

Flygtningenævnets baggrundsmateriale

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Freedom in the World - ↓ Lebanon (2008)

Capital:
Beirut

Population:
3,900,000

Political Rights Score: 5
Civil Liberties Score: 4
Status: Partly Free

Trend Arrow

Lebanon received a downward trend arrow due to government paralysis stemming from the deadlock over the presidential nomination.

Overview

A political impasse between pro- and anti-Syrian factions in the parliament hindered political progress in 2007 and threatened to return the country to civil conflict. The two sides failed to elect a new president, and the post became vacant in November. During the summer, the Lebanese army battled an al-Qaeda-affiliated militant group based in a Palestinian refugee camp. The group, Fatah al-Islam, was eventually routed, but government pledges to follow up with reconstruction and new security measures were stalled by the ongoing political deadlock. After rescheduling elections 11 times, a new Lebanese president still had not been elected at year's end.

Lebanon was established as a League of Nations Mandate under France in 1920. After winning its independence in 1943, the new state maintained a precarious democratic system based on the division of parliamentary and government posts among the country's 17 officially recognized sectarian communities. As emigration transformed the slight Christian majority into a minority, Muslim leaders demanded amendments to the fixed 6-to-5 ratio of Christian-to-Muslim parliamentary seats and to exclusive Maronite Christian control of the presidency. In 1975, war erupted between a coalition of Lebanese Muslim and leftist militias aligned with Palestinian guerrilla groups on one side and an array of Christian militias bent on preserving the political status quo on the other.

After the first few years of fighting, a loose consensus emerged among Lebanese politicians regarding a new power-sharing arrangement. However, following the entry of Syrian and Israeli troops into Lebanon in 1976 and 1978, the various militias and their foreign backers had little interest in disarming. The civil war lost much of its sectarian character over the next decade, with the bloodiest outbreaks of fighting taking place mainly within the Shiite Muslim, Christian, and Palestinian communities, or between local and foreign forces.

In 1989, the surviving members of Lebanon's 1972 parliament convened in Taif, Saudi Arabia, and agreed to a plan put forward by the Arab League that weakened the presidency, established equality in Christian and Muslim parliamentary representation, and mandated close security cooperation with occupying Syrian troops. After the ouster of General Michel Aoun from east Beirut by Syrian forces in October 1990, a new Syrian-backed government extended its writ to most of the

country.

In the years that followed, Syria consolidated its control over Lebanese state institutions, though it permitted a degree of political and civil liberties that exceeded those in most other Arab countries. While Lebanese who openly condemned the occupation risked arbitrary arrest and imprisonment, criticism of the government was largely tolerated. By the end of the decade, Lebanon's economy was in deep recession, and growing public disaffection with the postwar establishment spurred demonstrations against the Syrian occupation.

In the wake of its invasion of Iraq in 2003, the United States began openly criticizing the Syrian occupation of Lebanon, and by 2004 it was joined by France and most other European governments. Damascus moved to consolidate its control by pressing the Lebanese parliament to approve a constitutional amendment extending the six-year tenure of President Emile Lahoud, a staunch Syrian ally and a rival of Prime Minister Rafiq Hariri. In September 2004, on the eve of the parliamentary vote, the UN Security Council passed Resolution 1559, calling for a presidential election, the withdrawal of all foreign forces, and the disarmament of militias. Syria's decision to push ahead with the amendment provoked an unprecedented international outcry.

Encouraged by the international climate, Hariri and many other politicians who had been loyal to Syria began defecting to the opposition. In February 2005, four months after resigning as prime minister, Hariri was killed, along with 22 others, in a massive car-bomb explosion. Widespread suspicions of Syrian involvement led to overwhelming international pressure for an immediate Syrian withdrawal and to extensive anti-Syrian demonstrations in Beirut. After a great deal of political turmoil, an interim government that included Hariri's allies and parliamentary opposition figures was formed to oversee legislative elections.

Although Syrian troops withdrew from Lebanon in April, the governing coalition left in place a key pillar of the occupation—a heavily gerrymandered electoral system that embedded most Christian regions in majority Muslim districts. This enabled allies of the late Hariri, calling themselves the March 14 Coalition, to expand their parliamentary bloc to 72 out of 128 seats in the May and June 2005 elections and form Lebanon's first postoccupation government.

