



الشبكة السورية لحقوق الإنسان
SYRIAN NETWORK FOR HUMAN RIGHTS

Lebanon's Obligation to Handover Suspected Syrian War Criminals

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The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

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I. INTRODUCTION

The collapse of the Assad regime on December 8, 2014, marked a turning point in Syria's history, bringing an end to more than five decades of authoritarian rule characterized by systematic human rights abuses, mass arrests, torture, and extrajudicial killings. However, the regime's fall did not bring justice to the hundreds of thousands of victims who suffered under its oppression. On the contrary, it was followed by a mass exodus of military leaders, security officials, and other members of the former regime from Syria, fearing accountability for the crimes attributed to them.

Among the destinations sought by these fugitives, Lebanon emerged as a crucial haven. Hundreds of Syrian commanders, officers, and soldiers sought refuge in Lebanese territory, many of them accused of war crimes or crimes against humanity, subject to international sanctions, or wanted by Interpol. This reality transformed Lebanon from a neighboring country into a potential sanctuary for perpetrators of some of the most egregious human rights abuses of the 21st century.

This report aims to examine Lebanon's international obligations towards individuals who have sought refuge on its territory, assess the bilateral framework governing Syrian-Lebanese judicial cooperation, and analyze the security implications of Lebanon's inaction. The report concludes with practical recommendations for the Syrian government to strengthen Lebanon's compliance with its binding obligations under international law and ensure that perpetrators of atrocities are brought to justice.

Fadel Abdulghany, director of the Syrian Network for Human Rights, says:



Establishing a legitimate cooperative relationship between post-Assad Syria and Lebanon depends primarily on Lebanon's willingness to achieve justice, prevent providing safe haven for war criminals, and fully cooperate within accountability mechanisms. Achieving justice for victims is not a matter of diplomatic negotiation, but rather a legal obligation and a moral foundation upon which any future bilateral partnership should be built.

II. DOCUMENTED PRESENCE OF WAR CRIMINALS IN LEBANON

The presence of former Assad regime officials in Lebanon has been widely documented through multiple independent sources, including investigative journalism, leaked recordings, and intelligence reports. Media investigations have confirmed that hundreds of former Syrian officers currently reside in Lebanon. These individuals include some of the most prominent figures accused of committing atrocities attributed to the former regime. Leaked recordings published in December 2025 revealed the presence of Brigadier General Ghiath Dalla, a former brigade commander in the regime's army, believed to be residing in Lebanon. The recordings documented communications between him and Suheil al-Hassan, the former special forces commander who defected to Russia, in which they discussed plans to regroup and launch armed operations against the Syrian government, particularly along the Syrian coast.

Further evidence has emerged, including hidden camera footage showing Bassam al-Hasan, the former chief of staff of the National Defense Forces and a U.S. sanctions figure for his involvement in the kidnapping of American journalist Austin Tice, residing in an apartment in Beirut. This directly contradicts Lebanon's repeated denials of harboring internationally wanted individuals. Local sources in Lebanon have also confirmed observing other figures from the former regime moving about freely, suggesting not only their presence but also their comfortable residence within Lebanese territory.

III. FRAMEWORK OF THE INTERNATIONAL LAW REGARDING LEBANON'S OBLIGATION

Lebanon's harboring of individuals accused of war crimes and crimes against humanity puts the state at risk of violating multiple international legal obligations. These obligations are based on treaty law, customary international law, and UN General Assembly resolutions, forming a comprehensive framework that restricts the possibility of providing safe haven to perpetrators of atrocities.

1. Universal Jurisdiction and the Principle of Extradition or Prosecution

The principle of universal jurisdiction, firmly established in customary international law, provides a legal framework that permits, and in some contexts obligates, states to take measures to hold perpetrators of the most serious international crimes accountable, including war crimes, crimes against humanity, and genocide, regardless of where the crime was committed or the nationality of the perpetrator. This principle stems from the recognition that these crimes affect the entire international community and that preventing impunity is a shared international interest.

The principle of “either extradite or prosecute” dictates that a state cannot allow the presence of a person suspected of committing serious international crimes on its territory to go unpunished. It must either prosecute the individual according to due process or extradite the person to another state willing and able to do so, within a sound legal framework. This principle entails a practical obligation to take effective measures to prevent impunity, including due diligence, arrest where necessary, and referral of the case to the appropriate authorities. A state that fails to fulfill this obligation contributes, directly or indirectly, to perpetuating impunity.

