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Freedom in the World 2010 - Lebanon

Capital: Beirut

Population: 3,876,000

Political Rights Score: 5 *

Civil Liberties Score: 3 *

Status: Partly Free

Ratings Change

Lebanon's civil liberties rating improved from 4 to 3 due to a decline in political violence that had plagued the country since 2005, coupled with a series of positive reforms to combat sectarianism and limit arbitrary detention.

Overview

The March 14 Coalition retained its majority in the June 2009 parliamentary elections. However, the need to negotiate a national unity government with the rival March 8 Coalition, delayed the formation of a cabinet until five months after the election, as each political faction looked to its foreign patrons for guidance. Over the course of 2009, both the outgoing and incoming governments introduced modest but positive reforms aimed at limiting arbitrary detention and improving the rights of domestic workers and refugees. For the first time since 2005, Lebanon was largely free from political violence.

Lebanon was established as a League of Nations Mandate under French control in 1920. After winning its independence in 1943, the new state maintained a precarious democratic system based on the division of power among the country's then 18 officially recognized sectarian communities. As demographic developments, including emigration, transformed the slight Christian majority into a minority, Muslim leaders demanded reform of the fixed 6-to-5 ratio of Christian-to-Muslim parliamentary seats and an end 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.

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 would weaken the presidency, establish equality in Christian and Muslim parliamentary representation, and mandate close security cooperation with occupying Syrian troops. A new Syrian-backed government then extended its writ to most of the country, with the exception of southern Lebanon, which remained under Israeli occupation until 2000.

Although Syria consolidated its control over Lebanese state institutions in the 1990s, Lebanon managed to preserve greater political and civil liberties than were allowed in most Arab countries. Lebanese who openly condemned the occupation risked arbitrary arrest, but criticism of the government was 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 Syrian domination.

In 2004, the United States joined with France and most other European governments in calling for an end to Syria's power over Lebanon. Damascus moved to defend its position by forcing 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. On the eve of the parliamentary vote, the UN Security Council issued a resolution calling for a presidential election, the withdrawal of all foreign forces, and the disarmament of militias. The amendment nevertheless passed, provoking an international outcry.

Encouraged by the international climate, Hariri and 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 car bombing. Widespread suspicions of Syrian involvement led to international pressure for an immediate Syrian withdrawal and to extensive anti-Syrian demonstrations in Beirut. An interim government was formed to oversee legislative elections. Syrian troops pulled out of the country in April, and in the May and June balloting, allies of the late Hariri – calling themselves the March 14 Coalition – expanded their parliamentary bloc to 72 out of 128 seats. The coalition, supported mainly by Sunni Muslims and certain Christian and Druze factions, went on to form a new government led by Prime Minister Fouad Siniora.

The March 14 Coalition lacked the two-thirds parliamentary majority needed to overturn Lahoud's term extension and elect a new president, leaving the pro-Syrian Lahoud in office; this division paralyzed the government. 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.

In July 2006, the powerful militia of the Shiite Islamist movement Hezbollah attacked Israeli forces in a cross-border raid, sparking a six-week war 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 March 8 Coalition – a largely Shiite and Christian bloc that was backed by Hezbollah and aligned with Iran and Syria – left the national unity government in November, demanding a reorganized cabinet in which it would hold veto power. Hezbollah mounted a round-the-clock protest outside the cabinet offices, and street battles between supporters of the rival coalitions broke out with increasing frequency.

Political assassinations aimed at anti-Syrian lawmakers and public figures continued in 2007. Also during the year, the army waged a four-month campaign against a Sunni Islamist militant group based in Nahr el-Bared, a Palestinian refugee camp; the fighting killed some 400 people and displaced more than 30,000 others. The camp was completely destroyed, and reconstruction did not begin until late 2008.

Meanwhile, political deadlock continued as the pro- and anti-Syrian coalitions in the parliament repeatedly failed to elect a new president to replace Lahoud, whose term

expired in November 2007. The two sides agreed on army commander Michel Suleiman as a compromise candidate, but they could not agree on the process for electing him. In May 2008, responding to a pair of government decisions they viewed as a threat, Hezbollah and its allies seized West Beirut by force. Battles between the opposition and government supporters raged across Lebanon for nearly a week, leaving nearly 100 people dead. A power-sharing agreement brokered by Qatar cleared the way for Suleiman's election later that month, the formation of a new national unity government, and the passage of a revised election law in September.

In parliamentary elections held in June 2009, the March 14 and March 8 coalitions won 71 and 57 seats, respectively, and Saad Hariri – the son of Rafiq Hariri – was named prime minister. Negotiations over the cabinet's composition, which continued to be heavily influenced by external actors including Syria and Saudi Arabia, dragged on for several months, and the new government was not announced until November. The majority was granted 15 ministers and the minority 10, while the remaining five were named by the president and would be ostensibly neutral. This arrangement meant that the majority could not act unilaterally, but the minority would lack a clear veto.

