

## **Lebanon: the military has no role in policing public protests, let alone in arresting, detaining and prosecuting ordinary civilians**

**February 10, 2021**

The ICJ and the Lebanese Center for Human Rights (CLDH) are deeply concerned about the role of the military in the arrest, detention and referral for prosecution by military courts of dozens of civilians in Tripoli. The military's crackdown has taken place in the context of ongoing protests in the city against a dire economic situation exacerbated by the nation-wide lockdown imposed by the government with the stated intention of combatting the COVID-19 pandemic.

"Under the Rule of Law, the military has no business policing demonstrations, detaining protesters or prosecuting civilians," said Said Benarbia, the ICJ's Middle East and North Africa Programme Director. "Instead of addressing the legitimate grievances of those protesting, the Lebanese government is using the military to silence dissenting voices by arresting and sending protestors for trial before military tribunals."

While the military reported the arrest of [five individuals on 27 January](#), [five on 29 January](#) and another [17 on 31 January](#), for, among other things, allegedly engaging in "rioting," "vandalism" and "obstruction of civil defence," other sources suggest [at least 58 civilians were arrested](#) by the military in connection with the above-mentioned protests in Tripoli. The whereabouts of many detainees remained undisclosed for days following their arrest. According to [lawyers](#), the military's Office of Public Prosecution has referred at least 14 individuals to a military Investigating Judge.

The ICJ and CLDH call on the Lebanese authorities to ensure that the military plays no role in policing the ongoing protests and in other law enforcement functions that are properly the sole responsibility of civilian law enforcement agencies. The military courts' jurisdiction, in particular, must be confined exclusively to the commission of military offences by military personnel and, in turn, totally exclude the possibility of prosecuting civilians, as well as cases involving the perpetration of human rights violations by military personnel.

Referrals by the military's Office of Public Prosecution follow an increasing, worrying [trend](#) of trying those involved in anti-government protests before military courts, which are neither independent nor impartial, and whose procedures do not comply with international fair trial standards.

"Lebanon's military tribunals have a grim history of unfair trials and politicized proceedings against those suspected of opposing the government," said Fadel Fakhri, CLDH's Executive Director. "If faith in the Lebanese justice system is to be restored, the jurisdiction of military tribunals must be fully reformed," he added.

In a 2018 briefing paper entitled "[The Jurisdiction and Independence of the Military Courts System in Lebanon in Light of International Standards](#)," the ICJ called on the Lebanese authorities to enhance the independence and impartiality of military courts, ensure the fairness of their procedures, and restrict their jurisdiction to cases involving members of the military for military offences.

Said Benarbia, Director of the ICJ Middle East and North Africa Programme, t: +41 22 979 38 17;  
e: [said.benarbia\(a\)icj.org](mailto:said.benarbia@icj.org).

Fadel Fakh, Director of the Lebanese Center for Human Rights, t +961 81 065 041; e: [ffakh@cldh-lebanon.org](mailto:ffakh@cldh-lebanon.org)