

Lebanon

Country:

Lebanon

Year:

2016

Freedom Status:

Partly Free

Political Rights:

5

Civil Liberties:

4

Aggregate Score:

43

Freedom Rating:

4.5

Overview:

The Lebanese political system remained paralyzed in 2015, with the presidency vacant since the last incumbent's term expired in May 2014 and the National Assembly's term extended twice since 2013. The two main political coalitions were unable to agree on a new president during the year, and under the legislature's 2014 term extension, National Assembly elections were not expected until 2017. A unity cabinet headed by Prime Minister Tammam Salam managed the country's affairs.

Popular frustration with the government's dysfunction was galvanized by a garbage crisis that began in July 2015, when authorities closed Beirut's main landfill without having prepared a replacement site. The accumulation of trash in the capital led to months of cross-sectarian protests that were largely organized online via new grassroots groups, the most prominent of which were "You Stink" and "We Want Accountability."

The Syrian conflict and a surge of terrorist activity in the region continued to reverberate in Lebanon in 2015. The country hosted more than a million registered Syrian refugees, straining already overburdened infrastructure and basic services. The Lebanese Shiite militant group Hezbollah remained heavily involved in the war in support of the Syrian regime, and has lost a large number of combatants and commanders in the fighting. In January, an Israeli helicopter strike in the Syrian-held portion of the Golan Heights killed several Hezbollah members, including the son of Imad Mughniyeh, a senior militant who had been assassinated in Damascus in 2008. Hezbollah retaliated with a cross-border attack from Lebanon that killed two Israeli soldiers. However, the exchange of fire did not escalate into a wider conflict. Observers noted that Hezbollah's losses in Syria had depleted its ranks to the point that it has been forced to deploy poorly trained fighters, including some teenaged recruits.

Political Rights and Civil Liberties:

Political Rights: 13 / 40 (-1) [Key]

A. Electoral Process: 2 / 12

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 most recent 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 Shiite 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. However, citing security concerns associated with the Syrian conflict, lawmakers that year extended their mandate again, this time until June 2017.

The presidential term of Michel Suleiman expired in May 2014, and the National Assembly was unable to agree on a replacement, leaving the presidency vacant through the end of 2015. Prime Minister Salam and his national unity government, formed in February 2014, remained in place during the year. The previous two governments had collapsed in 2011 and 2013, due in part to shifting factional alliances and rising sectarian tensions linked to the Syrian war.

B. Political Pluralism and Participation: 9 / 16

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, which is headed by Sunni Muslims, generally supportive of the Syrian opposition, 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.

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, 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 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 (-1)

Sectarian and political 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 ongoing presidential vacancy and the National Assembly's lack of an electoral mandate further undermined the government's legitimacy in 2015. The authority of the government is also limited in practice by the power of autonomous militant groups, such as Hezbollah.

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. In August 2015, when the cabinet met to address the garbage crisis, it initially awarded contracts to companies with alleged links to major political leaders, leading to a public outcry and a reversal of the decision. No solution had been implemented by year's end; the government said in December that it was planning to have the waste removed by sea.

Corruption has also 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 growing shortfalls in aid for Syrian refugees.

Lebanon was ranked 123 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 30 / 60

D. Freedom of Expression and Belief: 11 / 16

Freedom of expression and freedom of the press are guaranteed by law. However, the same laws protect the president and religious leaders from insult. The media are among the most open 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. In 2015, three comic-book editors were found guilty of insulting religion and inciting sectarian strife and fined more than \$6,000 each.

Several journalists were assaulted by police or antigovernment protesters during clashes between the two sides in August 2015. In January, prosecutors issued a warrant for the arrest of Faisal al-Qassem, host of a news program on Qatar's Al-Jazeera television network, over his alleged insults against the army and promotion of sectarian strife. In May, a journalist's mother received threats in response to her daughter's online comments criticizing the jail sentence of former information minister Michel Samaha. In September, the Hague-based UN Special Tribunal for Lebanon (STL) convicted Lebanese journalist Karma Khayat of Al-Jadeed TV on contempt-of-court charges for failing to remove reports on confidential witnesses from her station's website.

Freedom of religion is guaranteed in the constitution and protected in practice. Every 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 again been exacerbated by the civil war in Syria. However, in June 2015, the venerable Beirut-based Sunni philanthropic organization Al-Makassed issued the Beirut Declaration on Religious Freedom. The declaration, responding to anti-Christian violence in the region by the Islamic State (IS) militant group and other extremists, reiterated Christians' right to religious freedom and noted that no one should be forced to convert or be persecuted for their beliefs.

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 October 2015, political activist Michel Douaihy was detained for nine days and fined \$200 for Facebook comments that were deemed defamatory, and journalist Mohammed Nazzal was sentenced in absentia to six months in jail and fined over \$650 for criticizing the judiciary, also on Facebook.

E. Associational and Organizational Rights: 7 / 12

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. The garbage-related protests between August and October 2015 featured clashes between police and demonstrators. Demonstrators were also assaulted on some occasions by supporters of the political leaders they criticized. One protester reportedly died in August, and hundreds were injured. All of those arrested during the protests were released by year's end, though an unknown number still faced possible charges. The movement gradually subsided amid disagreement over its goals and tactics.

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 Palestinian population of Lebanon, estimated at about 400,000, is not permitted to participate in trade unions. Foreign and Lebanese household workers, who are not protected by the labor code, have been trying to establish a union, but the move was denounced as illegal by the country's labor minister in early 2015.

F. Rule of Law: 5 / 16

Political forces hold sway in practice 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. Some detainees have been held

without trial since 2007 in overcrowded prisons. Videos posted on social media in June 2015 showed guards beating inmates in Roumieh prison, prompting protests by inmates' relatives and supporters. Also during the year, Roumieh prison suffered from security crackdowns and riots by prisoners calling for better living conditions.

Security threats and militant activity related to the Syrian civil war persisted in 2015. Among other violent incidents during the year, suicide bombings claimed by the Qaeda-affiliated Syrian militant group Jabhat al-Nusra killed nine people in an Alawite-populated area of Tripoli in January. In April, police killed two militants with alleged links to Jabhat al-Nusra during the arrest of a radical cleric, also in Tripoli. Another fugitive Sunni extremist cleric, Ahmed al-Assir, was arrested in Beirut in August. A bombing attributed to IS killed several Sunni clerics in the town of Aarsal who helped negotiate a prisoner exchange between the government and Jabhat al-Nusra, which went forward in December. Suicide bombings claimed by IS later in November killed more than 40 people in a Shiite area of Beirut.

The roughly 400,000 Palestinian refugees living in Lebanon are denied citizenship rights and also face certain restrictions on economic activity. Most Iraqi and Sudanese refugees do not enjoy official refugee status and thus face arbitrary detention, deportation, harassment, and abuse. In January 2015, the Directorate of General Security published elaborate criteria regulating the entry of Syrian nationals into Lebanon and imposed visa restrictions for the first time in an attempt to sharply reduce the number of incoming Syrian refugees. Most Syrian refugees live in extreme poverty; there are no formal camps for Syrians in Lebanon.

LGBT (lesbian, gay, bisexual, and transgender) people face both 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

Impediments to freedom of movement include de facto sectarian boundaries in some areas and curfews on Syrian refugees in many municipalities. Palestinian refugees 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.

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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