The March 14 Coalition aligned itself squarely with the West and expressed a commitment to major political and economic reforms. However, it lacked the two-thirds parliamentary majority needed to overturn Lahoud's term extension and elect a new president, which left the pro-Syrian Lahoud in office. This division paralyzed government decision making and impeded reform of the security establishment and judiciary. The Shiite Islamist movement Hezbollah, which was allied with Syria, continued to refuse to disarm in compliance with UN Security Council Resolution 1559. In October 2005, a UN panel charged with investigating Hariri's murder reported "converging evidence pointing at both Lebanese and Syrian involvement" in the crime. Meanwhile, a series of assassinations and bombings that began in the months after the Syrian withdrawal targeted key anti-Syrian politicians.

On July 12, 2006, Hezbollah's powerful militia kidnapped two Israeli soldiers from across the border and killed eight others. The raid sparked a six-week war with Israel that severely damaged Lebanon's infrastructure and killed some 1,500

people, most of them Lebanese civilians. After the war ended with a UN-brokered ceasefire, Lebanese politicians struggled to stabilize the government. The main political factions were the ruling March 14 Coalition and the opposition March 8 group, led by Hezbollah and Aoun, the Christian former general. Hezbollah leader Hassan Nasrallah threatened street protests if Prime Minister Fouad Siniora did not accept his demands for a "unity" government in which the opposition would have a stronger presence. In November 2006, opposition ministers resigned from the cabinet. While Hezbollah backed down from strong rhetoric threatening to topple the government, it mounted a round-the-clock protest outside the cabinet offices, and street battles between supporters of the rival factions broke out with increased frequency.

The political deadlock continued throughout 2007, as the pro- and anti-Syrian coalitions in parliament repeatedly failed to elect a new president to replace Lahoud, whose term expired on November 23. The two sides appeared to agree on army commander Michel Suleiman as a compromise candidate toward the end of the year, but Hezbollah and its allies continued to block a vote, demanding a stronger role in government.

Meanwhile, political assassinations and other security problems plagued the country. In September, a car-bomb attack killed Antoine Ghanim of the Phalange Party, making him the fourth anti-Syrian member of parliament to be assassinated since the Hariri murder in 2005. The UN Security Council had voted in May to establish a tribunal that would hold trials in the Hariri case.

In the most significant security crisis of the year, fighting broke out in May between the Lebanese army and Fatah al-Islam, an Islamist militant group affiliated with al-Qaeda. The fighting continued during the summer as the army laid siege to the group's base in the Nahr al-Bared Palestinian refugee camp; about 400 people were killed. By September, the army had taken full control of the camp, vowing to rebuild it and place it under exclusive Lebanese control. In December, a senior army general who had overseen the operation was assassinated in a car bombing.

UN peacekeepers stationed in southern Lebanon to enforce the 2006 ceasefire agreement between Israel and Hezbollah also came under attack in 2007. Six Palestinians were charged in September with detonating a bomb that killed six UN soldiers in June.

Political Rights and Civil Liberties

Lebanon is not an electoral democracy. Electoral districts are blatantly gerrymandered to ensure the reelection of incumbents; the 2005 parliamentary elections were judged to be generally free and fair, but vote buying was reported to be rampant. The National Commission on Parliamentary Electoral Law Reform in 2006 presented Prime Minister Fouad Siniora with draft electoral legislation that would overhaul the voting system and introduce proportional representation for parliamentary elections. However, the proposal has made little progress due to the ongoing political stalemate and the desire of existing political elites to safeguard their positions.

The president is selected every six years by the 128-member National Assembly, which in turn is elected for four-year terms. The president and parliament nominate the prime minister, who chooses the cabinet, subject to parliamentary

approval. The unwritten National Pact of 1943 stipulates that the president be a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the National Assembly a Shiite Muslim. Parliamentary seats are divided among major sects under a constitutional formula that does not reflect their current demographic weight. Shias comprise at least a third of the population, but are allotted only 21 percent of parliamentary seats.

Political and bureaucratic corruption are widespread; investors routinely pay bribes to win contracts, which are often awarded to companies with close ties to powerful politicians. Laws and regulations on corruption are loosely enforced. There have been numerous allegations of corruption surrounding the distribution of reconstruction aid and victim compensation in the aftermath of the 2006 Israeli-Hezbollah conflict. Lebanon was ranked 99 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is limited but far more substantial than elsewhere in the Arab world. Lebanon has a long tradition of press freedom, though nearly all media outlets are owned by prominent political and commercial elites. Five independent television stations and more than 30 independent radio stations operate, as do dozens of independent print publications, reflecting a diverse range of views. Internet access is not restricted. Despite the relatively open media environment, the government makes use of some legal controls. A number of vaguely worded laws criminalize critical reporting on Syria, the military, the judiciary, and the presidency. The General Security Directorate has the authority to censor all foreign magazines and nonperiodical media. In February 2007, authorities fined Tawfiq Khattab, the editor in chief of *Al-Mustaqbal*, and a reporter, Fares Khasan, \$33,000 each for libel charges and damaging the reputation of President Lahoud. Assassinations of prominent journalists since 2005 have led some to practice self-censorship on matters pertaining to Syria.

