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Freedom in the World 2011 - Lebanon

Capital: Beirut**Population:** 3,876,000

Political Rights Score: 5 *

Civil Liberties Score: 3 *

Status: Partly Free

Overview

Municipal elections in May 2010 did not benefit from the reforms enacted for the 2009 parliamentary elections, as officials failed to approve similar changes for the local polls. Moreover, political parties effectively divided districts among themselves before election day, meaning the balloting was generally not competitive. In August, the parliament passed a law granting greater, though still severely limited, rights to Palestinian refugees.

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 electoral system based on the division of power among the country's then 18 officially recognized sectarian communities. As the population's slight Christian majority waned 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. Complicating the conflict further, Syrian and Israeli troops entered Lebanon in 1976 and 1978.

In 1989, the surviving members of Lebanon's 1972 parliament convened in Taif, Saudi Arabia, and agreed to an Arab League plan 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 southern Lebanon remaining under Israeli occupation until 2000. By the end of the 1990s, 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, consisting mainly of Sunni Muslims and certain Christian and Druze factions, and with international support from the United States, Saudi Arabia, and others, 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 Lahoud in office and paralyzing the government. 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 a UN-brokered ceasefire, Lebanese politicians struggled to stabilize the government. The March 8 Coalition – a largely Shiite and Christian bloc that included Hezbollah and was aligned with Syria and Iran – left the national unity government in November, demanding a reorganized cabinet in which it would hold veto power.

In 2007, 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, and the camp was completely destroyed. Reconstruction did not begin until late 2008, but it has been stalled since then.

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 almost a week, leaving nearly 100 people dead. A power-sharing agreement brokered by Qatar then cleared the way for the delayed election of politically neutral army commander Michel Suleiman as president, the formation of a new national unity government, and the passage of a revised election law in September.

In June 2009 parliamentary elections, 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. The majority was granted 15 ministers and the minority 10, while the remaining five were named by the president. This arrangement meant that the majority could not act unilaterally, but the minority would lack a clear veto.

The regional and international climate – including U.S. and Saudi attempts to improve relations with Syria – produced a rapprochement between the Hariri government and both Syria and Iran in late 2009 and 2010. Political leaders of all persuasions tried to calm the public mood after it became clear that the Special Tribunal for Lebanon was investigating Hezbollah members suspected of involvement in the 2005 assassination of Rafiq Hariri, threatening the tenuous 2009 power-sharing agreement. Hezbollah leader Hassan Nasrallah stated that he would not allow any members of his party to be interrogated by the international court, accused Israel of Hariri's murder, and effectively prevented security forces from executing an arrest warrant for a general previously accused in the Hariri case. To avoid political and sectarian fighting, political leaders chose which candidates would run in the 2010 municipal elections, and therefore they effectively decided the outcome well in advance of the balloting. As a result, the elections were generally not competitive, with the exception of a few high-profile Christian districts. Sectarian tensions flared in August, when armed Sunni and Shiite groups clashed in Beirut, killing three people.

Tensions between Israel and Lebanon were high in 2010, and in April Israel and the United States accused Syria of transferring Scud missiles to Hezbollah. In August, the Lebanese and Israeli armies traded fire along the border, killing four people, after Israeli troops began cutting down trees in a disputed area.

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 framework retained a number of fundamental 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 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. 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 parliamentary 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 that were scheduled to come into force by the time of the 2010 municipal elections – including the reduction of the voting age to 18 from 21, a system allowing expatriates to vote abroad, the provision of preprinted ballots, quotas for women, and institutional reforms to strengthen political parties – were delayed due to sectarian and partisan concerns. As a result, the elections were conducted under the old municipal elections law, which predated the positive reforms in the 2008 law covering parliamentary elections. While the municipal voting was generally free of violence and other irregularities, it was not competitive, as party leaders cut deals with their rivals to avoid divisive campaigning. The only competitive elections occurred in certain Christian districts, and in one case a political leader accused the president of interfering inappropriately to secure the victory of his relative.

