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Freedom in the World 2015 - Lebanon

2015 Scores

Status

Partly Free

Freedom Rating

(1 = best, 7 = worst)
4.5

Civil Liberties

(1 = best, 7 = worst)
4

Political Rights

(1 = best, 7 = worst)
5

Trend Arrow:

Lebanon received a downward trend arrow due to the parliament's repeated failure to elect a president and its postponement of overdue legislative elections for another two and a half years, which left the country with a presidential void and a National Assembly whose mandate expired in 2013.

Overview:

The Syrian conflict and a surge of terrorist activity in the region continued to reverberate in Lebanon in 2014, agitating the sectarian balance within the Lebanese government and society and straining the functions of democratic institutions. Government and civil society groups struggled throughout the year to accommodate the influx of an estimated 1.1 to 1.5 million Syrian refugees and to ensure public safety, especially in the country's northern regions, amid rising incidents of civil and sectarian violence, cross-border fighting, and terrorist attacks.

After 10 months of political deadlock sparked by sectarian disagreement, a new cabinet replaced the caretaker government in February. However, the National Assembly itself was paralyzed in the process of electing a successor to President Michel Suleiman, and Lebanon entered a presidential vacuum when Suleiman's term ended in May. Legislative elections scheduled for November did not take place, and the National Assembly renewed its mandate until June 2017, citing security concerns caused by the Syrian conflict.

Political Rights and Civil Liberties:

Political Rights: 14 / 40 (-2) [Key]

A. Electoral Process: 2 / 12 (-2)

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, along with the president, chooses the cabinet, subject to parliamentary approval. The unwritten National Pact of 1943 stipulates that the president must 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, a matter further complicated by the contentious nature of population estimates, as no official census has been conducted since the 1930s. For example, Shiites are estimated to comprise at least a third of the population, but they are allotted only 21 percent of parliamentary seats. The sectarian political balance has been periodically reaffirmed and occasionally modified by foreign-brokered agreements.

The last parliamentary elections were held in 2009. Although they were conducted peacefully and judged to be free and fair in some respects, vote buying was reported to be rampant, and the electoral framework retained a number of fundamental structural flaws linked to the country's sectarian political system. The March 14 and March 8 coalitions won 71 and 57 seats, respectively, and Saad Hariri—the son of former prime minister Rafiq Hariri, who was assassinated in 2005—was named prime minister. The government collapsed in 2011 when Hezbollah-allied ministers resigned in protest of Hariri's cooperation with a special UN tribunal investigating the 2005 assassination, and a new cabinet headed by Hezbollah-backed prime minister Najib Miqati took office.

Miqati resigned in March 2013, and President Suleiman nominated Tammam Salam as a consensus candidate for the post of prime minister. Salam was unable to form a government for 10 months, leaving Miqati in office in a caretaker capacity. Salam finally formed a national unity government of 24 ministers from both political camps in February 2014.

Parliamentary elections were due in June 2013, but political factions were deeply divided over changes to the electoral law and agreed to extend the parliamentary mandate, delaying elections until November 2014. However, citing security concerns over the Syrian conflict, the National Assembly extended its mandate once more—until June 2017. Suleiman's presidential term expired in May 2014 without the election of a new president, leaving a void in the executive branch of government.

B. Political Pluralism and Participation: 9 / 16

Two major factions, each comprised of more than a dozen political parties, have dominated Lebanon's consociational political arena since 2005: the March 8 coalition, of which Shiite Hezbollah is the most powerful member and which is seen as aligned with the Syrian regime; and the March 14 bloc, which is headed by Sunni Muslims, generally supportive of the Syrian opposition, and associated with Saudi Arabia, Europe, and the United States. Christian political parties are divided between the two blocs. A number of political parties also represent ethnic groups and secular ideologies.

C. Functioning of Government: 3 / 12

Sectarian and political divisions, exacerbated by foreign interference and more recently by the Syrian civil war, have frequently prevented governments from forming and operating effectively and independently after elections. The authority of the government is also limited in practice by the power of autonomous militant groups, such as Hezbollah.

The functions of the government were strained in 2014 due to the void in the presidential office and the renewal of the parliamentary mandate for the second time since 2013, a move that was criticized by civil society as unconstitutional. The National Assembly held the vote on extending its own mandate amid public protests and despite a boycott by two Christian parties.

