additional glaring breach that goes to the lawfulness of the arrest or detention.

According to the latest statistics of the Directorate of Prisons at the Ministry of Justice, the number of prisoners in Lebanese prisons in February 2026 stood at about 6,498 persons, of whom 83% were held on remand without trial. This enormous figure for the number of persons held without trial, if it indicates anything, indicates the scale of the suffering and injustice to which prisoners are subjected, including of course prisoners of Syrian nationality, who constitute the highest proportion among foreigners.

83%

The number of prisoners in Lebanese prisons in February 2026 stood at about 6,498 persons, of whom 83% were held on remand without trial.

According to the latest statistics of the Directorate of Prisons at the Ministry of Justice

Second | Torture and Degrading Treatment

The prohibition of torture and ill-treatment is embodied in many international charters, treaties and conventions ratified by Lebanon,⁷ as well as in its domestic laws. Accordingly, the Lebanese authorities are bound under the Constitution, domestic laws and the relevant international treaties to refrain from resorting to torture against any person. In addition to international treaties and domestic laws, torture is absolutely prohibited under the peremptory rules of international law known as “Jus Cogens”, and therefore no state may derogate from it on the pretext of war, emergency or counter-terrorism. As torture is a peremptory norm of customary international law, the principle prohibiting it applies to all states regardless of whether they have ratified particular conventions.

Nevertheless, judicial police personnel in many countries resort to torture, either systematically as a matter of state policy or on an individual basis, which constitutes a flagrant violation of international laws and norms and at times even of domestic laws. This is what the Access Center for Human Rights

⁶ The Syrian Network for Human Rights calls on the Syrian and Lebanese governments to take urgent action to end the suffering of Syrian detainees in Lebanon, 18 February 2025, <https://snhr.org/arabic/wp-content/uploads/sites/2/2025/02/S250209A.pdf>

⁷ These include the Convention against Torture, which Lebanon ratified in 2000, and the Optional Protocol annexed to it, in 2008.

has monitored, in addition to the confirmations of several human rights organisations working in Lebanon, with regard to prisoners, persons held on remand and detainees, among them Syrian refugees fleeing the ravages of war and persecution.

Syrian refugees in detention centres belonging to the security branches are subjected to degrading treatment and all kinds of torture, in order to extract confessions from them centred on admitting membership of terrorist groups or providing information, on the basis of flimsy presumptions. The Center has monitored numerous cases in which the refugee either lacked identity documents or was a defector from the Syrian government army, and was arrested and tortured in order to extract statements in which he would admit to terrorism charges, merely because he lacked such documents. This is only to be expected given the events in Syria, as many refugees were forced to flee suddenly and could not take their documents with them, or lost them during their journey of displacement, or the documents were lost as a result of the destruction of their homes.

The same applies to soldiers and officers who deserted the army and took refuge in other countries such as Lebanon so as not to be implicated in bloodshed, which is a right guaranteed to them. But instead of receiving protection in Lebanon, they were arrested and tortured on charges of belonging to terrorist organisations, as defection from the Syrian army was considered, on its own, a presumption of belonging to armed groups.

Some detainees reported that they were tied to boards or suspended with their hands cuffed behind their backs for hours on end, and many suffered such severe beatings that they lost consciousness or had their teeth broken. Among the cases monitored by the Center, which numbered about 73 in 2020 alone, is the story of a refugee who had defected from the Syrian army. He was arrested at a Lebanese intelligence checkpoint in the town of Labweh while trying to cross to Beirut without personal documents; he was detained and held there for two days before being transferred to the Ablah branch to complete the investigation. He remained there for seven days, during which he was beaten and tortured to extract information from him, and the marks of torture remain visible on his body more than seven years after this violation.

**The marks of torture remain visible on his body
more than seven years after this violation.**

After the investigation ended, he was forced to choose a terrorism charge from among several to attribute to himself, and he signed the investigation record although all of his confessions had been extracted under torture. He was then transferred to the Lebanese Ministry of Defence, where he stayed

nine days under investigation, during which he was taken to interrogation rooms and beaten on various parts of his body, and at times lost consciousness, hearing and sight for hours without being brought before a doctor.

He was forced to choose a terrorism charge from among several to attribute to himself

After the coerced confession, he was transferred to the Military Court, where he was held in the holding cell for fifteen days, and was then brought before the court, which read out his confessions to him without any fair guarantees or adherence to the rules of judicial integrity. He was sentenced to one year in prison, which he served in Roumieh Prison, together with a fine, which the victim's lawyer paid at the end of the term, whereupon he was released.

In another incident, a Lebanese army patrol raided a camp in the town of Marj on 13 August 2018, arrested three refugees and took them to the General Intelligence centre in Ablah, where they were severely beaten. Children did not escape torture and degrading treatment either: Amnesty International documented the arrest of four children in late 2014 who were severely beaten and subjected to degrading treatment.

■ **Children did not escape torture and degrading treatment either**

In addition, Human Rights Watch documented 355 cases, its report proving the existence of torture practices against these children: some were subjected to electric shocks, others were hung by ropes and had cold water poured over their bodies, and this coincided with their being denied contact with their families.⁸

The Center also documented cases in the Bekaa region in 2021, where three children aged between 10 and 13 were held by the municipal police and interrogated in a shameful manner accompanied by insults and beatings. Their families were unable to file any complaint because they were threatened with deportation owing to the expiry of their residency permits, and they were thus deprived of recourse to the judiciary.

