

STATEMENT ON BEIRUT EXPLOSION INVESTIGATION

Failure to ensure transparency and accountability must be urgently addressed

The Lebanese Transparency Association (LTA), supported by Transparency International, are alarmed by the Lebanese government's failure to establish a wide-ranging investigation into the Beirut explosion that is able to establish legal, administrative and criminal responsibilities, and which is conducted openly and transparently, and includes independent external observers and experts.

Following the "Administrative Inquiry" of the Beirut explosion initiated by the Lebanese government on 5 August 2020, the Lebanese Public Prosecutor issued a statement at the Court of Cassation, which outlined the three dimensions of the prosecutor's investigation: 1) direct and indirect causes of the explosion; 2) the ship that brought the explosive materials to the port; and 3) responsibilities that might be distributed over several other dimensions as stated by the Public Prosecutor.

The Public Prosecutor also presented several recommendations, including referring the case to the Military Public Prosecution and the Judicial Council, two Exceptional Courts. Based on the Public Prosecutor's recommendation on 10 August 2020, the Lebanese government has referred the case to the Judicial Council.

The referral to the Judicial Council, an Exceptional Court that doesn't guarantee the right to a fair trial or due process, goes against the Lebanese government's international obligations. The same "Administrative Inquiry" has not been performed openly or transparently. Information is mostly "leaked" to the public, and the number of official press releases and the information provided through them is insufficient to make the public aware of the inquiry's development.

Conducting the inquiry, the Lebanese authorities have not included independent external observers or technical experts, only foreign technical experts under the direction of the Lebanese Army. The shipment route of explosive materials adds a cross border aspect to this case. Measures must be adopted by the Lebanese government to ensure the impartiality of the inquiry, and that no interference will happen from national entities that could hinder it.

The investigation has been limited to administrative matters and does not have the far-reaching powers needed to specify criminal responsibilities and accountabilities.

The Lebanese Transparency Association (LTA), supported by Transparency International, calls on the competent authorities to:

- **Take international human rights law and transparency standards into consideration, and to fulfil the Lebanese government's international obligations, especially those under Article 14 of the ICCPR;**
- **Conduct an open and transparent inquiry, including independent external observers and technical experts;**
- **Ensure full accountability by ensuring the inquiry has far-reaching powers to investigate both the causes of the explosion and establish legal, administrative and criminal responsibilities, before a Permanent Court that guarantees the right to a fair trial and due process.**

Beirut – 12 August 2020