

Flygtningenævnets baggrundsmateriale

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Freedom in the World 2017

Lebanon *Profile*

FREEDOM STATUS: PARTLY FREE

Freedom in the World Scores

Aggregate Score



(0=Least Free, 100=Most Free)

Freedom Rating: 4.5/7

Political Rights



Civil Liberties



(1=Most Free, 7=Least Free)

Quick Facts

Population: 6,200,000

Capital: Beirut

GDP/capita: \$8,048

Press Freedom Status: Partly Free

Net Freedom Status: Partly Free

Overview:



Lebanon's troubled political system ensures representation for its many sectarian communities, but suppresses competition within each community and impedes the rise of cross-sectarian or secularist parties. Parliamentary elections have been repeatedly postponed amid partisan gridlock and security threats linked to the war in neighboring Syria. Residents enjoy some civil liberties and media pluralism, but the rule of law is undermined by political interference and partisan militias, and the country has struggled to cope with an influx of Syrian and other refugees who make up more than a quarter of its population.

Key Developments in 2016:

- In October, the National Assembly elected Michel Aoun as president, ending a two-year vacancy.
- Aoun asked former prime minister Saad Hariri to lead a new unity cabinet, which was approved by the National Assembly in late December.
- Municipal elections were held in May for the first time in six years, though long-overdue parliamentary elections were not expected until 2017 at the earliest.

Executive Summary:

Lebanon made some progress toward ending its political dysfunction in 2016. Local elections in more than a thousand municipalities were held in May, in some cases featuring vigorous competition. The new, civil society-based list Beirut Madinati

(Beirut My City) won 40 percent of the vote in the capital, campaigning on a platform of practical urban governance and transparency rather than traditional factional loyalties.



In October, the National Assembly's main parties and movements reached a deal to elect Michel Aoun, a longtime political and military leader from the Maronite Christian community, as president, ending a two-year vacancy. Aoun then named Saad Hariri, a Sunni Muslim political leader, to serve as prime minister, and his 30-member cabinet was approved by the National Assembly in late December. The cabinet included all major factions except the Kataeb Party, a Christian group also known as the Phalangist party, which rejected the position it was offered. The cabinet also featured new posts responsible for women's affairs, refugee affairs, and combating corruption, reflecting key challenges facing the country. However, the appointment of a man to the women's affairs post was met with public derision.

Despite the successful municipal voting and the progress in the executive branch, it remained unclear whether parliamentary elections would be held as planned by mid-2017, when the current legislature's mandate—already extended repeatedly since its elected term ended in 2013—was due to expire.

Meanwhile, among other ongoing governance problems, a garbage crisis stemming from the closure of Beirut's main landfill in 2015 continued without a sustainable solution, and the rule of law was threatened by terrorist violence and arbitrary restrictions—including arrests and curfews—on Syrian refugees.

Political Rights

Political Rights 14/40 (+1)

A. Electoral Process 3 / 12 (+1)

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

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. No official census has been conducted since the 1930s. The sectarian political balance has been periodically reaffirmed and occasionally modified by foreign-brokered agreements.

The last parliamentary elections were held in June 2009. The March 14 coalition, headed by Sunni Muslim parties, won 71 seats, while the rival March 8 coalition, backed by the Shiite militant group Hezbollah, took 57 seats. Although the 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. New elections were due in June 2013, but disagreement over electoral reforms led the parliament to extend its own term until late 2014. Citing security concerns associated with the Syrian conflict, lawmakers that year extended their mandate again, this time until June 2017.



The presidency, vacant since the term of Michel Suleiman expired in 2014, was filled through the October 2016 election of Michel Aoun, who nominated Saad Hariri of the March 14 coalition as prime minister in November. Nabih Berri, affiliated with the Amal movement and backed by Hezbollah, retained his post as parliament speaker, a position he has held since 1992. Hariri's unity cabinet, which included representatives of most major factions, was approved by the assembly in late December.

Relatively successful and peaceful municipal council elections were held in May across the country, marking the first subnational elections since 2010. More than 30,000 candidates participated in contests in 1,015 municipalities, though turnout was generally low.