⁸ Human Rights Watch, "It's Not the Right Place for Us: The Trial of Civilians by Military Courts in Lebanon", 2017, <https://bit.ly/384DaUA>

Inhuman treatment is of course not limited to physical torture, as insults and verbal humiliation accompany detainees throughout the period of their detention. This was confirmed by one minor to the Center's team while he was held at an Internal Security Forces police station in Baalbek, when he was no older than 16.

Inhuman treatment is of course not limited to physical torture, as insults and verbal humiliation accompany detainees throughout the period of their detention.

Accordingly, this degrading treatment to which Syrian refugee minors are subjected inside detention and arrest centres constitutes, in addition to breaching Lebanese domestic laws, a flagrant breach of the international obligations Lebanon has signed up to, foremost the Convention on the Rights of the Child, particularly with regard to the duty to refrain from subjecting a child to torture, not to deprive a child of his or her liberty arbitrarily, to separate the child from adults during detention, and to provide legal assistance as quickly as possible.⁹ This is also confirmed by the Law on the Protection of Juveniles in domestic Lebanese law, which is distinguished by mitigated procedures and provisions of a reformatory character.

Third | **The Health Conditions of Prisoners**

The Standard Minimum Rules for the Treatment of Prisoners, known as the "Nelson Mandela Rules",¹⁰ provide that all prisoners have the right to dignified and humane conditions of confinement. The State bears fundamental responsibility for ensuring the required health standards by providing food, clean water, heating, lighting, ventilation, clothing, bedding and sanitary facilities in proper condition, and the prison administration and the authorities concerned must verify this periodically. In addition, prisoners must undergo periodic medical examinations carried out by a qualified doctor to ensure everyone's safety, with immediate intervention to examine the sick and provide them with appropriate treatment when needed.

⁹ Article 37 of the Convention on the Rights of the Child, which Lebanon signed in 1991.

¹⁰ Guidelines and guiding principles adopted by the United Nations General Assembly in 2015.

However, according to the 2025 annual report of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, which was based on the field visits the Committee conducted to prisons, detention centres and holding cells in the various Lebanese regions, in addition to studying detainees' files and monitoring their conditions, it emerged that places of detention continue to suffer from serious structural deficiencies that leave them far from compliance with the relevant international standards and national laws.¹¹ The report concluded that detention conditions continue to deteriorate, with some problems aggravated by overcrowding, economic conditions and the Israeli war on Lebanon. The most prominent observations are as follows:

- Continued severe overcrowding in prisons and detention centres, as the overcrowding rate rose to nearly 300% in some prisons, while the number of detainees in some holding cells exceeded their capacity by more than ten times.
- Continued excessive reliance on pre-trial detention, as persons held in pre-trial detention make up around 82% of the total prison population, which is one of the main reasons for the continuing overcrowding crisis.

300%

The overcrowding rate rose to nearly 300% in some prisons

82%

Persons held in pre-trial detention make up around 82% of the total prison population

- A low level of health care inside places of detention, with a severe shortage of essential medicines and medical services recorded, and the authorities' inability to meet detainees' essential health needs, particularly those with chronic illnesses.
- Poor living conditions in many prisons and holding cells, including weak ventilation, high humidity and insufficient exposure to sunlight, as well as a shortage of personal hygiene items, bedding and blankets, which is inconsistent with minimum humanitarian standards.
- A continuing decline in the quality and quantity of food provided to detainees, with many of them forced to secure their own food and drinking water at their own expense because of the shortcomings of what the administration provides.
- Continued deterioration of prison infrastructure, as most places of detention lack basic facilities and equipment, and many of them were originally built for purposes not intended for detention and

¹¹ Annual Report of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, for 2025, <https://nhrcib.org/archives/6386>

have not undergone the modifications necessary to meet the minimum standards adopted for penal institutions.

- Weak rehabilitation and reintegration programmes and a shortage of psychologists and social workers, alongside limited educational, vocational and cultural activities owing to overcrowding and scarce resources.

The Commission affirms in its report that these conditions constitute a continuing violation of the rights of persons deprived of their liberty, and call for urgent legislative and administrative reforms, including limiting recourse to pre-trial detention, improving prison infrastructure, and ensuring the provision of health care, food and basic needs in accordance with international standards for the treatment of prisoners.

This wretched reality in detention centres and prisons inevitably leads to the spread of disease among prisoners and the spread of pests such as scabies, which requires permanent medical intervention. Despite the efforts made by the medical team at the Ministry of Health and the Lebanese Red Cross, the capacity to contain infectious diseases remains beyond what the available medical staff can manage in light of the severe shortage of medical supplies. The Center documented the case of a Syrian refugee who urgently needed head surgery during his detention in Jezzine prison, in addition to painkillers; however, the state's difficult economic conditions and the shortage of medical supplies led the prison administration to disregard his complaint, which aggravated his condition and led to a severe health deterioration and intense nervous episodes.

According to a report by Human Rights Watch, it emerged that during initial investigations with Syrian refugees at General Security centres there was no medical care for persons suffering from medical conditions,¹² which may at times lead to death owing to delay in medical intervention as a result of the worsening of the health condition under harsh conditions of detention.

