

3. Legal system and the judiciary

3.1 Judicial system

Lebanon's legal system is based on civil law rooted in the Roman legal tradition, with the judiciary operating under codified civil and criminal procedural laws and legal processes conducted mainly through written submissions,193 in a centralised judicial system composed primarily of ordinary courts organised in three levels, which handle both civil and criminal matters, alongside separate administrative and specialised courts.194

Lebanon's judiciary includes the Court of Cassation (*Mahkamat al-Tamyiz*), Courts of Appeal (*Mahakim al-Istinaf*), Civil Courts (*Al-Mahakim al-Madaniyya*), Criminal Courts (*Al-Mahakim al-Jazaiyya*), Religious Courts (*Al-Mahakim al-Shariyya*), the State Council (*Majlis Shura al-Dawla*), the Military Court (*Al-Mahkama al-Askariyya*), and the Labor Arbitration Council (*Majlis al-Amal al-Tahkimi*).195

Although Lebanon lacks court-administered alternative dispute resolution mechanisms, arbitration remains the sole officially recognised method, governed by the Civil Procedure Law, which empowers courts to appoint arbitrators when parties fail to agree and grants them exclusive authority to enforce or annul arbitral awards.196 Mediation in Lebanon is governed by two laws: Judicial Mediation under Law 82 of 2018 allows courts to refer civil and commercial disputes to mediation with the parties' consent but excludes cases related to personal status, criminal matters, bankruptcy, and inheritance; Conventional Mediation under Law 286 of 2022 enables parties to voluntarily choose mediators outside of court, with both frameworks requiring neutrality and confidentiality.197 No other source could be found to corroborate this information within the time constraints of this report.

The Court of Cassation serves as the highest judicial authority,198 where decisions from the Courts of Appeal may be contested. Below it are the Courts of Appeal, which function as second-level appellate courts, and beneath them are the first-instance Civil Courts, which have jurisdiction over civil matters.199 There are also Administrative Courts, where the State Council (known as the *Majlis al Shura* in Arabic and *Conseil d'Etat* in French200) is Lebanon's highest administrative court.201

In addition, there are various specialised courts, including religious courts, which deal with matters within their specific areas such as personal status, and military courts.202 Freedom House observed that military courts in Lebanon have assumed jurisdiction not only in cases concerning alleged espionage and militancy but also in proceedings involving human rights activists and protesters.203

Criminal Courts act as both trial and appellate courts for felonies and misdemeanours.[204] For more information on Criminal Courts, see section 3.1.2 Criminal law and courts.

In addition, the Constitutional Council examines matters related to elections and the constitutionality of laws, and the Commercial Courts are responsible for commercial disputes.[205]

The Supreme Judicial Council,[206] also known as the High Judicial Council (HJC),[207] is presided by the First President of the Court of Cassation or Chief Justice,[208] and is mandated to appoint and train all judges in Lebanon.[209]

The HJC is an independent and self-governing judicial body and is responsible for overseeing the selection, appointment, transfer, promotion, and disciplinary proceedings of judges and prosecutors.[210] In recent years, Lebanon's judiciary has faced challenges to its independence due to political influence, official complaints from senior officials, and criticism of judges through social and mainstream media.[211] In July 2025, Lebanon's parliament adopted a new law on judicial independence, which Human Rights Watch considers a positive step for enhancing judicial self-governance, but notes that it still falls short of fully safeguarding the HJC's autonomy and limiting executive influence.[212] The HJC welcomed the law, noting that some provisions strengthen judicial independence, while others continue to fall short of fully safeguarding the judiciary.[213]

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