Lebanon was largely free from political violence in 2009, although Lebanese authorities arrested dozens of people suspected of spying for Israel, including high-ranking security officials. Some fled to Israel to escape the crackdown. Also in 2009, Britain announced that it would meet with political representatives of Hezbollah, having shunned the organization since 2005 and designating its military wing as a terrorist organization in 2008.

Political Rights and Civil Liberties

Lebanon is not an electoral democracy. Although the 2009 parliamentary elections were conducted peacefully and judged to be free and fair in some respects, vote buying was reported to be rampant, and the electoral system retained a number of structural flaws linked to the country's sectarian political system.

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 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. Shiites 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 like the 1989 Taif accords and the 2008 Doha Agreement.

The 2009 elections were conducted under the 2008 election law, which stemmed from the Doha agreement. It condensed nationwide voting into a single day, introduced some curbs on campaign finance and advertising, and created smaller, more religiously homogeneous districts. However, some important changes – including the reduction of the voting age to 18 from 21 and a system allowing expatriates to vote abroad – would not come into force until the 2010 municipal elections at the earliest, and the framers of the new law rejected the core recommendations of the Boutros Commission, which had been created in 2005 to advise the government on electoral reform. Among other changes, the panel had called for a bloc of the National Assembly seats to be filled through proportional representation, the establishment of an independent electoral commission, and a 20 percent quota for women on candidate lists. The 2008 law also retained restrictions on moving one's voter registration to a new district and failed to introduce preprinted ballots.

The sectarian political system and the powerful role of foreign patrons effectively limits the accountability of elected officials to the public at large, as seen during the protracted cabinet negotiations of 2009. Political and bureaucratic corruption is

widespread. Businesses routinely pay bribes and cultivate ties with politicians to win contracts, and anticorruption laws are loosely enforced. In September 2009, a financier associated with Hezbollah was arrested for a large-scale Ponzi scheme that resulted in serious losses for political parties as well as many ordinary investors. Later in the year, the new justice minister suspended a judge without pay for alleged corruption, the first such disciplinary action in memory. Lebanon was ranked 130 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

Lebanon has a long tradition of press freedom, though nearly all media outlets have ties to political groups. There are seven privately owned television stations and dozens of privately owned radio and print outlets that reflect a range of views. Internet access is not restricted. Vaguely worded laws that criminalize critical reporting on Syria, the military, the judiciary, and the presidency remain in force. The series of assassinations that targeted anti-Syrian journalists between 2005 and 2008 have all gone unpunished to date. Journalists cannot report from some Hezbollah-controlled areas without the group's explicit permission and oversight. The authorities banned two high-profile films in 2009, *Waltz with Bashir* and *Help*, the first because of the ban on Israeli products, and the second for discussing prostitution and drugs, though they were widely available informally as DVDs. Several major media outlets implemented layoffs during the year as a result of the global economic crisis, and in some cases the dismissals seemed to be politically motivated.

Freedom of religion is guaranteed in the constitution and protected in practice. However, informal religious discrimination is common. In 2009, the Interior Ministry allowed citizens not to list their religion on their national identity cards or national registration, the first time in Lebanese history that identification cards did not immediately identify individuals as a member of a religious group. Academic freedom is firmly established.

Rights to freedom of association and assembly are generally unrestricted. On several occasions in recent years, hundreds of thousands of Lebanese have rallied in favor of or in opposition to the government. Lebanon's civil society is vibrant, and nongovernmental organizations (NGOs), including human rights groups, operate openly. The government requires notification of an NGO's formation. The Interior Ministry 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. In recent years, union activity has been closely affiliated with political groupings, and labor concerns have thus taken a back seat to union-based political activity.

The judiciary is ostensibly independent, but it is subject to heavy political influence in practice. The Judicial Council nominates judges, who are then approved by the Justice Ministry. Both government and opposition parties vet judicial appointments. 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.

The security forces' practice of arbitrary detention has declined since 2005. While the government has made some progress in fighting torture since 2007, new legislation and regulations on the issue are often not enforced, and the use of torture remains widespread in security-related cases. Prison conditions are poor. A reported 3,207 of Lebanon's 5,122 inmates had not faced trial as of May 2009, and many are held under "preventative arrest." This mechanism had allowed the government to hold individuals without trial indefinitely, but the Justice Ministry in 2009 announced new regulations that require such detainees to be tried within six months. This term is renewable once, and the rules will not apply to security cases. Four generals who had been held without charge since 2005 in connection with the assassination of former prime minister Rafiq Hariri were released in April 2009.

Nearly 350,000 Palestinian refugees living in Lebanon are denied citizenship rights and face restrictions on working, building homes, and purchasing property. Since 2008, the government has issued identification cards to nearly 750 of the 3,000 to 5,000 Palestinians believed to lack papers, though the process has slowed for administrative reasons. Residents of the Nahr el-Bared camp, which was devastated by fighting in 2007, live under extremely difficult conditions as they await reconstruction. The government formed in 2009 includes the country's first minister of state for Palestinian refugee affairs.

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 four 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, although the Labor Ministry introduced a uniform contract for domestic workers in 2009 that guaranteed weekly time off, paid sick days, and limits on working hours.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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