B. Political Pluralism and Participation 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Two major factions, each comprising more than a dozen political parties, have dominated Lebanese politics since 2005: the March 8 coalition, of which Hezbollah is the most powerful member and which is seen as aligned with the Syrian regime, Iran, and Russia; and the March 14 bloc, headed by Sunni Muslims and associated with Saudi Arabia, Europe, and the United States. Christian factions are divided between the two blocs, and a predominantly Druze party has adopted positions that straddle the political divide. These long-standing incumbent parties faced strong challenges or setbacks in a number of the 2016 municipal council elections. Beirut Madinati, a new electoral list characterized by political independents and a technocratic policy agenda, garnered 40 percent of the vote in the capital, but a bloc of establishment parties still captured all of the council seats.

Although the political system features a variety of competing parties, their activities are inhibited by periodic violence, intimidation, and entrenched patronage networks—in some cases linked to foreign funding—that make it difficult for new groups to emerge or existing groups to modify their positions or policies. Lebanese voters' political choices are also restricted by the sectarian electoral system and a related requirement that citizens vote in their ancestral hometowns, which discourages the rise of multiconfessional or secularist parties. The established sectarian parties are often headed by prominent families, with key positions effectively handed down from one generation to the next.

The rigid formula for allocation of elected positions ensures that nearly all recognized confessional groups are represented, but it does not reflect their actual shares of the population. Refugees, including large, decades-old Palestinian communities, are not eligible for citizenship and have no political rights.

C. Functioning of Government 2 / 12



- C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?
- C2. Is the government free from pervasive corruption?
- C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Sectarian and partisan divisions, exacerbated by foreign interference and more recently the Syrian civil war, have frequently prevented Lebanese governments from forming and operating effectively and independently after elections. The extended presidential vacancy and the National Assembly's ongoing lack of an electoral mandate have further undermined the government's legitimacy. The authority of the government is also limited in practice by the power of autonomous militant groups, such as Hezbollah.

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 an indication of institutional dysfunction, the national government has not passed an annual budget since 2005, meaning state expenditures are irregular, lacking in oversight, and prone to corrupt manipulation. The garbage crisis that began in 2015, when authorities closed the capital's main landfill without preparing a replacement site, remained unresolved in 2016 amid corruption and other concerns. Temporary dumps were used during the year, including one near Beirut's international airport and another near a commercial and residential neighborhood, Bourj Hammoud, provoking renewed protests and resulting in periodic pile-ups of garbage.

Corruption has extended to contracts for aid to refugees. Some nongovernmental organizations (NGOs) have allegedly siphoned off funds from international agencies, with cooperation from corrupt Lebanese officials, or wasted resources on excessive salaries and benefits for senior employees. Donor concerns about corruption were believed to be one factor behind chronic shortfalls in aid for Syrian refugees.



Civil Liberties

Civil Liberties 30 / 60

D. Freedom of Expression and Belief 11 / 16

- D1. Are there free and independent media and other forms of cultural expression?
- D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?
- D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?
- D4. Is there open and free private discussion?

Freedom of expression and freedom of the press are guaranteed by law. The country's media are among the most open and diverse in the region, but nearly all outlets have ties to sectarian leaders or groups, and consequently practice self-censorship and maintain a specific, often partisan, editorial line. Censorship of books, movies, plays, and other artistic work is common, especially when the work involves politics, religion, sex, or Israel.

It is a criminal offense to criticize or defame the president (  Lebanese security forces, and an audiovisual media law bans broadcasts that seek to harm the state or its foreign relations or incite sectarian violence, among other broadly worded provisions. These and similar laws have been used to intimidate and prosecute journalists who disseminate criticism of the government or powerful nonstate actors. On at least two occasions in 2016, authorities summoned journalists for questioning about their work.

The Netherlands-based Special Tribunal for Lebanon (STL) continued to adjudicate contempt of court cases related to media exposure of confidential witnesses in its investigation of the 2005 assassination of former prime minister Rafik Hariri. In March 2016, an STL appellate panel overturned the 2015 conviction of Al-Jadeed TV's Karma Khayat, but in July the tribunal convicted and fined *Al-Akhbar* newspaper and its editor in chief for the public identification of 32 confidential witnesses.

Journalists and media outlets occasionally face intimidation or violence in response to their reporting. In April 2016, the Beirut offices of the London-based newspaper *Asharq al-Awsat* were attacked by protesters over a cartoon deemed offensive to Lebanon.

Freedom of religion is guaranteed in the constitution and protected in practice. Every confessional group manages its own family and personal-status laws, and has its own religious courts to adjudicate such 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. Political strife between religious groups has persisted to some extent since the 1975–90 civil war, and such differences—particularly between

Sunnis and Shiites—have been exacerbated in recent years'   the civil war in Syria.