2. Obligations under the 1949 Geneva Conventions

The 1949 Geneva Conventions, to which Lebanon is a party, impose explicit obligations regarding grave breaches of international humanitarian law. Under the relevant articles of the four Conventions (Articles 49, 50, 129, and 146), States are obligated to search for persons suspected of committing grave breaches, “regardless of their nationality,” and to bring them either before their own courts or to surrender them for prosecution to another State Party that has prima facie evidence of guilt.

This obligation admits no exceptions based on political considerations or bilateral relations. The system of grave violations was specifically designed to prevent perpetrators of the most serious violations of international humanitarian law from escaping punishment by crossing borders. Therefore, Lebanon’s failure to investigate, restrain, prosecute, or extradite those suspected of grave violations gives rise to state responsibility under its treaty obligations.

3. United Nations General Assembly Resolution 3074 (XXVIII)

In its resolution 3074 (XXVIII) of 3 December 1973, the United Nations General Assembly adopted the principles of international cooperation in identifying, arresting, extraditing, and punishing persons accused of war crimes and crimes against humanity. The resolution affirms that these crimes are subject to investigation, and that persons suspected of committing them are subject to investigation, arrest, prosecution, and, if found guilty, punishment.

Principle 7 of this resolution is of particular importance in the current context, as it unequivocally states that states may not grant asylum to any person about whom there are serious grounds to believe that they have committed a crime against peace, a war crime, or a crime against humanity. Accordingly, Lebanon’s granting of refuge to individuals credibly accused of committing such crimes, whether through active facilitation or deliberate acquiescence, contravenes this principle.

In addition to obligations stemming from universal jurisdiction and multilateral treaties, Syria and Lebanon are bound by bilateral agreements governing extradition and judicial cooperation. The 1951 judicial agreement between the two countries sets out the conditions for the transfer of prisoners, including that the offenses be criminalized in both countries, that the penalty be imprisonment for at least one year, that the convicted person be a citizen of the requesting state, and that the judicial rulings be final.

IV. FRENCH COURT CALLS: A PRECEDENT AND PRESSURE MECHANISM

France invoked the principles of international law through official judicial channels, setting a significant precedent and an effective pressure mechanism. On November 3, 2025, the Lebanese authorities received a formal judicial request from France for the arrest of three former high-ranking security officials from the Assad regime should they be found on Lebanese territory: Major General Jamil Hassan (former head of Air Force Intelligence), Major General Ali Mamlouk (director of the National Security Bureau), and Major General Abdel Salam Mahmoud (head of investigations in Air Force Intelligence).

France has requested the extradition of these individuals after the public prosecutor charged them, in absentia, with war crimes and crimes against humanity, including overseeing the torture and extrajudicial killing of French citizens of Syrian origin while in detention. French investigating judges had previously issued arrest warrants for them on charges of torture, enforced disappearance, and deaths in custody, and later issued warrants for them on charges related to the use of chemical weapons against civilians.

Despite this official request, which included indications suggesting the availability of information about the movements of wanted individuals and documented evidence of their possible presence in Lebanon, Lebanese authorities have repeatedly denied any knowledge of their whereabouts. The Lebanese Attorney General instructed security agencies to investigate the presence of the individuals and monitor border crossings, but no arrests have been confirmed. Lebanese media outlets reported that the judicial request included Lebanese phone numbers allegedly used in regular contact with the wanted officers, highlighting a contradiction between the available information and the official denial.

V. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions:

- Lebanon is currently harboring individuals credibly accused of war crimes, crimes against humanity, and other serious violations of international law. This presence has been documented through multiple independent sources, including investigative journalism, leaked recordings, intelligence reports, and official judicial proceedings in third countries. Repeated official denials by Lebanese authorities regarding knowledge of the whereabouts of these individuals contradict substantial evidence, including documented communications and confirmed sightings.
- Providing refuge to these individuals, whether through active facilitation or deliberate inaction, places Lebanon in violation of binding international legal obligations. These obligations arise from customary international law, treaty law, and UN General Assembly resolutions. Furthermore, the principle of not granting asylum to individuals credibly accused of war crimes and crimes against humanity admits no exceptions based on political or bilateral considerations.
- The bilateral framework between Syria and Lebanon, including the 1951 judicial agreement and ongoing negotiations to enhance cooperation, provides mechanisms for addressing these issues through diplomatic and judicial channels. However, Lebanese exceptions and delays in implementing extradition cooperation undermine the possibility of building a legitimate bilateral relationship based on the rule of law. In this context, a contradiction emerges that negatively impacts Lebanon's credibility: a previous willingness to hand over opponents of the Assad regime to fates involving torture and death, contrasted with a current reluctance to cooperate with a post-Assad government in a way that would lead to holding perpetrators accountable.
- The security repercussions of Lebanese inaction extend beyond legal and diplomatic considerations, as indications suggest that elements of the former regime are using Lebanese territory to plan and coordinate activities aimed at destabilizing the Syrian government. The lack of an effective response to this threat is transforming Lebanon from a neighboring state into a source of security concern for the Syrian transitional government.
- Achieving justice for the victims of the systematic atrocities committed by the Assad regime is not a matter for negotiation within Syrian-Lebanese relations. It is a legal obligation for Lebanon, regardless of bilateral considerations, and a moral imperative without which no legitimate partnership can exist. Furthermore, the international community's commitment to ending impunity for atrocities requires all states, including Lebanon, to fulfill their obligations to ensure that perpetrators are brought to justice.