In 2007, a number of journalists faced harassment and intimidation while reporting on the Nahr al-Bared fighting and other violence. Several photographers were confronted and allegedly beaten by Lebanese soldiers while attempting to cover the departure of Palestinian refugees from the besieged camp. Separately, three television crews were assaulted by unidentified civilians while covering a bomb attack in May. Crew members from New TV were questioned by young men—allegedly loyal to anti-Syrian leaders—who inquired as to their employer and then beat and insulted them.

Freedom of religion is guaranteed in the constitution and protected in practice. However, the constitution and current electoral law respectively weaken the political representation of Shias and Christians. Academic freedom is firmly entrenched. The country's universities are the Arab world's most open and vibrant.

Rights to freedom of association and assembly are relatively unrestricted. On several occasions in recent years, hundreds of thousands of Lebanese have rallied in favor of or in opposition to the government. A tent camp populated by opposition supporters sprang up in front of government buildings in Beirut in late 2006 as part of the opposition's demand to have a greater say in government. The encampment remained in place throughout 2007. During the conflict at the Nahr al-Bared refugee camp, security services allegedly attacked Palestinian demonstrators who were demanding an end to the fighting. The authorities claimed the protesters were trying to break through an army checkpoint, but other

witnesses said the demonstrators were peaceful.

Nongovernmental organizations (NGOs), including human rights groups, are permitted to operate openly. In 2005, the government ended a requirement that NGOs be licensed, but still required notification of a group's formation. The Ministry of Interior has at times transformed the notification process into an approval process and has been known to conduct inquiries into an organization's founding members. NGOs must invite ministry representatives to general assemblies where votes are held on bylaws or boards of directors. All workers except those in government may establish unions, which have the right to strike and bargain collectively.

The judiciary—consisting of civilian courts, a military court, the Judicial Council, and a Constitutional Council—is ostensibly independent, but in practice it is subject to heavy political influence. Aside from the Judicial Council, the courts remain dominated by judges carefully vetted by Syria over the past 15 years, in part because divisions within the government have precluded replacing them. They have continued to issue indictments against journalists who criticize the president, though none have been brought to trial. Since the February 2005 assassination of former prime minister Rafiq Hariri, political and judicial accountability and independence have been hotly debated by civil society activists and lawmakers.

International standards of criminal procedure are generally observed in the regular judiciary, but not in the military court, which consists largely of military officers with no legal training and tries most cases in a matter of minutes.

Arbitrary arrest and detention by the security forces were commonplace before the Hariri assassination, but they have lessened since UN personnel were embedded with the security services to investigate his death. The use of torture to extract confessions is widespread in security-related cases. During the Syrian occupation, Lebanese security agencies routinely monitored the telephones of cabinet ministers and political dissidents alike, though the practice appeared to have ended after the Syrian withdrawal. Prison conditions are poor; overcrowding and pretrial detentions are major problems.

Nearly 350,000 Palestinian refugees living in Lebanon are denied citizenship rights and face restrictions on working, building homes, and purchasing property. The rules reflect Lebanese sensitivities about the potential effect of the mostly Muslim Palestinians' assimilation on the country's precarious sectarian balance. The 2007 conflict in the Nahr al-Bared camp highlighted the precarious situation of Palestinian refugees in Lebanon. Civilians attempting to flee the fighting reported being arbitrarily detained and assaulted by Lebanese soldiers. Palestinians were also allegedly arrested, detained, and in some cases abused by Lebanese soldiers at checkpoints elsewhere in the country.

Women enjoy many of the same rights as men, but they experience some social and legal discrimination. Since family and personal-status matters are adjudicated by the religious authorities of each sectarian community, women are subject to discriminatory laws governing marriage, divorce, inheritance, and child custody. Women are underrepresented in politics, holding only three parliamentary seats, and do not receive equal social-security provisions. Men convicted of so-called honor crimes against women usually receive lenient sentences. Female foreign domestic workers are routinely exploited and physically abused by employers.

