



PARLEMENT EUROPÉEN

**DELEGATION D'OBSERVATION DES ELECTIONS  
LEGISLATIVES AU LIBAN**

**(4-8 juin 2009)**

**RAPPORT DE LA DELEGATION**

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## **Introduction**

Une Délégation de cinq Membres du Parlement européen a observé les élections législatives au Liban le 7 juin 2009. Présidée par José Javier POMES RUIZ (PPE, ES), la Délégation était composée de Marie-Arlette CARLOTTI (PSE, FR), la Baronne Emma NICHOLSON OF WINTERBOURNE (ALDE, UK), Sylwester CHRUSZCZ (UEN, PL) et Paul Marie COÛTEAUX (IND-DEM). Cette Délégation faisait partie intégrante de la Mission d'observation de l'Union européenne (MOE-UE) dirigée par José Ignacio SALAFRANCA SANCHEZ-NEYRA.

Avant son arrivée au Liban, la Délégation a eu l'occasion de tenir deux réunions préparatoires, les 6 et 27 mai 2009, afin d'évaluer la situation politique du pays en amont des élections et de s'informer sur les travaux de la MOE-UE grâce à la présence de M. SALAFRANCA.

## **Brève description des activités de la Délégation au Liban**

Les activités de la Délégation ont commencé le vendredi 5 juin par un programme dense de rencontres de très haut niveau à la fois avec les représentants institutionnels et politiques, d'autres observateurs internationaux ainsi que des représentants de la société civile. Avant et après la journée du scrutin, plusieurs réunions ont eu lieu avec la Délégation de la Commission européenne au Liban, la Présidence du Conseil en exercice et des Ambassadeurs de l'Union européenne.

Parmi les interlocuteurs institutionnels, la Délégation a été reçue par le Président de la République, le Général Michel Sleimane, le Premier ministre, M. Fouad Siniora, le Ministre des Affaires étrangères, M. Fawzi Salloukh et le Ministre de l'intérieur et des municipalités, M. Ziad Baroud, qui est en charge de l'organisation de ces élections.

Le fil conducteur de ces réunions était l'évolution qui, suite aux accords de Doha ouvrant la voie vers un gouvernement d'union nationale, a permis au Liban de sortir d'un blocage institutionnel prolongé et de préparer le terrain pour la tenue des élections législatives. Dans ce contexte, la nouvelle loi électorale, malgré ses imperfections manifestes, était perçue par tous les interlocuteurs comme un pas dans la bonne direction. Les interlocuteurs se sont également félicités du dénouement politique qui, notamment grâce aux pressions de l'UE, a permis, à quelques jours seulement du scrutin, la mise en place du Conseil constitutionnel. Ce dernier étant le seul organe habilité à recevoir des plaintes concernant le déroulement des élections et complète donc le cadre électoral.

Il ressortait clairement de ces entretiens que l'accueil d'une mission d'observateurs européens correspond à un choix stratégique pour le Liban, l'UE étant vue comme un partenaire neutre. La même appréciation positive était réservée à l'aide technique fournie par l'UE pour soutenir le processus électoral.

Le déroulement de la campagne, les possibles futures alliances politiques et les enjeux internes et régionaux étaient au centre des réunions de la Délégation avec les dirigeants des principaux partis politiques: M. Saad Hariri (Président du Mouvement du Future - 14 mars), M. Ammar Al Musawi (Responsable des relations extérieures du Hezbollah), le Général Michel Aoun (Président du Courant Patriotique Libre - 8 mars), M. Amine Gemayel (Président de Kataëb - 14 mars).

Le vendredi 5 juin, l'observateur en chef de la MOE-UE M. Salafranca Sanchez-Neyra, en collaboration avec la Délégation du PE, a tenu une réunion avec le

Président Jimmy Carter, des représentants du Carter Center et du National Democratic Institute (NDI). Cette réunion conjointe a permis un échange de vues des observateurs internationaux en amont des élections.

La Délégation s'est enquis auprès d'une série d'ONG locales de leur rôle dans l'observation des élections: l'Association des femmes libanaises engagée dans la promotion du vote et des candidatures des femmes et qui regroupe 170 ONG; la "Lebanese Transparency Association" dont l'objectif est la lutte contre la corruption et qui scrute les dépenses électorales des candidats; et LADE (Lebanese Association for Democratic Elections) qui est active dans l'observation des élections depuis 1996 et coordonne le travail d'une cinquantaine d'ONG libanaises.

La journée s'est terminée par une présentation de l'équipe-cadre de la MOE-UE sur les aspects politiques, techniques et logistiques du scrutin ainsi que par une analyse de la campagne électorale dans les médias libanais.

