

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	312
Land:	Libanon
Kilde:	Freedom House
Titel:	"Freedom in the World - Lebanon (2007)"
Udgivet:	1. juni 2007
Optaget på baggrundsmaterialet:	28. januar 2008

**Freedom in the World - Lebanon (2007)**

Population:
3,900,000**Capital:**
Beirut**Political Rights Score: 5****Civil Liberties Score: 4****Status: Partly Free****Overview**

Lebanon spent much of 2006 struggling to recover from a devastating six-week war between Israel and the Shiite Muslim militant group Hezbollah in July and August. The conflict, triggered by a Hezbollah raid across the Israeli border, sidelined the promising democratic atmosphere that had prevailed for the past year. In addition to organizing a reconstruction effort, Lebanese politicians worked to form a stable government. While it is no longer under Syrian occupation, Lebanon still lacks certain elements of sovereignty, particularly a state monopoly on the use of force. Hezbollah retains its militia, based in the south, and is a powerful political player on the national level. The Lebanese political scene remains divided between the anti-Syrian, Western-aligned March 14 Coalition and the unlikely opposition March 8 Coalition of Christian parties and Hezbollah.

For more than a thousand years, the rough terrain of Mount Lebanon attracted Christian and heterodox Muslim minorities fleeing persecution in the predominantly Sunni Muslim Arab region. Following centuries of European protection and relative autonomy under Ottoman rule, Mount Lebanon and its surrounding areas were established as a League of Nations Mandate under France in 1920. After winning its independence in 1943, the new state of Lebanon maintained a precarious democratic system based on the division of parliamentary seats, high political offices, and senior administrative positions among the country's 17 officially recognized sectarian communities. As emigration transformed Lebanon's 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 Christian political privileges 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, particularly the presidency, the judiciary, and the security forces. In return for tacit Western acceptance of its control of Lebanon, Damascus permitted a degree of political and civil liberties in Lebanon that exceeded those in most other Arab countries. While those who openly condemned the occupation risked arbitrary arrest and imprisonment, criticism of the government was largely tolerated. Various militia chiefs, traditional elites, and nouveaux riches who held civilian political positions in postwar Lebanon were persuaded to accept continued Syrian hegemony, primarily through a system of institutionalized corruption fueled by massive deficit spending on reconstruction during the 1990s. By the end of the decade, Lebanon's economy was in deep recession. Public disaffection with the postwar political establishment rose to an all-time high, and demonstrations against the occupation grew steadily in size and frequency.

In 2003, as U.S.-Syrian relations rapidly deteriorated amid allegations of Syrian meddling in Iraq, the U.S. government began openly criticizing the Syrian occupation of Lebanon, a policy reversal that inspired the opposition movement in Lebanon to reassert itself. By early 2004, France had also ended its official silence on the occupation and both Western powers were openly calling for a Syrian withdrawal, leading most other European governments to follow suit. Defying these calls, Damascus moved to consolidate its control by pressing the Lebanese Parliament to approve a constitutional amendment extending (on dubious legal grounds) the six-year tenure of President Emile Lahoud, a staunch Syrian ally and 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 constitutional 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 and veiled threats by Western governments to take "further measures."

In the face of this international pressure, Hariri and many other politicians who had long 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 in Beirut. Widespread suspicions of Syrian involvement in Hariri's assassination led to overwhelming international pressure for an immediate Syrian withdrawal and to extensive anti-Syrian demonstrations in Beirut. Prime Minister Omar Karami submitted his cabinet's resignation late that month, leading to the formation of an interim government that included Hariri's allies and parliamentary opposition figures. The new cabinet was tasked with overseeing free and fair legislative elections in May and June.

Several assassinations and assassination attempts against prominent political and media figures, as well as a series of explosions in Christian areas, took place in the months after Syria's withdrawal, none of which were effectively investigated. This campaign of intimidation brought economic growth to a dead halt for the year and led many politicians to leave the country for months at a time or confine themselves to heavily guarded compounds. Nevertheless, the new government presided over a new climate of freedom throughout Lebanese civil society, from the media to the universities, and a vigorous public debate over the country's future.

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 embeds 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 and form Lebanon’s first postoccupation government, though at the expense of alienating some Lebanese Christians.

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 (and was unwilling to accept Aoun as a successor in return for support from his Free Patriotic Movement party), which left the ardently pro-Syrian Lahoud in office. This division paralyzed government decision making and impeded reform of the security establishment and judiciary. The Shiite Islamist Hezbollah movement, which was allied with Syria, continued to refuse to disarm as called for by UNSC Resolution 1559.