B. Recommendations:

To the Syrian government:

Based on the analysis contained in this report, the following recommendations are made to the Syrian government to strengthen Lebanon's compliance with its international legal obligations and to support efforts to bring perpetrators of atrocity crimes to justice.

1. Formalizing Demands Through Diplomatic Channels

The Syrian Ministry of Foreign Affairs should submit comprehensive official documentation to Lebanon through established diplomatic channels. This documentation should include lists of wanted individuals, supported by detailed evidence of the crimes attributed to them, and the legal grounds for extradition under bilateral agreements and international law, with explicit emphasis on Lebanon's relevant obligations. This procedure establishes a clear and formal record of Syria's demands and compliance requirements, supporting the possibility of orderly escalation should non-compliance persist.

2. Coordination with States Exercising Universal Jurisdiction:

Syria should seek effective coordination with France and other states that have issued arrest warrants or initiated legal proceedings against former officials of the Assad regime. French judicial authorities possess expertise and evidence accumulated over years of investigations, and such coordination can increase pressure on Lebanon and provide Syrian judicial authorities with valuable resources and experience. Furthermore, the delivery of coordinated diplomatic notes to Lebanese authorities could reflect a practical international consensus on the priority of accountability.

3. Utilizing Regional Diplomatic Forums:

Syria should use regional diplomatic forums to mobilize collective pressure on Lebanon. Regional states that support Syria's unity and stability can be encouraged to exert diplomatic pressure to urge Lebanon to abide by its international legal obligations, particularly given their shared security interests in preventing the re-emergence of networks that threaten the security of both countries. Coordinated regional messaging would underscore that Lebanon's non-compliance will have repercussions for its broader regional relations.

4. Making Cooperation on Extradition a Prerequisite for Advancing Bilateral Relations

Syria should establish clear criteria linking progress on extradition to progress in bilateral relations. While remaining open to discussing implementation mechanisms, it must be firmly emphasized that Lebanon cannot be a haven for war criminals, and that any political, economic, or security cooperation requires genuine compliance with accountability measures. Progress on this issue should also be clearly linked to progress on other bilateral matters, including economic cooperation, border arrangements, and addressing outstanding issues.

5. Developing Domestic Legal Reforms

To address any Lebanese claims regarding fair trial guarantees and to strengthen Syria's legal and moral position in its extradition request, domestic reforms should be accelerated in line with international standards. This includes aligning national criminalization of war crimes, crimes against humanity, and genocide with international definitions, providing transparent mechanisms for monitoring judicial proceedings, and considering the use of international judicial expertise to support domestic capacities when necessary. Such steps would reflect Syria's commitment to due process and reduce the scope for objections concerning the fate of individuals after their extradition.

6. Engaging Lebanese Civil Society

Syria should support structured engagement with Lebanese civil society organizations, human rights groups, and political actors who prioritize accountability and reject impunity for war criminals. By building channels of cooperation with Lebanese actors committed to the rule of law, it can contribute to creating internal pressure that encourages Lebanese authorities to take concrete action. This engagement should focus on the shared interests of both countries in preventing the resurgence of networks that threaten stability and security in Syria and Lebanon.

To the Lebanese government:

1. Adopt a clear and official position affirming that not providing safe haven to those suspected of war crimes and crimes against humanity is a legally binding obligation and assign a central body to coordinate the government's response on this matter, involving the Ministry of Justice, the Ministry of Interior, General Security, the Public Prosecutor's Office, and security agencies.
2. Implement systematic verification and investigation procedures to determine the whereabouts of suspects within Lebanese territory. These procedures should include scrutinizing entry and residency records, strengthening legal oversight at border crossings, and taking preventative measures to prevent escape whenever there are serious grounds for doing so.
3. Activate effective international judicial cooperation, including responding to foreign judicial requests and arrest warrants, exchanging judicial information in accordance with established procedures, and ensuring that wanted individuals are prevented from crossing borders.