Recent developments at Roumieh Central Prison reveal how directly the stalling of legislative reform is linked to the deterioration of detainees' health. After the Constitutional Council suspended the General Amnesty Law, the Syrian remand detainee Ahmad Mustafa al-Hamad (44 years old) died at Hariri Hospital, after his physical and psychological health deteriorated during his detention, which lasted 44 months without trial, as a result of severe overcrowding and the absence of medical care inside the prison. According to the body "Prisoners' Families in Lebanon", this death is the third case among remand detainees in less than one month since the adoption of the law. It was followed by the recording of a further death of an inmate of Building "D" in the same prison, which led to riots, protests and the smashing of doors inside the prison, as well as cases of suffocation among detainees in protest at the suspension. It even reached the point of Islamist prisoners declaring an open-ended strike from food,

¹² Human Rights Watch, "It's Part of the Job': Ill-Treatment and Torture of Vulnerable Groups in Lebanese Police Stations", <https://bit.ly/36FtVtL>

drink and medication, including even those with chronic illnesses, which reflects a serious and unprecedented worsening of the health crisis inside prisons, and confirms that any obstruction of legislative reforms relating to pre-trial detention has a direct and tragic effect on the lives of detainees and their physical and psychological safety.

- **The Syrian remand detainee Ahmad Mustafa al-Hamad (44 years old) died at Hariri Hospital, after his physical and psychological health deteriorated during his detention, which lasted 44 months without trial**

Fourth | Violation of the Right to a Fair Trial

The right to a fair trial is one of the fundamental human rights, as is confirmed by the relevant Lebanese laws, from the stage of arrest, through investigation by the security and judicial agencies, up to the stage of issuing judgment and appealing it.

Article 47 of the Code of Criminal Procedure establishes the nullity of all investigations and records where the judicial police fail to comply with the procedural rules when arresting suspects. The suspect has the right, upon arrest, to remain silent, since anything he or she says may be used against him or her. He or she is also entitled to contact a member of his or her family or his or her lawyer immediately, and the lawyer is entitled to attend the interrogation session, failing which the interrogation is considered null and void. If the suspect suffers from illness or injury during detention, he or she has the right to be examined by a forensic doctor in order to establish any torture to which he or she was subjected. He or she is also entitled to the assistance of a sworn interpreter if he or she is not fluent in Arabic.

It is clear from this article that, during the period of arrest and investigation, the suspect enjoys rights that may not be breached, which correspond to those set out in the international treaties to which Lebanon has acceded, such as the International Covenant on Civil and Political Rights,¹³ or in whose drafting it took part, such as the Universal Declaration of Human Rights.¹⁴

¹³ Lebanon acceded to it on 3 November 1972; it affirms the rights of prisoners to humane treatment and the criminalisation of torture.

¹⁴ Lebanon took part in drafting the Universal Declaration of Human Rights, which is provided for in the preamble to the Constitution, paragraph (b), and it is therefore binding on Lebanon even though it is not a treaty in the traditional sense, i.e. it cannot be signed in the traditional sense of treaties.

Alongside this article, there are numerous articles that regulate the various stages of detention up to trial, such as Article 107 of the Code of Criminal Procedure, which defines the limits and duration of pre-trial detention and prevents arbitrary detention before the investigating judge,¹⁵ and Article 178, which provides that the trial must be conducted “publicly and in the presence of the parties”,¹⁶ as these two principles are among the most important guarantees of a fair trial in Lebanese law. Publicity is an essential tool of democratic oversight of the judiciary, as it allows society to monitor how justice is administered “in the name of the Lebanese people” and ensures transparency and confidence in the judicial system. As for the adversarial principle (proceedings in the presence of the parties), it is the actual translation of the right of defence and the principle of equality between adversaries, since without genuine adversarial proceedings the trial loses its fair character even if it is formally public. This article is similar to Article 14(1)(3) of the International Covenant on Civil and Political Rights.

In completion of the principles of publicity and adversarial proceedings, Lebanese law provides for the right to appeal judgments and to seek their cassation, embodying the principle of the right of challenge and appeal as the guarantee of monitoring the correct application of both principles after judgment is issued; this principle is also found in Article 14(5) of the International Covenant on Civil and Political Rights. And to confirm the principle of a fair trial, Lebanese laws provide in numerous articles for the necessity of the judge’s independence and impartiality in any case he or she decides, by allowing the judge to be challenged and removed where circumstances arise that give rise to legitimate doubt as to his or her impartiality, in accordance with what the Ordinary Judiciary Law provides on the principle of the independence of judges in the exercise of their functions. This is consistent with the provisions of international law set out in Article 14(1) of the International Covenant on Civil and Political Rights and Article 10 of the Universal Declaration of Human Rights, which provide for “the right of everyone to have his case heard by an independent and impartial tribunal, in a fair and public hearing, for the determination of his rights and obligations and of any criminal charge brought against him”.

It is worth noting that referring any civilian, whether Lebanese or foreign, to the Military Court constitutes a curtailment of the rights and guarantees granted to him or her if he or she were subject to the ordinary judiciary. Most of the principles entrenched by Lebanese laws to ensure fair trials can be undermined when civilians are referred to the Military Court on the pretext of a link between their

¹⁵ Article 107, Code of Criminal Procedure: The investigating judge shall immediately interrogate the defendant summoned by a summons; as for a defendant brought by a warrant to appear, the judge shall interrogate him or her within twenty-four hours from the time the warrant to appear against him or her is executed. If his or her detention continues for more than twenty-four hours without his or her being brought before the Public Prosecutor, this detention shall be considered an arbitrary act and the official responsible for it shall be prosecuted for the crime of deprivation of personal liberty. After the investigating judge has interrogated the defendant and consulted the opinion of the Public Prosecution, he may issue a decision to detain the defendant, provided that the offence attributed to him or her is punishable by imprisonment of more than one year. The detention decision must be reasoned, and the investigating judge must set out in it the factual and material grounds on which he relied in issuing his decision.

