

The Debate in Lebanon over Direct Talks with Israel

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The Lebanese leadership's historic decision to engage in direct talks with Israel and sign the framework agreement in June has sparked extensive internal debate in Lebanon. One facet of this debate has focused on the legal implications of the move, given Lebanese legislation prohibiting contact between Israeli and Lebanese citizens and imposing severe penalties on those who violate the law. For the time being, the Lebanese leadership has refrained from pushing to amend the legislation. Instead, in response to accusations of treason from Hezbollah and its supporters, it has maintained that the Lebanese Constitution grants it the authority to conduct talks with Israel in the interest of safeguarding Lebanon's sovereignty. Seeking to balance the pursuit of negotiations with these domestic political and legal sensitivities, the Lebanese leadership has also adopted cautious rules of conduct for its engagement with Israel. From Israel's perspective, it is preferable at this stage to allow this process to develop gradually, without intervening in Lebanon's internal debate or pressing for formal legislative changes or meetings between the leaders of the two countries. The Israeli leadership should rather allow for the stigma and taboos surrounding engagement with Israelis to erode over time, while leaving it to the Lebanese leadership to pursue official changes as domestic circumstances evolve.

Approximately one month after Hezbollah joined Iran's war against Israel and the United States on March 2, the Lebanese president decided to initiate direct talks with Israel, a process that culminated in the signing of a historic framework agreement between the two countries under US auspices on June 26. Although the talks aimed at reaching a permanent agreement are being held in the United States between relatively low-level delegations headed by the two countries' ambassadors, they nonetheless represent a watershed in Israeli-Lebanese relations. Their significance is particularly striking given the Lebanese government's longstanding and, until now, strict avoidance of official contact with Israel. Thus, for example, during the negotiations on maritime border demarcation that led to the agreement signed in October 2020, the Lebanese leadership insisted that the talks be conducted indirectly. This approach reflected the political constraints of the period, when Hezbollah exercised considerable influence over Lebanon's decision-making processes. The negotiations took place under US mediation and in the presence of UN representatives, with members of the Lebanese delegation avoiding any direct contact with their Israeli counterparts.

Following the signing of the framework agreement in June and the continuation of official direct talks between the parties, a charged internal debate has emerged in Lebanon over the issue. This debate exposes the deep divide between those supporting an end to the state of war and the establishment of good relations with Israel, and the "resistance" camp—namely, Hezbollah and its supporters. On the

one hand, media outlets aligned with the country's leadership have covered the talks with Israel extensively and largely favorably. A growing number of public figures have also openly expressed support for the possibility of a peace agreement and, in some cases, even acknowledged personal ties with Israelis, despite the risk of legal action and potentially severe penalties. On the other hand, Hezbollah and its supporters have vehemently condemned both the decision to enter direct talks and the signing of the framework agreement, portraying these steps as acts of surrender and humiliation and branding those who maintain contacts with Israelis, or even openly advocate such contacts, as traitors.

The Legal Basis for Prohibiting Contact with Israelis

Lebanon's official prohibition on contact with Israelis is based on two principal laws:

- **The Lebanese Penal Code (Legislative Decree No. 340 of 1943)**, which addresses offenses involving treason and crimes against state security and prescribes severe penalties—from life imprisonment with hard labor to the death penalty in the most serious cases—for collaboration with an "enemy state." This law does not mention Israel by name, but much of its application in practice has focused on Israel, which Lebanon legally treats as an enemy state.
- **The Law on the Boycott of Israel** adopted by the Lebanese Parliament in June 1955. This law expanded the prohibition to the economic and commercial spheres, banning direct and indirect dealings with Israeli entities, the import of Israeli products, and commercial ties with companies conducting business in Israel.

Together, these laws provide the legal basis for prosecuting Lebanese citizens for unauthorized contacts with Israel. Such cases are adjudicated by Lebanon's military courts, which fall under the authority of the Ministry of Defense. This institutional framework reflects the treatment of contacts with Israel as a matter of national security rather than an ordinary civilian legal issue. Over the years, the harsh penalties for contacts with Israelis have led Lebanese citizens to avoid any interaction with Israelis, for fear of prosecution and severe punishment. There have been numerous cases in recent decades in which Lebanon's military court has imposed severe sentences on individuals convicted of treason and collaboration with the enemy. Although the laws do not explicitly refer to Israel, in practice the overwhelming majority of legal proceedings have involved contacts or cooperation with Israel. In practice, these provisions have been interpreted broadly and applied not only to official or security-related dealings, but also to unofficial interactions with Israelis, including in academic, business, cultural, and media settings. Such forms of engagement have, in some cases, been sufficient to trigger legal proceedings.

As Hezbollah's standing grew stronger, so too did the number of cases in which the organization used these laws to advance its own interests. This legislation became a tool in Hezbollah's hands, enabling it to ensure the prosecution and imprisonment of its political opponents, who were accused of maintaining contacts with Israel, collaborating with the enemy, and committing treason. To do so, Hezbollah exploited its considerable influence over the military courts, exercised in part through judges appointed with its backing or perceived as dependent on its favor. The courts remain subject to public criticism over allegations of continued Hezbollah influence.