Academic freedom is generally unimpaired, though defamation and blasphemy laws could deter open debate. Private discussion is similarly uninhibited. However, the government reportedly monitors social media, and users occasionally face arrests, short detentions, or fines for their remarks. In two cases during 2016, a human rights lawyer and a journalism student were temporarily detained and faced defamation charges for social media posts that criticized the state.

E. Associational and Organizational Rights 7 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

The constitution guarantees the 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. Garbage-related protests in 2015 featured clashes between police and demonstrators, but those in 2016 were generally peaceful. More than a dozen demonstrators faced charges in military courts for the 2015 violence, though none were in detention during 2016.

Civil society organizations have long operated openly in Lebanon, with some constraints. All NGOs must be registered with the

Interior Ministry. The ministry may force an NGO to undergo an approval process and investigate its founders, and representatives of the ministry must be invited to observe voting on bylaws and boards of directors.



Trade unions are often tightly linked to political organizations, and in recent years they have been subordinate to their political partners. The Labor Ministry has broad authority over the formation of unions, union elections, and the administrative dissolution of unions. Collective bargaining and especially strikes are subject to onerous restrictions. Public employees, agricultural workers, and household workers are not protected by the labor code and have no legal right to organize, though they have formed unrecognized representative organizations in practice.

F. Rule of Law 5 / 16

- F1. Is there an independent judiciary?
- F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?
- F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?
- F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

Political forces hold sway over the formally independent judiciary. The Supreme Judicial Council is composed of 10 judges, eight of whom are nominated by the president and the cabinet. Other judges are nominated by the council, approved by the Justice Ministry, and vetted by opposition and government parties.

While the regular judiciary generally follows international standards of criminal procedure, these standards are not followed in the military courts, which have been tasked with cases against

Islamist militants, human rights activists, and alleged Israeli spies among others. Security forces reportedly use torture and other abuse to obtain confessions. Prison conditions remain poor, with severe overcrowding, and pretrial detention often lasts years. Inmates at Roumieh prison launched a protest against harsh conditions and ill-treatment following the death of a prisoner in May 2016.

Security threats and militant activity related to the Syrian civil war persisted in 2016. Among other violent incidents during the year, a wave of suicide bombings struck a Lebanese Christian village near the Syrian border in June, killing five people and wounding many others. There was no official claim of responsibility for the attack. In response, Lebanese security forces imposed curfews on Syrian refugees in the area and conducted hundreds of arbitrary arrests, although the interior minister said the attack originated inside Syria.

There were roughly 1.5 million Syrian refugees in Lebanon as of 2016, of whom about one-third were not registered with the UN refugee agency; the government had instructed the agency to suspend registrations in 2015. Syrian refugees reportedly faced arbitrary arrests and other forms of harassment from both security forces and Lebanese civilians. Most refugee households included at least some members who lacked a residency permit owing to stricter government regulations, exposing them to arrest, and a large majority lived in poverty, partly due to limitations on refugees' employment options.

About 450,000 Palestinian refugees were registered in Lebanon, though fewer than 300,000 were believed to reside in the country in 2016. They also face certain restrictions on economic activity, contributing to widespread poverty.

LGBT (lesbian, gay, bisexual, and transgender) people face '   official and societal discrimination and harassment. The penal code prescribes up to one year in prison for “sexual intercourse against nature,” though this is rarely enforced. NGOs work to uphold the human rights of LGBT people, and social acceptance is more common in urban and cosmopolitan areas, particularly in Beirut.

G. Personal Autonomy and Individual Rights 7 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Impediments to freedom of movement include de facto sectarian boundaries in some areas and curfews on Syrian refugees in many municipalities. Even longtime Palestinian refugee residents 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. At least 250,000 Syrian children were without access to education in 2016. Business activity in Lebanon is impaired by bureaucratic obstacles and corrupt patronage networks.

Women are granted equal rights in the constitution, but they are disadvantaged under the sectarian personal-status laws on issues such as divorce, inheritance, and child custody. Under a 1925 law, women cannot pass their nationality to non-Lebanese husbands or children. A 2014 law that criminalized domestic violence failed to criminalize spousal rape.

Both Lebanese and foreign nationals are subjected to forced labor and sex trafficking in Lebanon. Refugees and foreign household workers are especially vulnerable to exploitation. Authorities often arrest victims of trafficking for crimes committed as a result of their being trafficked.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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