

To the attention of

Special Rapporteur (SR) on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes,

SR on the right to food,

SR on the rights of persons with disabilities,

SR on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

SR on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment,

SR on adequate housing,

SR on human rights of internally displaced people,

SR on the promotion of truth, justice, reparation and guarantees of non-recurrence,

SR on the rights to freedom of peaceful assembly and of association,

SR on the promotion and protection of the right to freedom of opinion and expression

SR on Violence Against Women, its causes and consequences

Working Group on Discrimination against Women and Girls

SR on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

1) Background

On August 4, 2020, a huge explosion took place in Lebanon's capital, Beirut, causing more than 150 deaths, 5000 wounded and dozens missing, for now. The explosion was felt as far as 10 kms. The Jordan Seismological Observatory [registered](#) the Beirut port blast as equivalent to a 4.5-magnitude earthquake on the Richter scale. The echo of the blast reached the Cyprus capital of Nicosia, which is 241 km away from Beirut. This explosion is the third strongest in the history of humanity, just behind Hiroshima and Nagasaki.

The cause of the explosion is linked to 2.750 tons of ammonium nitrate, which was stored in the port of Beirut without safety precautions for the past six years. Although not all details are revealed by the Lebanese authorities, [Lebanese Information Minister Manal Abdel Samad Najd](#) is quoted to say that there are papers and documents dating back to 2014 proving the existence of an exchange of information about the "material" confiscated by Lebanese authorities. Further statements by [the Director General of Beirut Port Hassan Kraytem](#) confirm that the authorities knew that they were dangerous materials, and there were attempts to remove the explosive material but the issue had not been "resolved."

The massive explosion of August 4, that completely destroyed Beirut's harbor (in a country whose economy heavily relies on imports) and the neighboring areas, has shown the persistent negligence of Lebanese authorities and the inability of the Lebanese ruling elite to respect, protect and fulfil the human rights of the people living under their

jurisdiction. Lebanon is a state party to the International Covenant on Civil and Political Rights (ICCPR). Under Article 6 of ICCPR “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”

The Human Rights Committee, in its General Comment 36 of 2018, characterizes the right to life as ‘*the supreme right from which no derogation is permitted*’. The Human Rights Committee highlights that the right to life ‘concerns the entitlement of individuals to be free from acts and omissions that are intended or may be expected to cause their unnatural or premature death, as well as to enjoy a life with dignity.’ State parties have the legal obligations to ‘to respect and to ensure the right to life, to give effect to it through legislative and other measures, and to provide effective remedies and reparation to all victims of violations of the right to life.’

By knowingly leaving the highly volatile ammonium nitrate unsafely stored in a densely populated area, despite several attempts by customs authorities to raise the high risk it posed to population and infrastructure, the Lebanese government violated its obligation to respect and ensure the right to life.

The [government is now also stopping international aid and rescue relief teams](#) from accessing the disaster area, further violating their obligation to provide effective remedies and reparation to all victims of violations of the right to life and to potential survivors.

International human rights standards have long recognized that Torture and ill-treatment can take virtually unlimited forms, including physical violence or psychological abuse, denial of family contacts or medical treatment. As per the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment in his report on the relationship between torture and corruption ‘While not all manifestations of torture and ill-treatment involve the same severity, intentionality and purposefulness, all involve violations of physical or mental integrity that are incompatible with human dignity and, therefore, cannot be justified under any circumstances.’ By refusing entry to foreign rescue teams that would support Lebanese civilians’ effort to find survivors, the Lebanese government is violating its obligations under human rights law to refrain from inflicting ill-treatment on individuals under its authority. Denying families increased chances of finding the fate of their loved ones constitutes a form of cruel and inhuman treatment.

2) Socio-economic impact of the explosion

Lebanon has been facing financial and monetary collapse, which is rooted in a deep political crisis in the nature and structure of the governance regime, manifested in ineffective state oversight, embedded corruption, and lack of transparency. Such unresolved dossiers, regulations yet to be effectively put in place, and calls for social, economic and political reforms were all in the chants of Lebanese people who have been protesting since October 2019 and calling for change.

The impact of the explosion will be felt for long and on multiple fronts. In addition to increasing death tolls and the number of wounded people, the [Governor of Beirut](#) has estimated that 300,000 people have been left homeless and around half of the city had been damaged by the explosion. Whereas the [repair bill is estimated around \\$15 billion](#), reconstruction could face ample challenges given that much of the needed material will need to be imported and paid for in dollars. In the midst of the financial and monetary crisis that Lebanon is witnessing, banks have imposed restrictions on financial transactions as a result of which the Lebanese people have limited access to their money held by the banks. This is compounded by the loss of value of the Lebanese lira compared to the dollar. In this context, more Lebanese could live in a state of internal displacement for a longer period of time, which could stretch into the autumn and cold winter seasons.

Furthermore, the damage to the port is expected to significantly exacerbate the economic crisis, given the share of the port in imports and exports of Lebanon which [amounts to 82%, generating \\$250 million from fees each year](#). This is in addition to the destruction of whole neighbourhoods hosting major commercial and hospitality outlets, such as restaurants and hotels that are one of the most active Lebanese economic sectors, and that will imply more loss of livelihoods and higher levels of unemployment. The port, being used for shipping aid to Syria, will also [impact](#) humanitarian assistance provided to Syria.