The sectarian political system and the powerful role of foreign patrons effectively limit the accountability of elected officials to the public at large. Political and bureaucratic corruption is widespread, businesses routinely pay bribes and cultivate ties with politicians to win contracts, and anticorruption laws are loosely enforced. President Suleiman, Prime Minister Salam, and Minister of Interior Nuha Mashnouq are rumored to have received a bribe of \$1 million each to naturalize 644 foreign nationals, including 150 Syrians, before the president left office in May.

Civil Liberties: 30 / 60 (-2)

D. Freedom of Expression and Belief: 11 / 16

Freedom of expression and freedom of the press are guaranteed by law. However, these same laws protect the president and religious leaders from insult. The media are among the most open in the region, but nearly all outlets have ties to sectarian leaders or groups, consequently practicing self-censorship and maintaining a specific, often partisan, editorial line. Two journalists were kidnapped in February 2014 and held for nearly a month while covering events around the town of Arsal, close to Lebanon's border with Syria.

Libel laws and sympathetic judges have allowed politicians to sue journalists and bloggers. Between March and September, journalists were found guilty in 37 out of the 40 cases presented before the Court of Publications. One notable case was that of journalist Ghassan Rifi, who was accused of attacking the "stature" of the Internal Security Forces (ISF) in an August article criticizing its practices toward Syrian refugees. Censorship of artistic work remains prevalent, especially when it involves politics, religion, sex, or Israel. The government does not generally restrict access to the internet.

Unexpectedly, authorities approved a play on censorship in 2014; they had rejected a similar play by the same director in 2013. Nevertheless, the government censors books that cover questions such as homosexuality and religion, especially Judaism, and bans music by artists that it considers Zionist or anti-Christian. In January 2014, a group of individuals attacked a historic bookshop in Tripoli and burned thousands of books, allegedly prompted by the discovery of a pamphlet in the shop that insulted the prophet Mohammed.

Freedom of religion is guaranteed in the constitution and protected in practice. Every group manages its own family and personal status laws and has its own religious courts to adjudicate relevant matters. Proselytizing, while not punishable by law, is strongly discouraged by religious leaders and communities, sometimes with the threat of violence. Blasphemy is a criminal offense that carries up to one year in prison.

Strife between religious groups has persisted to some extent since the 1975–90 civil war, and such differences—particularly between Sunnis and Shiites—have again been exacerbated by the civil war in neighboring Syria. The influx of Syrian refugees has agitated sectarian divisions in Lebanon, with verbal and physical attacks persisting amid occasionally xenophobic and racist rhetoric toward the largely Sunni Muslim refugees. The burning of an Islamic State (IS) militant group flag by three Christian teenagers in August and a subsequent social media campaign led to a backlash from some Sunnis, including the Lebanese minister of justice, who called for the teenagers' punishment. Groups in the city of Tripoli burned crosses and defaced two churches in response. Public discussion of IS sympathizers and an Islamic revival in Lebanon abounds within various religious communities.

Academic freedom is generally unimpaired. Private discussion is generally vibrant and uninhibited.

E. Associational and Organizational Rights: 7 / 12

The constitution guarantees freedoms of assembly and association, and the government generally respects these rights, though police have cracked down in the past on demonstrations against the government or the Syrian regime.

Civil society organizations have long operated openly in Lebanon, with some constraints. All nongovernmental organizations (NGOs) must be registered with the Lebanese Interior Ministry. The ministry may investigate an NGO's founders or force it to undergo an approval process, and representatives of the ministry must be invited to observe voting on bylaws and boards of directors. In 2014, a number of anticorruption initiatives were organized by civil society, especially groups like Sakker al-Dekkeneh (Close the Shop) and the Lebanese Advocacy and Legal Advice Center. Civil society organizations were also active throughout the year in calling for increased governmental accountability and timely elections.

Trade unions are often tightly linked to political organizations and have been subordinate to their political partners in recent years. The Palestinian population of Lebanon, estimated at about 400,000, is not permitted to participate in trade unions.

Public-sector workers and teachers continue to urge the National Assembly to pass a bill that would increase their salaries. In June, a civil servant went on a hunger strike and a public protest to raise awareness about the issue of low pay.

F. Rule of Law: 5 / 16

Political forces hold sway over an officially independent judiciary. The Supreme Judicial Council is composed of 10 judges, 8 of whom are nominated by the president and the cabinet. Other judges are nominated by the Judicial Council, approved by the Justice Ministry, and vetted by opposition and government parties. After delays due to the void at the cabinet level in 2013, President Suleiman signed a decree in May 2014 for the appointment of new judges and the promotion of some established ones.