4. Establish a unified official mechanism for receiving, sorting, evaluating, and referring information and files from Syrian authorities or from countries exercising universal jurisdiction to the competent authority, while documenting the procedures undertaken to ensure institutional accountability and maximum transparency without compromising investigations.
5. Adopt clear national protocols for dealing with those suspected of committing serious violations, balancing due process guarantees with the requirements of preventing impunity, and preventing the obstruction of cases due to political or administrative considerations.

The Lebanese judiciary, public prosecutors, and law enforcement agencies:

1. Open preliminary investigations when there is credible evidence of suspects residing in Lebanon, and take appropriate search, investigation, and restrictive measures, as necessary, to prevent escape, and refer the cases to the competent judicial authorities within reasonable timeframes.
2. Establish judicial contact points for international cooperation in cases of serious international crimes, facilitating the swift handling of requests for mutual legal assistance, as well as European and international requests, and ensuring procedural consistency in receiving and examining evidence.
3. Strengthen the standards of consistency in judicial decisions and non-selectivity in dealing with wanted individuals, ensuring equal treatment and enhancing the credibility of the Lebanese state before the international community and domestic public opinion.
4. Develop internal procedural guidelines to direct law enforcement agencies regarding the collection, verification, and documentation of information in a manner that preserves its admissibility and prevents its politicization or use outside the framework of justice.

The Lebanese Parliament and the relevant parliamentary committees:

1. Regular parliamentary oversight of the government's performance regarding the presence of individuals suspected of committing serious international crimes, through periodic hearings with the Ministries of Justice, Interior, Public Security, and the Public Prosecution Office, to discuss the measures taken and any obstacles encountered in their implementation.

2. Reviewing relevant national legislation to ensure the availability of effective legal instruments for judicial cooperation and extradition, and addressing any procedural loopholes that could be exploited to obstruct accountability.
3. Supporting the establishment of specialized units within law enforcement agencies to investigate and cooperate on serious international crimes and providing them with the necessary legal framework and resources.

The United Nations and international mechanisms concerned with accountability and the rule of law:

1. Include the issue of not providing safe haven to perpetrators of atrocities in the institutional dialogue with Lebanon, linking it to obligations under the rule of law, judicial cooperation, and victims' rights, thereby encouraging concrete national measures.
2. Provide technical support to Lebanon to develop its capacity to handle serious international crimes, including establishing specialized units, improving due diligence procedures, enhancing international judicial cooperation, and strengthening the protection of witnesses and whistleblowers where necessary.
3. Encourage practical coordination between Lebanon and relevant international bodies regarding the Syrian crisis, thereby limiting the use of Lebanese territory to reorganize or plan activities that threaten stability and security, while simultaneously upholding legal standards and human rights.

Interpol and relevant international police cooperation bodies:

1. Enhance the exchange of operational information related to wanted individuals and regularly update data concerning their whereabouts and movements, in accordance with applicable legal frameworks, to help bridge the gap between judicial requests and practical results.
2. Support operational communication channels between Lebanon and requesting countries and facilitate cooperation in verification and investigation matters, thereby reducing the likelihood of evasion through movement and enhancing the effectiveness of international pursuit.

Arab states and regional forums:

1. Utilize regional channels to urge Lebanon to adhere to the principle of not providing safe havens, considering this a cornerstone of regional stability and preventing the re-emergence of networks that threaten the security of neighboring countries.
2. Adopt coordinated regional messaging that encourages judicial and security cooperation based on the rule of law, and links bilateral and regional support for Lebanon to tangible progress on this issue, in accordance with its international legal obligations.

Lebanese civil society, media, and human rights organizations:

1. Documenting available information professionally and systematically, and referring it to the competent judicial authorities in accordance with standards that preserve the integrity of procedures and the validity of information, and mitigate the risks of defamation or targeting without legal basis.
2. Promoting responsible public discourse on the principle of no impunity, clarifying that accountability targets individuals accused of specific acts and does not hold any social or political group collectively responsible.
3. Building professional partnerships with Syrian and international accountability bodies to coordinate messages and efforts, develop monitoring and verification capabilities, and support victims and their families in accordance with human rights and the rule of law.

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