In October 2005, the UN International Independent Investigation Commission (UNIIC), charged with investigating Hariri’s murder, concluded in an interim report that there was “converging evidence pointing at both Lebanese and Syrian involvement” in the crime. In September 2006, a Lebanese intelligence officer involved in the investigation, Lt. Col. Samir Shehade, was wounded when a bomb ripped through his motorcade as he was leaving the village of Rmeileh; four of his bodyguards were killed.

Lebanon began slowly to regain control of its sovereignty after the Syrian withdrawal but still did not have a monopoly on the legitimate use of force within its borders. Hezbollah retained its powerful militia and on July 12, 2006, kidnapped two Israeli soldiers from across the border and killed eight others. This action sparked a six-week war with Israel that devastated southern Lebanon and severely damaged the country’s infrastructure. Some 1,500 people were killed, most of them Lebanese civilians. Hundreds of thousands of Israelis and Lebanese were displaced, and thousands more were injured. Both Israel and Hezbollah targeted civilian areas.

After the war ended with a UN-brokered ceasefire, Lebanese politicians struggled to stabilize the government. President Lahoud had appointed Fouad Siniora as prime minister at the end of June 2005; the resulting cabinet had been the first to include members of Hezbollah. However, after a brief period of unity during and immediately after the war, Lebanon was again divided. The main political factions were the March 14 Coalition and the rival March 8 group, an opposition coalition led by Hezbollah and Aoun. Hezbollah leader Hassan Nasrallah threatened street protests if Siniora did not accept his demands for a “unity” government in which the opposition would have a stronger presence. Hezbollah claims the government is in violation of the power-sharing agreement established after the end of the civil war in the 1990s. In November 2006, opposition ministers resigned from government, and in December, Hezbollah supporters staged large protests; hundreds of thousands of opposition supporters demonstrated in Beirut demanding the resignation of the government. While Hezbollah backed down from strong rhetoric threatening to topple the government, it mounted a round-the-clock protest outside the government’s cabinet office in Beirut, and street battles between progovernment and opposition supporters broke out with increased frequency at the end of 2006.

Political Rights and Civil Liberties

Lebanon is not an electoral democracy. Electoral districts are blatantly gerrymandered to ensure the reelection of incumbent deputies. In contrast to the last three electoral cycles, the 2005 parliamentary elections were monitored by international observers, who judged them to be relatively free of interference by the authorities. However, vote buying was reported to be rampant. The Lebanese government is currently reviewing a draft electoral law proposed in June 2006; the debate will prove contentious as politicians are deeply divided over redistricting.

The president is formally selected every six years by the 128-member National Assembly (parliament). The president and the 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 in Lebanon are widespread; investors routinely pay bribes to win contracts, which are often awarded to companies close to powerful politicians. Laws and regulations on corruption are loosely enforced. However, Lebanon was ranked 63 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index, marking an improvement from the previous year.

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 in Lebanon, 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. In March 2006, Dr. Muhamed Mugraby, a prominent human rights lawyer, appeared before a military court on slander charges for denouncing the authorities' use of courts to prosecute critics of the government—precisely what has since happened to him.

A number of vaguely worded laws criminalize critical reporting on Syria, the Lebanese military, the security forces, the judiciary, and the presidency. The General Security Directorate has the authority to censor all foreign magazines and nonperiodical media, though no major cases of censorship were reported in 2006. Although journalists faced little or no harassment by the authorities in 2006, the assassinations of prominent journalists in 2005 led some to practice self-censorship on matters pertaining to Syria.

Freedom of religion is guaranteed in the Lebanese constitution and protected in practice. However, the constitution and current electoral law respectively weaken the political representation of Shias and Christians. Academic freedom is long-standing and 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 and in opposition to the government. Public demonstrations are not permitted without prior approval from the Interior Ministry, but only one unlicensed demonstration was forcibly dispersed by police during 2005, and none

after the Syrian withdrawal. 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 to bargain collectively.

The judiciary, consisting of civilian courts, a military court, the Judicial Council, and a Constitutional Council, is ostensibly independent, but in practice 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) and have continued to issue indictments against journalists critical of the president, though none were brought to trial. After the February 2005 assassination of former prime minister Hariri, political and judicial accountability and independence have been hotly debated by civil society activists and now seriously by parliamentarians.

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 Lebanese security forces were commonplace before the Hariri assassination, but 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 impact of the mostly Muslim Palestinians' assimilation on the country's precarious sectarian balance.

Women enjoy many of the same rights as men, but 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 (the two female ministers appointed in 2004 were not reappointed in 2005), and do not receive equal social security provisions. Men convicted of so-called honor crimes against women usually receive lenient sentences. Foreign domestic workers are routinely exploited and physically abused by employers.