Lebanon's food security [is further threatened](#) given the significant damage and losses to the national wheat silos preserved at the destroyed port and as Lebanon imports about [80 to 85 percent of its food](#). Thus, the situation will only be exacerbated as famine possibility was already foreseen for Lebanon [by experts](#) and people's access to food was already challenged given the [increase of 56 percent in prices of food](#) prior to the explosion.

3) Impact on persons facing intersectional discrimination

The situation of people with disabilities is critical as well. The president of the Lebanese Union for People with Physical Disabilities, Ms. Sylvana Lakkis, noted the urgent need for a rapid assessment to check on the over 5000 injured people who may become disabled as a result of the explosion. She added that "The services and the support that is going to be provided for the next phase should ensure diversity, to make sure that these people get needed medication and rehabilitation after the injury and also the right to go back to their normal living. This means rebuilding should ensure accessibility and diversity of needs. Representatives of disabled peoples' organizations should be involved in decision making of how services and support will be designed and implemented."

Women and girls, especially migrant domestic workers, the vast majority of whom are women, will also be disproportionately impacted by the aftermath of the explosion. Migrant domestic workers' do not enjoy any protections awarded to workers under the Labour Code and are subjected to the [modern-day slavery system of Kefala](#). They were already in a very dire situation before the explosion: due to the catastrophic economic crisis, [many migrant workers were not paid their wages and were dropped and abandoned by their employers with no possibility to go home](#).

4) Impact on the right to the highest attainable standard of physical and mental health

Whereas the ammonium nitrate explosion produces massive amounts of nitrogen oxides; there is no immediate and accurate information by the Lebanese government about the health impact aftermath and air pollution. However, foreign embassies called their residents to stay indoors and wear masks. The Air Pollution Observatory of the American University of Beirut noted that larger dust particles from the explosion settled on the ground in areas downwind of the port and some can be re-suspended into the air during cleaning activities and by vehicle traffic over roads where dust has settled, which will require precautionary measures. Greenpeace Middle East and North Africa Office published guidelines to protect public health noting that “other materials involved in the fire and explosion will generate combustion products such as PAHs (Polycyclic Aromatic Hydrocarbons) and soot particles. These chemicals and fine soot particles are also potentially hazardous to health”.

The health situation is expected to be worse amid increasing COVID-19 cases in the country. Lebanon was preparing to implement another lockdown prior to the explosion. Multiple health facilities were also severely impacted by the explosion, which will undermine their immediate and medium term response to those in need. Hospitals had to consume a big part of their medical stock in their immediate response to the explosion. Furthermore, the governmental medical supplies including for cancer treatments have been severely affected too, potentially leaving a lot of patients without access to the medication they need. Warehouses of international aid organizations, including the International Committee of the Red Cross, have been severely or partially destroyed by the explosion, including those assigned for humanitarian relief in Syria.

The mental health toll is likely to be extremely high: the impact of an explosion of such a magnitude, coupled with the total absence of appropriate state response, on a population already exhausted by the global COVID-19 pandemic, a catastrophic economic situation and decades of war will likely severely hit the population.

5) Violations against human rights defenders

Accountability and justice has been the key call of the October 17 Revolution although faced with the use of excessive force by security forces, arbitrary arrests against protesters. Security forces continue with similar restrictive measures, as videos documented tear gas fired at the protestors in front of the Parliament after the explosion.

On August 8th, riot police fired tear gas at peaceful protesters and shot them with rubber bullets and live ammunition, resulting in several injuries as documented by protestors, in contravention with the state's obligation to respect everyone's right to peaceful protest.

6) Recommendations

In light of the above, we the undersigned organizations call upon you to pay the utmost attention to the situation in Lebanon, especially in light of the lack of trust in the Lebanese

government and authorities, and the obvious inability of the government to investigate the incident impartially and effectively in order to ensure accountability. We urge you to:

- Request an urgent country visit to Lebanon in order to assess the human rights situation under your respective mandates, making recommendations to Lebanon in line with its obligations under international human rights law, and to meaningfully engage with civil society during the visits
- Issue a joint public statement firmly condemning the Lebanese government for its failure to respect, protect and fulfill the rights to, inter alia, life, health and to live in a safe and sustainable environment of the people living under its jurisdiction.
 - The statement should remind Lebanon of its obligations under international human rights law and call for ensuring accountability, for respecting and fulfilling victims' and survivors' right to an effective remedy, including through the provision of timely, effective and meaningful reparations.
 - The statement should also call for the appointment of an independent international investigation to ensure an inquiry is thoroughly and transparently conducted and reparations and remedies are adequately recommended, including through focusing on the responsibilities behind the illegal act of storing the 2.750 tons of ammonium nitrate for around 6 years, the actions and inactions, including negligence, by the responsible authorities including in the executive branch, and to call upon the Lebanese authorities to facilitate full access to determine the responsible parties and the causes of deaths and injuries.
- Call upon the Lebanese authorities to facilitate needs assessments undertaken by UN agencies and civil society; providing information and engaging them in planning and implementing the recovery plan. The full, equal, meaningful and effective participation of all persons affected should be ensured in all areas that are relevant to them, including in the allocation of humanitarian assistance provided by donor governments. Groups facing multiple and intersecting forms of discrimination should be paid particular attention, such as older people, children who may be hurt, traumatized, separated from their parents, women and girls, including migrant domestic workers and people with disabilities. In addition safeguards should be ensured and transparency measures should be put in place for the aid allocation to prevent any further corruption cases.