

AMNESTY INTERNATIONAL

21 March 2025 MDE 18/9170/2025

LEBANON: JOINT OPEN LETTER: PROTECT BLAST INVESTIGATION FROM INTERFERENCE, OBSTRUCTION

Dear Prime Minister Nawaf Salam,

Dear Justice Minister Adel Nassar,

We, the undersigned international and national human rights organizations, and families of the victims of the August 2020 Beirut port blast, are writing to urge you to take all necessary measures to ensure that the investigation into the Beirut explosion may proceed without undue interference or obstruction by Lebanon's political leaders, state officials, or suspects implicated in the case. We also call on you to take all necessary measures to ensure that vacancies across Lebanon's judicial bodies and courts be filled in a manner consistent with Lebanon's international human rights obligations guaranteeing judicial independence and on the basis of competence and merit. We further call on you to strengthen judicial independence in Lebanon, including by working with parliament towards the adoption of a law on the independence of the judiciary, which meets international standards, and the adoption of needed amendments to Lebanon's civil and criminal procedures codes to address provisions that have been exploited to obstruct criminal and civil investigations.

We were relieved to hear the news that, in early February, Judge Tarek Bitar resumed his investigation into the Beirut port blast case, summoning additional employees and security officials suspected of involvement in the blast. We have also been encouraged by Prime Minister Salam's statement, from the Presidential palace in Baabda, pledging to work to provide justice for the victims of the 2020 Beirut port blast and their families, and Justice Minister Adel Nassar's stated commitment to work to remove the obstacles that have hindered the course of the investigation. We are equally encouraged by recent news indicating that Lebanon's Interim Public Prosecutor Jamal Hajjar has annulled former Public Prosecutor Ghassan Oueidat's decision, which barred security forces and the Prosecution office from collaborating with or receiving any communication from Judge Bitar. Moving forward, the cooperation of Lebanon's Public Prosecution office and security services with Judge Bitar will be vitally important in order to secure justice, truth and reparations for the victims of the Beirut port explosion.

Without the much-needed reforms we have called for, the independence of the investigation, in addition to the independence of the judiciary more generally, remains at stake. The government should work to remove the legal and political barriers that have previously prevented Judge Tarek Bitar from resuming his work, including by making the necessary judicial appointments, in a manner consistent with Lebanon's international human rights obligation guaranteeing the independence of the judiciary, and by removing immunities protecting state officials from being held to account.

The resumption of the investigation is a critical step towards holding to account those responsible for the devastating port explosion, which killed more than 200 people, injured thousands, left an estimated 300,000 people homeless and has had drastic effects on the mental health of people in Lebanon, on their sense of security and on their trust in the Lebanese state. It is of utmost importance that the investigation into the port explosion be conducted independently and impartially, by establishing the facts and circumstances around the explosion. This should include a comprehensive examination of the involvement of all individuals and entities, both within Lebanon and internationally, across the entire chain of events leading to the blast, and not only the warehousing in Lebanon of the Ammonium Nitrate. It should also identify any human rights violations arising from the Lebanese state's failure to protect the right to life, including with respect to any politically sensitive murders that appear to have been connected to the Beirut port explosion. An investigation by Human Rights Watch found that the August 4, 2020, Beirut port explosion, one of the largest non-nuclear explosions in history, arose from the government's failure to protect the right to life and indicated the potential involvement of senior officials in Lebanon.

As we have already urged, the government should urgently work with parliament towards the adoption of a law on the independence of the judiciary that complies with Lebanon's international human rights obligations guaranteeing the independence of the judiciary. In particular, the government should work with parliament to ensure that the two draft laws on judicial independence currently before parliament reflect the Venice Commission's recommendations and other

international standards on judicial independence, such as the 1985 UN Basic Principles on the Independence of the Judiciary, and the Human Rights Committee's General Comment No. 32 on article 14 of the International Covenant on Civil and Political Rights (ICCPR).

In March 2023, nine members of Lebanon's parliament introduced two draft bills, which would amend article 751 of Lebanon's Code of Civil Procedure and article 52 of the Code of Criminal Procedure, both of which have been used to paralyze the investigation into the Beirut port explosion and other investigations into financial crimes and allegations of fraud. The amendments would prevent the automatic suspension of judicial investigations when plaintiffs take legal action against the investigative judge or request their disqualification or withdrawal from the case. Instead, the competent court would decide on the suspension of judicial investigations. The new government should work with parliament to adopt any amendments necessary to strengthen the independence of judicial investigations and prevent political interference with the judiciary. Lebanon's government should also work with parliament towards the amendment of article 125 of the Code of Civil Procedures, which has been repeatedly used to stall judicial investigations, with the purpose of preventing the automatic suspension of civil lawsuits unless the court determines it necessary. We further urge the Lebanese authorities to cooperate with ongoing investigations and lawsuits abroad related to the Beirut port blast case, including through information sharing.

We thank you for your attention to the concerns outlined in this letter and would greatly welcome the opportunity to discuss our recommendations with you in person.

Thank you in advance for considering our request.

Sincerely,

List of signatories:

Organizations:

Accountability Now
Alternative Press Syndicate - Lebanon
Amnesty International
Cairo Institute for Human Rights Studies
Cedar Centre for Legal Studies
Gherbal Initiative
Human Rights Research League
Human Rights Watch
Legal Action Worldwide
Lokman Slim Foundation
MENA Rights Group
PAX for Peace
Samir Kassir Foundation
SMEX
The Legal Agenda
The International Commission of Jurists
The Tahrir Institute for Middle East Policy (TIMEP)

Individuals, survivors, and families of the victims:

Christine Abi Rezek
Degaule Abourjeili

Tania Daou Alam
Cybèle Asmar
George Bazergy
Wissam Diab
Jacques Dib
Cedric El-Adm
Cyril El-Adm
Dalal El-Adm
Nazih El-Adm
Eliane Jean El-Hajj
Laura Jamil El-Khoury
Leila Metri El-khoury
Nawal El-Murr
Pierre Gemayel
Amal Gmaiel
Joseph Ghafary
Arlette Hajj Abdou
Nabil Hajj
Lara Hayek
Najwa Hayek
Lara Hojaiban
Noha Hojayban
Youmna Hojayban
Zita Hojayban
Dolly Kanaan
Michel Kattaa
Mireille Bazergy Khoury
Bassam Khoury
Lydia, Michel, Nathalie and Myriam Khoury
Elham Maacaron
Marie Makhlouf
Abdo Matta
Tony Mattar
Paul Naggear
Tracy Naggear
Dolly Nassif
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Gilberte Rahhal

Cecile Roukoz
Arze Salloum
Therese Salloum
Michel Sayegh
Carmen Khoury Sayegh
Lara Sayegh
Sarah Sayegh
Ajwad Shayya
Gitta Slaibi
Vera Yaghelian
Georges Zaarour
Clair Zaarour
Lara Zerbé
Zeina Zerbé

Families of the following firefighters:

Joe Bou Saab
Sahar Fares
Misal Hawwa
Charbel Hitti
Najib Hitti
Ramy Kaaky
Charbel Karam
Eli Khouzamy
Ralph Mellehy
Joe Noun