¹⁶ Article 178, Code of Criminal Procedure: The trial shall be conducted publicly and orally, failing which it shall be null and void, unless the sole judge decides to hold it in secret for the purpose of preserving public order or public morals.

charges and military law, such as charges of terrorism and espionage. Before the Military Court, hearings are often quick and summary, in violation of the principle of publicity. In addition, the composition of the Military Court panel from military officers who are not required to hold a law degree (with the exception of the civilian judge on the panel) undermines the principle of the independence and impartiality of the judiciary, since they are subordinate to the Ministry of Defence. Moreover, judgments issued by the Military Court are not subject to the usual appeal system as in the ordinary courts, but rather to narrow and restricted avenues of challenge before the Military Court of Cassation, which deprives the accused of the principle of two degrees of jurisdiction.

In fact, many Syrian refugees in Lebanon are denied their right to a fair trial. Reports issued by human rights organisations working in Lebanon repeatedly confirm that Syrian refugees are denied their right to contact a lawyer during detention or to communicate with a member of their families, which has limited their ability to defend themselves before the judicial police or to challenge the procedures of their detention later. Many Syrian refugees reported waiting for prolonged periods ranging from weeks to months, and in some cases one or two years, before appearing before the investigating judge, in flagrant violation of Lebanese and international laws.¹⁷ In a 2025 report by Legal Agenda, the average length of pre-trial detention for Syrians in Lebanese prisons was 19.2 months, which is a flagrant violation of the provisions of Lebanese laws.¹⁸

19.2

The average length of pre-trial detention for Syrians in Lebanese prisons was 19.2 months

In a 2025 report by Legal Agenda

Many convicted Syrian refugees also reported that judges relied during trials on confessions extracted from them under torture, so that terrorism charges were brought against them on the basis of statements they made under duress in extremely harsh conditions, and they confessed to crimes they had not committed after being tortured or threatened.

Any violation of the right to a fair trial as described above casts a shadow over the validity of the entire trial. The spread of such violations on the scale revealed by reports and live testimonies in Lebanon raises grave concern about the integrity and fairness of the Lebanese judicial system. It is worth noting that the prisoner transfer agreement signed between Lebanon and Syria in February 2026 was limited

¹⁷ Amnesty International, 2021, "I Wished I Would Die", <https://bit.ly/3u2lmCI>

¹⁸ Legal Agenda, "Management of Pre-Trial Detention": Post-Crisis Challenges in Lebanon, September 2024, <https://legal-agenda.com/wp-content/uploads/2025/02/Pre-Trial-Detention-Study-2.pdf>

to convicted persons only, and did not address the situation of those held in pre-trial detention without trial, whose file remains stuck with no clear legal prospect of ending their detention.

The spread of such violations on the scale revealed by reports and live testimonies in Lebanon raises grave concern about the integrity and fairness of the Lebanese judicial system.

Fifth | **Violations of the Classification of Prisoners**

The classification of prisoners is one of the fundamental principles on which the sound administration of penal institutions rests, given the protection it affords to the most vulnerable groups, the limiting of the transmission of criminal behaviour among inmates, and the guarantee of reform and rehabilitation programmes suited to each prisoner's legal and personal situation. In this context, a report issued by the Lebanese Parliament recommended the adoption of an integrated system for classifying prisoners, based on separating the different categories according to objective criteria that take into account the nature and seriousness of the offence, the prisoner's legal status, his or her psychological and health condition, and his or her criminal record, so as to ensure security inside penal institutions and to strengthen the objectives of reform and rehabilitation.¹⁹

This classification requires, first, separating convicted prisoners from those held in pre-trial detention, who continue to enjoy the presumption of innocence until a final judicial judgment is issued against them. It also requires not mixing perpetrators of serious crimes such as murder, terrorism and dealing with the enemy with perpetrators of less serious crimes such as financial offences and breach of trust. In addition, repeat offenders must be separated from those detained or convicted for the first time, and joint activities, including recreation periods, must be organised so as to be restricted to prisoners belonging to the same category, in line with the requirements of security and reform.

The report also recommended vacating all prisons and places of detention of juveniles, in particular the juvenile section at Roumieh Prison, and placing them exclusively in the observation homes or reform institutes designated for them, while working to expand the spread of these institutes across the various governorates or to establish a central institute at the level of Lebanon, in addition to

¹⁹ Lebanese Parliament, 23-E - Prisons, <https://www.lp.gov.lb/ContentRecordDetails?Id=13699>

establishing places of detention and rehabilitation for girl juveniles and the disciplinary institute provided for by law, so as to ensure the rehabilitation of juveniles according to their ages and the nature of the acts attributed to them, away from mixing with adults or with those convicted of serious crimes.

With regard to drug users and persons with disabilities or mental disorders, the report stressed the need not to keep them inside ordinary prisons, and to work to transfer them to specialised centres or institutions, or to allocate separate treatment wards inside central prisons where necessary, so as to ensure that they receive medical and psychological treatment and rehabilitation. It also emphasised the need to adopt a therapeutic approach towards drug users, as persons in need of health and psychological care rather than of criminal punishment alone, and to subject persons suffering from severe mental disorders to specialised medical assessment and transfer them to mental health institutions whenever their condition requires.

