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## Freedom in the World 2012 - Lebanon

### 2012 Scores

Status: Partly Free

Freedom Rating: 4.5

Civil Liberties: 4

Political Rights: 5

### Overview

After 11 ministers stepped down in January 2011 to protest a UN tribunal's indictment of five Hezbollah members for the 2005 assassination of former prime minister Rafiq Hariri, Najib Miqati was named as the new prime minister. The nomination, backed by Hezbollah, triggered protests and related violence, but Miqati eventually formed a cabinet in June. Also during the year, a civil conflict in neighboring Syria led refugees and defecting soldiers to cross into Lebanon. The government arbitrarily detained a number of Syrian refugees, worked to silence those calling for democracy in Syria, and intimidated human rights activists who criticized the security agencies.

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 equal 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 that extended 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 2005, 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 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 Fatah al-Islam, 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. Subsequent reconstruction proceeded slowly.

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 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 regional and international climate produced a rapprochement between Hariri's unity 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 UN Special Tribunal for Lebanon (STL) 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 pledged to resist the STL, accused Israel of Hariri's murder, and effectively prevented security forces from executing an arrest warrant for a general previously accused in the case. To avoid political and sectarian fighting, political leaders chose which candidates would run in the 2010 municipal elections, effectively deciding the outcome well in advance of the balloting.

Eleven ministers allied with Hezbollah resigned in January 2011 to protest the STL's indictment of Hezbollah members in the Hariri case and Saad Hariri's refusal to end the government's cooperation with the tribunal. The government collapsed, and Najib Miqati, backed by Hezbollah, was named as the new prime minister. The move spurred protests across the country, which continued periodically until June. The protests in May and June in particular included violent interfactional clashes between pro- and anti-Syrian demonstrators. The Lebanese military response to these protests included door-to-door raids in search of those they suspected of firing shots. Miqati did not announce a new cabinet until June, and the result was a deeply divided governing body. Despite his apparently close ties to Hezbollah, Miqati affirmed in November that his government would contribute its share of the funding for the STL.

Tensions with Israel increased in 2011 due to a maritime border dispute in which the rights to offshore natural gas reserves were at stake. Meanwhile, the internal conflict in Syria spilled over into Lebanon late in the year. Syrian forces allegedly crossed the border to capture or kill fleeing military defectors and refugees on a number of occasions, and there were reports of landmines being placed along the border.

#### 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, recently proposed reforms – 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 – have not yet gone in to effect due to sectarian and partisan concerns. While recent elections have been generally free of violence and other irregularities, they have only been competitive in certain Christian districts, as party leaders have sought to avoid divisive campaigning.

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. Lebanon was ranked 134 out of 183 countries surveyed in Transparency International's 2011 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. However, 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 have been applied in isolated cases in the last few years. During the protests in January 2011, targeted attacks on journalists were reported in Beirut, Tripoli, and Sidon.

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 reform has had little practical effect, however, 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 have been generally unrestricted in the past, as hundreds of thousands of Lebanese have rallied in favor of or in opposition to the government. However, there have been reports of detentions of protest organizers who call for democratic change in Syria. In February 2011, for example, six members of a Syrian family were detained after distributing flyers that urged people to protest against the Syrian regime.

In the past, Lebanon's civil society was vibrant, and nongovernmental organizations (NGOs), including human rights groups, operated openly. While this remains the case for many groups, constraints have increased in recent years. By law, the government only requires notification of an NGO's formation, but 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. In July 2011, Saadeddine Shatila of the NGO Alkarama was twice questioned by military intelligence agents about his investigations into torture and human rights violations. International and domestic human rights groups described the case as part of a pattern of systematic intimidation of activists who question the practices of Lebanese security agencies.

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 those accused of spying for Israel, as well as Fatah al-Islam militants, human rights workers, and individuals perceived to be inciting sectarian conflict.

The security forces' practice of arbitrary detention had declined until the last few years. While

the government has made some progress toward ending torture, regulations on the issue are often not enforced, and the use of torture remains widespread in security-related cases. Prison conditions are poor. In 2011, a number of Syrian refugees were detained, with the threat of repatriation to Syria. As of December 2011, there were about 4,500 registered Syrian refugees in Lebanon, but many Syrians have entered illegally and are therefore not registered with the United Nations.

About 400,000 Palestinian refugees living in Lebanon are denied citizenship rights and face employment and property restrictions. A 2010 law allowed them access to social security benefits, end-of-service compensation, and the right to bring complaints before labor courts. However, the law effectively closed off several highly skilled professions 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, and there is a substantial Sudanese refugee population. Most of them do not enjoy official refugee status and thus face arbitrary detention, deportation, harassment, and abuse. Human rights groups estimate that at any given time, there are about 100 refugees jailed on immigration or work-violation charges in Lebanon. Some of these refugees are being "voluntarily" detained to avoid repatriation.

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. Foreign female household workers are especially vulnerable to exploitation and abuse. According to the U.S. State Department's 2011 Trafficking in Persons Report, foreign workers from Africa and East Asia are often victims of forced labor, withheld wages, restricted movement, sexual exploitation, and verbal and physical abuse. The Lebanese government has done little to stop this abuse and neglect.

#### Ratings Change

Lebanon's civil liberties rating declined from 3 to 4 due to a violent government response to protests against Najib Miqati's appointment as prime minister in January, as well as the imposition of restrictions on those calling for democracy in Syria, which resulted in a number of detentions by military intelligence officials.

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