While the civilian judiciary generally follows international standards of criminal procedure, these standards are not followed in the military courts, which are often tasked with cases against Islamist militants, human rights activists, and alleged Israeli spies. Since 2007, at least 94 Islamists have been imprisoned without trial. A UN report, based on covert investigations in 2012 and 2013 and presented to the public in October 2014, found that the use of torture remains widespread and systematic among Lebanese armed forces and law enforcement agencies. The detention conditions of refugees, asylum seekers, and domestic workers are particularly dire.

Militant activity in 2014 linked to the Syrian conflict included cross-border fighting between supporters and opponents of the Syrian government. In August, following the arrest of prominent Syrian rebel commander Imad Jumaa in Arsal, militants from Syria—allegedly associated with the militant groups Jabhat al-Nusra and IS—engaged with the Lebanese army and captured a group of Lebanese soldiers, four of whom were later executed. Arsal remains a hotspot of violence; the Lebanese government closed access to the region to restrict the movement of goods and Islamists and arrested a large number of Syrian men accused of belonging to or collaborating with terrorist groups.

A low-intensity conflict in Tripoli, ongoing since at least June 2011, escalated in 2014. The violence centered on a long-standing rivalry between an Alawite community in the Jabal Mohsen neighborhood, seen as aligned with the government of Syria, and a Sunni community in the Bab al-Tebbaneh neighborhood, which is sympathetic to the Syrian rebel movement. In May, three militia leaders from Bab al-Tebbaneh, involved in attacks on the Lebanese army, surrendered to Lebanese authorities. In July, Australian-Lebanese imam Hussam al-Sabbagh, accused of links to al-Qaeda and other radical groups, was arrested. Another militia leader, Abou Taymour al-Dandashi, was released in August after a short detention. The arrest of militia leaders did not succeed in quelling violence in the area. Clashes between the army and militants erupted again in October, leading to three days of the fiercest violence the city has seen since the beginning of the Syrian conflict.

In June, a suicide bomber—a Saudi national—attacked the Duroy Hotel in Beirut. Another Saudi national and suspected accomplice was arrested at the scene. A Swedish-Lebanese dual citizen suspected of involvement in the bombing was killed while resisting arrest. The bombing was the latest in a series of violent incidents in Beirut that month.

The roughly 400,000 Palestinian refugees living in Lebanon are denied citizenship rights. Most Iraqi and Sudanese refugees do not enjoy official refugee status and thus face arbitrary detention, deportation, harassment, and abuse; an influx of Iraqis fleeing the IS in 2014 further exacerbated the situation. Lebanon grants Syrian refugees who enter the country legally a free six-month residency permit with a possible six-month extension, and provides subsidized and sometimes free access to public education and healthcare. Female refugees have reported sexual harassment by employers and landlords, and shopkeepers charged with registering refugees for charitable organizations have reportedly asked for bribes in exchange for registration. In October, the Lebanese government announced plans to close its borders to new Syrian refugees.

LGBT (lesbian, gay, bisexual, and transgender) people face both state and societal discrimination and harassment. NGOs work to uphold the human rights and social acceptance of the LGBT community more

commonly in urban and cosmopolitan areas, particularly in Beirut. The 2014 Beirut Film Festival featured several films focusing on LGBT issues, including one by a Lebanese filmmaker. In August, security forces raided a gay-friendly bathhouse in Beirut and arrested 27 men, including both staff and clients.

G. Personal Autonomy and Individual Rights: 7 / 16 (-2)

Palestinian refugees face restrictions on employment and property ownership. A 2010 law allowed them access to social security benefits, end-of-service compensation, and the right to bring complaints before labor courts, but closed off access to skilled professions. Syrian refugees also face restrictions in addition to discrimination. At least 45 Lebanese municipalities imposed curfews on refugees at various times in 2014.

Women are granted equal rights in the constitution, but they are disadvantaged under sectarian personal status laws on issues such as divorce, inheritance, and child custody. Women cannot pass their nationality to non-Lebanese husbands or children. A long-stalled bill addressing domestic violence was passed in April. Many activists argue that the protections of this bill are insufficient, pointing particularly to its failure to criminalize marital rape.

Syrian refugees, many of whom live in overcrowded camps or rented housing, face difficult living conditions and have limited access to resources and opportunities.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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