As for foreign prisoners, the report recommended working to deport them as soon as their sentences end or releasing them without delay, while observing the legal safeguards established for asylum seekers and foreign workers, and activating the mechanisms for transferring convicted persons to their countries of origin at their request whenever the bilateral judicial agreements in force allow.

These recommendations are consistent with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules), which entrenched the classification of prisoners as one of the core principles of the management of penal institutions. Rule 11 provides that different categories of prisoners shall be held in separate institutions or separate parts of an institution, taking account of sex, age, criminal record, the legal reason for detention and the requirements of treatment and reform. This requires, in all cases, separating men from women, separating persons imprisoned for civil reasons from those convicted of criminal offences, and separating juveniles from adults.

Rule 112 also affirmed the need to separate unconvicted prisoners from convicted prisoners, with untried juveniles to be held in institutions separate from those for adults. On the other hand, Rule 5(2) provides for the obligation of prison administrations to take all the necessary arrangements and accommodating measures to ensure that persons with physical or mental disabilities enjoy their full rights on an equal basis with other prisoners, while Rule 109 affirmed that persons who are found not to be criminally responsible, or who suffer from severe intellectual disabilities or mental disorders whose condition would be aggravated by remaining in prison, may not be kept inside penal institutions, and must be transferred as soon as possible to specialised mental health facilities, with all other prisoners suffering from mental disorders to receive care and treatment in specialised facilities under the supervision of qualified health personnel, and with appropriate treatment ensured for all prisoners who need mental health services.

However, the actual reality reveals serious violations in this regard, the most prominent of which are:

1. Prisoner Numbers and the Separation of Categories

Lebanese prisons are packed with persons held on remand and convicted prisoners in numbers that exceed their capacity by a wide margin: as of 30/03/2026 the number of prisoners was about 6,268, while the total capacity does not exceed 3,650 prisoners, of whom 3,500 are in Roumieh Prison alone, whose capacity does not exceed 1,050 prisoners.²⁰ This severe overcrowding leads to a clear deterioration in discipline inside penal institutions, and to recurrent problems among prisoners themselves and between them and security personnel.

6,268

As of 30/03/2026 the number of prisoners was about 6,268

3,650

The total capacity does not exceed 3,650 prisoners

2. Juvenile Prisoners

The actual reality reveals a complete absence of any specialised centre for the correction and rehabilitation of juveniles of both sexes in Lebanon, and the absence of prisons designated for young people, which inevitably leads to offending minors being mixed with perpetrators of serious crimes without any meaningful separation, whether in terms of the seriousness of the offence or the juvenile’s legal status.²¹

This problem becomes more complicated in the case of Syrian juveniles who enter Lebanese territory irregularly: even where a decision is issued releasing the juvenile from the suspected criminal charge, his or her detention continues at the disposal of General Security because of unlawful entry or lack of regular residency. These juveniles remain in detention centres for months on end, which places a doubled burden on centres that are already overcrowded, in addition to a flagrant violation of the rights of the detained juvenile in the absence of any legal mechanism allowing him or her to be handed over to General Security to be returned to his or her home country.²²

20 Directorate of Prisons at the Ministry of Justice, https://pa.justice.gov.lb/pa_stat.php

21 The Parliamentary Human Rights Committee, “The National Action Plan for Human Rights in Lebanon”, 2013, <https://bit.ly/3K7v7o0>

22 Monitoring Human Rights Violations in Places of Detention in Lebanon: Deprivation of Everything, 16 August 2024, <https://nhrcib.org/archives/1744>

Perhaps the testimony of Clara Fares is the best example of the structural imbalance in the classification of prisoners: she was seventeen years old when she was held in the women's prison in Baabda in 2001 for distributing a leaflet calling for an end to the Syrian occupation of Lebanon, and found herself in a room with sex workers, foreign workers who had entered the country irregularly and a woman convicted of murder.²³

3. Drug Users and Prisoners with Mental Disorders

In 1994 Decree No. 6164 was issued establishing the Blue Building at Roumieh Prison to house convicted persons suffering from mental illnesses. However, the reality reveals a wide gap between what the decree envisaged and what the situation has actually become: the building lacks qualified psychiatrists, nurses and psychotherapists, and the detainees in it are supervised by guards who lack any specialised psychological training. The building is limited to male detainees and not females, as convicted women with documented mental illnesses are not placed in its psychiatric unit.

The gravity of this reality is evident in numerous documented cases: two prisoners were sentenced to placement in the psychiatric unit, while a medical report issued by the Internal Security Forces did not establish any mental illness in them and no medication was prescribed for them; another prisoner was placed in the Blue Building pending the execution of his sentence with no psychological diagnosis appearing in his medical record.²⁴ Added to this, the doctors appointed by the Internal Security Forces resort to the term “nervous disorders” to describe the mental condition of prisoners, a term that does not exist in any internationally recognised medical diagnostic manuals. It is worth noting that the term “nervous disorders” is a technical term used by specialists to denote a wide spectrum of mental illnesses ranging from mild depression to schizophrenia, which makes using it in this vague way a tool of obfuscation rather than diagnosis.²⁵

Which makes using it in this vague way a tool of obfuscation rather than diagnosis.

²³ The New Humanitarian, “Overcrowded and Mismanaged Prisons Criminalising Young Offenders”, 25 March 2007, <https://bit.ly/3ND9pdK>.