The sectarian political system and the powerful role of foreign patrons effectively limits the accountability of elected officials to the public at large. Political and bureaucratic corruption is widespread, especially in the construction sector. Businesses routinely pay bribes and cultivate ties with politicians to win contracts, and anticorruption laws are loosely enforced. Lebanon was ranked 127 out of 178 countries surveyed in Transparency International's 2010 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 could be used to ban critical reporting on Syria, foreign leaders, the military, the judiciary, and the presidency remain in effect. While officials generally choose not to enforce such restrictions, they were applied in isolated cases during 2010. Military intelligence officials interrogated a blogger for posting articles that criticized the army and the confessional political system in March, and in July four people were arrested for creating a group on the social-networking site Facebook that criticized the president. A journalist was interrogated illegally in August after publishing accusations that members of the army's leadership had worked with Israel. Religious leaders of all sects also have formal and informal power to censor media they consider offensive. In August, an Iranian-produced television series depicting the life of Jesus from an Islamic perspective was pulled due to Christian leaders' objections. The series of assassinations targeting anti-Syrian journalists between 2005 and 2008 have all gone unpunished to date. One journalist died and another was injured by Israeli fire during the August 2010 border clash.

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. The reform has had little practical effect, since the country's political system is based on sectarian quotas. Those who delete their religion from their national registration therefore seriously limit their ability to hold government positions or run for political office. 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 this into an approval process and has been known to conduct inquiries into an organization's founding members. NGOs must invite ministry representatives to votes 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, unions have 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 courts, which consist largely of military officers with no legal training. Though civilian oversight is guaranteed in theory, it is very difficult for civilians to observe the trials in practice, and in some cases defendants have no right to appeal. The military courts are tasked with trying more than 100 people who were accused of spying for Israel in 2009 and 2010, as well as Fatah al-Islam militants and individuals involved in the sectarian clashes of August 2010.

The security forces' practice of arbitrary detention has declined since 2005, though isolated incidents still occur. In March 2010, authorities seized the passport of an advocate for Iraqi refugees for two days, and in August they held a prominent critic of the government's Nahr el-Bared policy incommunicado for 24 hours and then denied him access to his lawyer or family. While the government has made some progress toward ending 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.

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Nearly 350,000 Palestinian refugees living in Lebanon are denied citizenship rights and face employment and property restrictions. A law passed in August 2010 eased conditions somewhat by allowing them access to social security benefits, end-of-service compensation, and the right to bring complaints before labor courts. However, the law effectively left several highly skilled professions closed to Palestinians, retained very high bars to their entering other skilled professions, and did not remove restrictions on property ownership.

The estimated 50,000 Iraqi refugees in Lebanon also face employment and property restrictions. According to Human Rights Watch, as of March 2010, about 100 remained jailed on illegal immigration charges, down from 580 in 2007, and 40 of the 100 were being "voluntarily" detained to avoid repatriation. An August 2009 government study reportedly found that 13 percent of detainees in Lebanese jails were foreigners whose formal sentences had expired. There is also a substantial Sudanese refugee population in Lebanon. Most of them do not enjoy official refugee status and thus face arbitrary detention, deportation, and harassment. In June 2010, police conducted a raid on an event held by Sudanese, Ethiopians, and Somalis; even those residing legally in Lebanon reported being beaten and arrested.

Women enjoy many of the same rights as men, but they experience some social and legal discrimination. Since personal-status matters are adjudicated by each sect's religious authorities, women are subject to discriminatory rules 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 household workers are especially vulnerable to exploitation and abuse. The Labor Ministry in 2009 introduced a uniform contract for household workers that guaranteed weekly time off and other basic protections, but according to the U.S. State Department's 2010 Trafficking in Persons Report, arriving foreign workers must sign the contract in Arabic, which most cannot read.

** 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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