The Constitutional Debate Following the Direct Talks

Within the framework of the public discussion, a debate is also taking place regarding the legality of the leadership's decision to hold direct talks and sign the framework agreement with Israel. Several approaches can be identified in this debate:

1. **The State Camp**, comprising the President, the government, and the Ministry of Foreign Affairs, views the negotiations as a means of restoring the state's authority over matters of war and peace and securing an Israeli withdrawal. It presents the talks as an instrument for reinforcing Lebanese sovereignty, relying on Article 52 of the Lebanese Constitution.¹
2. **The Hezbollah Camp** does not rule out technical or indirect engagement with Israel on limited issues that serve its interests, but strongly opposes direct talks with the "Israeli enemy" and demands strict enforcement of the Boycott Law, viewing such engagement as a step toward legitimizing Israel and, ultimately, "normalization."
3. **Opponents of Hezbollah**, who argue that there is no constitutional impediment to negotiating with Israel, and that opposition to it merely preserves Hezbollah's control over decisions concerning war and peace. Some spokespersons from this camp have even called for the repeal or narrowing of the boycott laws against Israel.

This broader public debate is also echoed within Lebanon's legal community, where jurists have offered competing interpretations of the legality of direct talks with Israel. Some jurists distinguish between the state's constitutional authority to negotiate with Israel and questions concerning how the negotiations have been conducted and what Lebanon has agreed to. While they do not necessarily challenge the legality of the talks themselves, they have raised concerns about procedural shortcomings, including the absence of required approvals, as well as specific provisions of the framework agreement, such as Lebanon's commitment not to pursue claims against Israel in international forums. One interpretation of this issue was offered by Lebanese constitutional expert Said Malek, who argued in an article published in *Asharq Al-Awsat* on April 12, 2026, that those challenging the very signing of the agreement had misinterpreted the relevant legal provisions. According to Malek, the Boycott Law of 1955 and the provisions of the Penal Code regulate the conduct of private citizens and commercial companies, but do not limit the authority of the Lebanese state to conduct Lebanon's foreign policy and negotiate international agreements on behalf of the state, including vis-à-vis Israel, pursuant to Article 52 of the Constitution. This position resonated widely across Arab media.

However, this interpretation has been contested by Lebanese jurists associated with the "resistance" camp. Among them, legal scholar Osama Rahal has argued that what was once regarded as self-evidently unconstitutional, namely direct negotiations with the enemy, has now become a matter

¹ The text of Article 52 of the Lebanese Constitution states: "The President of the Republic assumes the negotiations to sign international treaties and ratify them with the consent of the Prime Minister. These treaties cannot be ratified [taking effect] except after the agreement of the Council of Ministers [the Cabinet]. The President informs Parliament of the treaties as soon as the interest and safety of the State permit. However, treaties involving provisions related to the State finances, trade treaties, and other treaties which cannot be annulled on an annual basis are not considered binding except after their approval by Parliament."

requiring legal justification. In his view, the president's powers cannot be interpreted in isolation from the Constitution and the Taif Agreement, which he maintains preclude direct negotiations with Israel.

These competing legal interpretations are also reflected in the positions adopted by Lebanon's political leadership. Hezbollah's parliamentary bloc has sided with the latter view, characterizing the direct talks as an aberration and as unconstitutional. Speaker of Parliament Nabih Berri, who opposes the agreement, has similarly argued that it does not comply with the Lebanese Constitution.

By contrast, statements by Prime Minister Nawaf Salam and President Joseph Aoun suggest that the Lebanese leadership has adopted an approach closer to Malek's interpretation, distinguishing between the legal restrictions governing individual interactions with Israelis and the state's constitutional authority to engage with Israel. In an interview with the Lebanese television network LBCI on July 1, Salam stated that military personnel are bound by regulations prohibiting them from being photographed with Israelis or greeting them, but that he himself saw no problem with being photographed with them. Similarly, during a joint press conference with President Trump on July 21, Aoun maintained that Article 52 of the Constitution grants him the authority to sign the framework agreement and that the move does not require parliamentary approval.

The Campaign in Lebanon Against Contacts with Israel

Alongside the extensive public discourse on the subject, efforts to enforce Lebanese legislation prohibiting private citizens from maintaining contacts with Israel have continued in practice. This is in addition to enforcement measures targeting public expressions of support for Israel, interviews with Israeli media outlets, and interactions on social media. The following are several recent examples:

- Despite criticism of the military courts' authority to try civilians for contacts with Israel or for expressing favorable views toward it, the military courts continue to prosecute and impose severe penalties on citizens accused of such offenses:
 - In April 2026, activist Joumana Jabbara and Dr. Ahmad Yassine were sentenced *in absentia* to 15 years of imprisonment and stripped of their civil rights. Jabbara was convicted over social media posts praising the IDF Arabic-language spokesperson and calling for peace with Israel. Yassin was accused of providing intelligence to Israel and convicted following the publication of a video in which he criticized Hezbollah's use of the Baalbek World Heritage Site for military purposes.
 - In June 2026, the Military Court sentenced Lebanese journalist Maria Maalouf, who resides in the United States, to 15 years of imprisonment *in absentia* and revoked her civil rights. The charges stemmed from her interviews with Israeli media outlets and her sharp criticism of Hezbollah.
- A political storm erupted in Lebanon after photographs were published showing Lebanese businessman Antoine Sehnaoui in close proximity to the Israeli prime minister and his wife during a dinner held in Washington on July 27 in honor of Senator Lindsey Graham. Sehnaoui and his partner, US diplomat Morgan Ortagus, were among the event's organizers. The photographs prompted harsh criticism from several members of Parliament, and complaints were subsequently filed against them with the attorney general. These complaints led to a Court of Appeal order to investigate Sehnaoui within thirty days of his return to Lebanon.

- Broad campaigns against contacts with Israel continue to be promoted in the Lebanese media and on social media. One prominent initiative is the "Campaign to Boycott Supporters of Israel in Lebanon," which regularly campaigns against expressions of normalization with Israel. On July 28, for example, it launched a campaign calling for a boycott of the new Spider-Man film in Lebanon because one of its creators is an American of Israeli origin.

Despite these developments, it is difficult to ignore the changing public attitude in Lebanon toward contacts with Israelis and the growing willingness to test the boundaries of the existing prohibitions, particularly given that legal action has not been taken against everyone involved in such activities. Since the launch of the direct negotiations, several Lebanese media outlets have published interviews with Israeli officials, journalists, and researchers—a new and unusual phenomenon. For example, the website *This Is Beirut* published interviews with Israeli researcher Sarit Zehavi (April 21) and Israel's ambassador to the United States, Yechiel Leiter (May 29). The television channel Al Jadeed broadcast (on June 4) a question posed by its Washington correspondent to Leiter during a press conference, while LBCI aired an interview (on June 5) with Israeli journalist Barak Ravid during prime time. As expected, these moves drew harsh criticism from Hezbollah and affiliated media outlets, foremost among them the newspaper *Al-Akhbar*, which accused the media organizations involved of promoting the "Israeli narrative" and violating Lebanon's boycott laws.

Summary and Recommendation for Israel

The Lebanese leadership's pivotal decision to pursue direct talks with Israel, which led to the signing of a framework agreement between the two countries and the beginning of its implementation, was never likely to pass without controversy in a deeply divided Lebanon, which remains subject to the influence of Hezbollah's opposition. The difficulty of taking such a step is further underscored by Lebanon's longstanding legislation prohibiting contacts between the two countries, which Hezbollah and its allies have sought to preserve and have effectively used to pursue the prosecution and severe punishment of those accused of violating its provisions. While this development has triggered an extensive public, political, and legal debate in Lebanon, it has also given rise to an emerging distinction between, on the one hand, the legality of the Lebanese leadership's actions vis-à-vis Israel under the authority granted to it by the Constitution (Article 52) for the purpose of safeguarding Lebanon's sovereignty, and, on the other, the criminal prohibition on contacts with Israelis, which continues to be enforced—albeit selectively—against private citizens and companies.

At this stage, it appears that Hezbollah's ability to deter contacts with Israelis has somewhat weakened, as a growing number of figures in the Lebanese public sphere are willing to challenge longstanding legal and political taboos. Nevertheless, the Lebanese leadership continues to walk a fine line, advancing this shift while seeking to avoid further exacerbating domestic tensions. Accordingly, it has thus far refrained from attempting to amend the relevant legislation in Parliament, not least because it is unlikely to secure the necessary support, given the position of Speaker of Parliament Nabih Berri, who aligns with Hezbollah's approach. Furthermore, Lebanon's leadership is adopting cautious rules of conduct in its contacts with Israel: it requests that talks take place in the presence of, or under the auspices of, a third party, and it dispatches low-level delegations characterized as technical, while avoiding excessive public exposure alongside Israeli representatives. It is therefore no coincidence that President Aoun was

careful to avoid a public meeting with Prime Minister Netanyahu during their visits to the United States; the two leaders met separately with President Trump.

In our assessment, Israel's interests are best served at this stage by refraining from intervening in Lebanon's internal debate, pressing for legislative amendments, or making continued engagement contingent on such changes. It is likewise advisable not to seek public meetings between the countries' heads of state. It should also be taken into account that, under Israeli law, Lebanon remains defined as an enemy state. Moreover, the Lebanese leadership is already navigating the difficult task of implementing the agreement in the face of fierce opposition from Hezbollah. Additional Israeli pressure could further burden the leadership and potentially weaken its position. The Israeli approach should allow change to develop gradually from the bottom up. As longstanding stigmas and taboos surrounding engagement with Israelis begin to erode and unofficial interactions become more common, a de facto change in relations may precede and ultimately facilitate de jure change. Formal legislative amendments can therefore be left to Lebanon's internal political process, as circumstances evolve and the political conditions for such changes become more favorable.

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