²⁴ Catharsis Lebanon, “Mental Health in Lebanese Prisons: Prevalence Study of Severe Mental Illness among Inmates in Roumieh and Baabda Prisons”, 2015, <https://bit.ly/3JZFPgs>.

²⁵ Catharsis Lebanon, “Mental Health in Lebanese Prisons: Prevalence Study of Severe Mental Illness among Inmates in Roumieh and Baabda Prisons”, 2015, <https://bit.ly/3JZFPgs>.

Sixth

The Judicial Cooperation Agreement between Lebanon and Syria

The agreement on the transfer of convicted persons between Syria and Lebanon, signed on 6 February 2026, constitutes a practical entry point for easing overcrowding in Lebanese prisons and organising the execution of sentences, which may generate hope of alleviating some of the suffering of Syrians inside Lebanese prisons, particularly with regard to acts of torture and degrading treatment and the deteriorating health situation. This is conditional on the conditions of Syrian prisons being better for these Syrians. In this section we will address the most prominent provisions contained in this agreement relating to the category covered and the conditions that must be met for approval of a transfer request, together with the most prominent guarantees and formal procedures capable of safeguarding prisoners' rights during the handover process and the extent of respect for the human rights system, while verifying that the sentence will actually be executed in the state to which the prisoner will be transferred, whether Lebanon or Syria. We will also address the extent to which this agreement affects the reality of Lebanese prisons, particularly as its core objective centres on organising the mechanism for transferring prisoners between the two countries, foremost among them Syrians held in Lebanese prisons, which may help alleviate the severity of the overcrowding from which these prisons suffer.

The agreement stipulated a number of conditions that must be met by a prisoner for him or her to be transferred from the sentencing state to the state executing the sentence. Foremost among these conditions is that the application of the agreement is limited to convicted persons to the exclusion of other prisoners, that is, excluding those held on remand. The reason for this distinction is the principle of separation of powers, which in essence limits the interference of the authorities in one another; in our case, the executive authority is prohibited from interfering in the affairs of the judicial authority. A convicted prisoner is one against whom a judgment has been issued and who has begun executing a custodial sentence, and has therefore left the scope of the judicial authority and come into the custody of the executive authority, which is competent to determine how the sentence is executed. A person held on remand, on the other hand, is a person who is still innocent in the eyes of the judiciary and is awaiting trial within pre-trial detention, and any decision to release him or her therefore remains within the sole competence of the judicial authority.

The agreement also included a number of additional conditions, most notably: that the convicted person to be transferred must not be subject to trial for another offence, i.e. must not be both

convicted and held on remand at the same time;²⁶ that the offence must be punishable by deprivation of liberty in both states;²⁷ it is not required that the judgment be final and not open to appeal, as it suffices that it be enforceable;²⁸ the agreement applies to the prisoner regardless of the remainder of his or her sentence, except for the crimes of murder and rape, for which the agreement requires that at least ten years be served in the prisons of the sentencing state before the transfer is carried out,²⁹ in order to guarantee the execution of a minimum sentence. Persons sentenced to death also fall within the scope of the agreement, provided that the sentence is replaced with a lighter one upon completion of the transfer, i.e. it is required that the death sentence not be executed against the transferred person.³⁰ In addition, the agreement required that the convicted person to be transferred not hold the nationality of the sentencing state,³¹ and required his or her express consent to the transfer,³² in order to safeguard his or her safety where his or her life may be at risk if transferred, such as Syrian prisoners loyal to the former Syrian regime.

Even where these conditions are met, this does not necessarily mean that transfer becomes available, as the agreement empowered each state to refuse the transfer in three cases:³³

- If the sentencing state considers that the transfer affects its sovereignty, security, public order or other essential interests. This loosely worded provision opens the door to broad interpretation.
- If the convicted person has not fulfilled his or her financial obligations relating to personal rights, in order to protect the rights of victims.
- If it is not possible to execute the sentence in the state to which he or she would be transferred, such as the expiry of the limitation period or any other reason provided for in the laws of that state. This aims to ensure the actual execution of the sentence. Where a general or special amnesty is issued by the sentencing state, the convicted persons who have been transferred may benefit from it, in which case the state executing the sentence must end its execution.

To guarantee the rights of transferred convicted persons, the agreement expressly provided that they may not be prosecuted or tried again for the same crime,³⁴ out of respect for the principle that a person may not be punished twice for the same act. On the other hand, the agreement included a

²⁶ Article 3, paragraph 1(b) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

²⁷ Article 3, paragraph 1(d) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

²⁸ Article 3, paragraph 1(b) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

²⁹ Article 3, paragraph 1(e) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

³⁰ Article 2, paragraph 3 of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

³¹ Article 3, paragraph 1(a) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

³² Article 3, paragraph 1(c) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

³³ Article 3, paragraph 2(a, b, c) of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

³⁴ Article 10 of the Judicial Cooperation Agreement between Lebanon and Syria, 6 February 2026.

prohibition on any prisoner who has been transferred from re-entering the sentencing state except with the permission of that state's Public Prosecutor, even after the completion of the sentence.

From the foregoing it follows that the transfer of prisoners is not release, but rather transfer to their countries to complete the remainder of their sentences. Accordingly, the state to which the convicted person is transferred is bound to ensure compliance with this obligation and not to release the person except upon the expiry of the sentence.

The transfer of prisoners is not release, but rather transfer to their countries to complete the remainder of their sentences.

In 2025 the number of Syrian prisoners in Lebanese prisons was about 1,777 out of 6,500 prisoners, i.e. more than a quarter of all prisoners (27%), distributed as follows: 1,076 held on remand (60%), 356 convicted (20%), and 342 in a dual status, held on remand and convicted at the same time (20%).³⁵ Accordingly, those currently covered by the agreement are the smallest segment of Syrian prisoners, i.e. only 20% of them.

1,076 1,076 held on remand (60%)	356 356 convicted (20%)	342 342 in a dual status, held on remand and convicted at the same time (20%)
--	-----------------------------------	---

On the practical level, the Lebanese authorities have in fact begun implementing the agreement in two batches to date. The first batch was carried out in March 2026 and covered about 140 prisoners gathered from the prisons of Roumieh, Qobbah, Zahleh, Jib Jannine, Halba and Warwar, whom Lebanese General Security transferred to the Syrian border. It was followed by the second batch in June 2026, which covered a further 128 prisoners. Thus about 268 Syrian prisoners have been handed over so far out of the 300 targeted under the agreement, i.e. approximately 90% of the category it covers.

35 تسليم سجناء سوريين من لبنان إلى سورية: ماذا تتضمن اتفاقية نقل المحكوم عليهم؟ <https://legal-agenda.com> / تسليم-سجناء-سوريين-من-لبنان-إلى-سورية-م

However, this implementation, for all its importance, confirms in practice what this paper concluded in theory: even assuming the handover of the entire remaining quota is completed, the impact on overcrowding in Lebanese prisons remains limited and marginal, since it affects only the smallest segment (20%) of Syrian prisoners, while the overwhelming majority of them, namely those held on remand (60%) and those in a dual status (20%), remain entirely outside the scope of the agreement, hostage to the slowness of trials and the accumulation of pending cases before the Lebanese judiciary.

This means, in principle, that the handover of these convicted persons will not produce the hoped-for effect on the reality of Lebanese prisons. Even if all of them were handed over within a short period, the problem of overcrowding would remain, and the problems associated with it would continue, foremost among them the deterioration of general hygiene, insufficient food and potable water, and shortages of personal hygiene supplies. This is because Lebanese prisons are currently operating far beyond their capacity, in addition to suffering from a chronic funding shortage, like many public administrations in Lebanon, which means that addressing these conditions requires structural reforms that go beyond merely reducing the number of inmates.

It must also be noted that overcrowding is not the only cause of the prison crisis in Lebanon, and the transfer of Syrian prisoners therefore cannot be relied upon to resolve all the violations committed inside Lebanese prisons. Torture, degrading treatment, arbitrary detentions and violations of the right to a fair trial cannot be attributed to the overcrowding problem alone, but call for serious plans to be drawn up and implemented and for the applicable laws to be enforced without delay.

Conversely, according to reports from inside Syria, the transfer of Syrian prisoners from Lebanese prisons to Syrian prisons does not necessarily mean the end of their suffering. Local and international civil society organisations must therefore pay serious attention to the conditions of Syrian prisons and work to improve them in order to guarantee the humanitarian rights of prisoners and ensure their conformity with international standards; otherwise we will have merely moved the problem from one country to another without addressing its root.

■ **Otherwise we will have merely moved the problem from one country to another without addressing its root.**

This reality shows that the convicted persons transfer agreement, for all its symbolic importance, cannot be a substitute for addressing the root of the crisis, namely the prolonged pre-trial detention that affects the overwhelming majority of prisoners, Syrians and Lebanese alike. Of some 6,500 prisoners in Lebanon, some 82–83% remain held on remand without trial, a category that, despite all

the bilateral agreements, remains without any real legal prospect of an end to its suffering other than through radical reform of the slowness of the judicial system or through an exceptional measure such as a general amnesty.

The General Amnesty Law, which the Lebanese Parliament adopted on 12 August 2026, appeared to be the closest and most realistic solution to end this prolonged arbitrary detention that the courts are unable to resolve in the foreseeable future, especially as it affects thousands of persons held on remand whose detention has exceeded many years without any judgment being issued against them. However, the Constitutional Council's move on 10 September 2026 to suspend the operation of this law, following a challenge submitted by members of Parliament, returned thousands of remand detainees to square one and prolonged their suffering amid the overcrowding and deteriorating health conditions described in the preceding sections of this report.

The Constitutional Council's move on 10 September 2026 to suspend the operation of this law, following a challenge submitted by members of Parliament, returned thousands of remand detainees to square one

Hence, the aim of this report is not limited to documenting the reality of the continuing violations in Lebanese prisons, but extends to stressing that the suspension of the General Amnesty Law serves only to prolong an aggravating humanitarian and legal crisis, and that its adoption and implementation without further delay remains the most urgent and realistic step to end the suffering of thousands of remand detainees who have been deprived of their most basic rights to a fair and speedy trial.

Conclusion and Recommendations

The situation in Lebanese prisons, including places of pre-trial detention, falls short of any of the noble functions that penal institutions should perform. Measured against the United Nations "Minimum Rules for the Treatment of Prisoners", conditions in prisons can be described as oscillating between bad, very bad and inhuman. Indeed, staying in a number of Lebanese prisons has itself become a form of torture and cruel and inhuman treatment.

Therefore, work must begin on addressing the most serious problem from which Lebanese prisons suffer, namely abnormal overcrowding, particularly with regard to those held on remand: persons held

Indeed, staying in a number of Lebanese prisons has itself become a form of torture and cruel and inhuman treatment.

on remand in prisons and holding cells, of all nationalities, reached about 55.7% of prisoners, numbering around 3,533 remand detainees, compared to 2,809 convicted persons, i.e. 44.2%, according to Lebanese Ministry of Justice figures. It is therefore necessary to speed up the completion of investigations and trials by the competent judges and courts and to work on properly respecting the procedures and conditions of pre-trial detention, in particular those set out in Article 107 of the Code of Criminal Procedure.

Trying remand detainees and releasing those of them who deserve release will inevitably affect the inhuman health and psychological situation inside Lebanese prisons, and will contribute to addressing the phenomenon of arbitrary arrests and detentions that have affected them, in particular Syrian refugees among them, as they were the weakest link in Lebanon in the previous period that followed the fall of the Syrian regime.

Among the most prominent reasons that led to the delay in addressing human rights violations in Lebanese prisons, from which the imprisoned Syrian refugee of course suffers, are the absence of serious will for reform over many decades, the failure to regard improving the situation of prisons as a priority, and the resulting absence of the clear legislative, judicial, administrative and financial plans and policies needed to achieve this. This is what the relevant legislative, executive and judicial authorities must work to address, so that the reality of prisons conforms with the requirements of the Minimum Rules and modern criminal policies, and prisons are transformed from a mere instrument of punishment into an instrument of justice and places of reform and rehabilitation.

In addition, oversight mechanisms over security personnel must be activated to verify the extent of their application of the Lebanese and international laws that bind them, out of respect for individuals' fundamental rights, and in particular strictness in punishing those who violate the laws against torture. Respect for human dignity, even where the person is a prisoner, is a rule whose application may not be treated lightly, and its violators must be held accountable.

In this context, the Lebanese Parliament's adoption of the General Amnesty Law on 12 August 2026 constituted an exceptional and rare opportunity for a radical and swift resolution of the crisis of overcrowding and prolonged pre-trial detention described in this paper, after other partial solutions, foremost among them the agreement on the transfer of convicted Syrians signed with Damascus on 6

Respect for human dignity, even where the person is a prisoner, is a rule whose application may not be treated lightly, and its violators must be held accountable.

February 2026, proved limited in impact; this agreement reached only a small category of prisoners (the convicted), leaving the overwhelming majority of those held on remand, Syrians and Lebanese alike, outside any legal prospect of release or of an expedited trial. However, the Constitutional Council's move on 10 September 2026 to suspend the operation of the amnesty law, following a challenge submitted by members of Parliament, came to dispel this hope and to return thousands of remand detainees to the same circle of suffering, at a time when Lebanese prisons, foremost among them Roumieh, are witnessing a rise in deaths, protests, riots and hunger strikes, all of which are clear indicators that the continued suspension of this law does not merely freeze the existing situation but in fact aggravates it and exposes the lives of thousands of detainees to direct danger.

Accordingly, any serious treatment of the prisons file in Lebanon requires an immediate reconsideration of the decision to suspend the General Amnesty Law and its adoption and implementation without further delay, as the most urgent and realistic step, though not sufficient on its own, to end the suffering of the overwhelming majority of inmates of Lebanese prisons.

Accordingly, Access Center for Human Rights recommends the following:

— To The Lebanese Government:

- 1** Reconsider the Constitutional Council's decision suspending the operation of the General Amnesty Law, and work to adopt and implement it as quickly as possible, so as to ensure the release of persons held on remand whose detention has exceeded the legal and reasonable limits without trial.
- 2** Expedite the completion of the implementation of the agreement on the transfer of convicted Syrians signed with Syria on 6 February 2026, while stressing that it must not be regarded as a substitute for addressing the situation of those held in pre-trial detention, who constitute the largest segment of Syrian prisoners and the overwhelming majority of inmates of Lebanese prisons in general.
- 3** Stop the security agencies from pursuing Syrian refugees without legal justification and without adherence to fair trial procedures, end arbitrary arrests, and ensure the protection of refugees

from any security risks.

- 4** Stop all assaults, security raids and violations targeting the camps and homes of Syrian refugees.
- 5** Provide redress to victims of torture and forcible detention, put an end to impunity, and hold to account those responsible for incidents of death and torture inside places of detention and refer them to the competent judiciary in accordance with the relevant laws and legislation.
- 6** Issue legislation entrenching the participation of human rights organisations in the process of developing policies relating to refugee and foreign detainees and prisoners.
- 7** Limit the trial of civilian refugees before military courts, and monitor judges' compliance with fair trial standards.
- 8** Guarantee detainees' right to be informed of the reasons for their detention, to contact their families and to request legal advice.
- 9** Ensure the provision of the basic necessities of life in prisons, including a clean environment, safe water and regular medical care.

To The International Community and Donors:

- 10** Establish an independent legal oversight mechanism in cooperation with civil society organisations to assess Lebanon's interventions and how it distributes funds, in order to guarantee the rights of refugee detainees and prisoners and secure decent humanitarian conditions for them during their detention or imprisonment.
- 11** Contribute to pressuring Lebanon to comply with the domestic laws and international conventions relating to the humane treatment of prisoners and the prevention of torture, and advocate on issues relating to violations against victims of arbitrary detention and torture.



Access Center for Human Rights (ACHR)

www.achrights.org · @ACHRights