Le jour du scrutin, la Délégation du PE s'est déployée à Tripoli, Saïda, Beyrouth et dans le Chouf afin de suivre au mieux les enjeux politiques et la diversité régionale du pays. Les principales observations faites le jour du vote comprennent notamment:

- Le premier regroupement du scrutin en une seule journée a été bien maîtrisé et la journée électorale s'est déroulée dans le calme avec une participation massive;
- Un rôle positif des forces de sécurité et de l'armée, tant dans l'accomplissement de leurs tâches que dans l'aide fournie aux personnes à mobilité réduite;
- Le personnel responsable des bureaux de vote était généralement bien formé et au fait des règles en vigueur, tout comme l'étaient les représentants des candidats;
- Les assesseurs choisis pour compléter le bureau de vote étaient très souvent des représentants des candidats qui affichaient visiblement les couleurs de leur appartenance politique. Plusieurs Membres de la Délégation ont soulevé que cette pratique de double casquette prête à confusion et à intimidation;
- L'absence d'un bulletin pré-imprimé reste une des principales failles du système électoral;
- La grande présence des observateurs nationaux sur place;
- La faible acceptation, par endroit, de l'encre indélébile utilisée perçue comme étant salissante;
- De longues files d'attente devant les bureaux de vote réservés aux femmes dans certaines régions;
- Le principe du vote au lieu d'origine engendre une série de problèmes: Diaspora, populations déplacées au sein du Liban, femmes (vote au lieu d'origine de leur mari, voire de leur père en cas de divorce);
- La Délégation a été témoin d'un très fort souhait de la population de voir l'âge légal du droit de vote abaissé à 18 ans et la possibilité du vote des Libanais de l'étranger s'ouvrir rapidement.

## **Conclusion**

Le programme de la Délégation du Parlement s'est clôturé par une conférence de presse conjointe avec la MOE-UE dans laquelle le Président de la Délégation du PE, M. José Javier Pomes Ruiz a présenté des conclusions au nom de tous les Membres de la Délégation en complément de la déclaration préliminaire de la MOE-UE.

M. Pomes a commencé par rappeler que la présence d'observateurs du PE, après celle en 2005, s'inscrit dans la continuité et souligne l'intérêt continu que porte le PE à la situation au Liban.

M. Pomes s'est réjoui que les Libanais aient participé en grand nombre à un exercice démocratique qui s'est déroulé dans le calme.

Bien que certaines recommandations, que la mission de l'UE avait formulées en 2005, aient été reprises dans la nouvelle loi électorale, il a invité le Parlement libanais nouvellement élu à se mettre rapidement à travailler sur la poursuite de la réforme électorale.

Parmi les questions les plus urgentes à résoudre, il a cité l'introduction d'un bulletin de vote pré-imprimé ainsi que le contrôle des dépenses électorales.

Constatant que les femmes ont participé massivement à ces élections, il a vivement souhaité qu'à l'avenir, elles jouent un rôle dans la vie politique à la hauteur de cette participation.

Enfin, il a appelé à la mise en place rapide de la possibilité du vote des Libanais à l'étranger, la Délégation ayant été témoin d'un souhait très fort de la population libanaise dans ce sens.

M. POMES a terminé par un appel aux forces politiques libanaises à se tendre la main et à poursuivre le dialogue et s'est montré confiant que le Parlement européen issu des élections le 7 juin sera prêt dans les prochains mois à renforcer les liens qu'il a développés avec les institutions libanaises et qu'il continuera à apporter tout son soutien à la promotion de la démocratie parlementaire au Liban.

# PARLEMENT EUROPEEN

## DELEGATION D'OBSERVATION DES ELECTIONS AU LIBAN

### ELECTIONS LEGISLATIVES 4-8 juin 2009

#### Liste des participants

#### Députés

M. José Javier POMES RUIZ, EPP-ED, Espagne (Président)  
Mme Marie-Arlette CARLOTTI, PSE, France  
M. Sylwester CHRUSZCZ, UEN, Pologne  
Baronne Emma NICHOLSON, ALDE, Royaume-Uni  
M. Paul Marie COÛTEAUX, I-D, France

#### Secrétariat

M. Pietro DUCCI, Chef d'Unité  
Mme Laure ENCISO Y BERGE, Administrateur  
M. Stefan KRAUSS, Administrateur  
Mme Claudine STAUB, Assistante

#### Groupes politiques

Mme Ruth DE CESARE, PSE  
M. Marcin FRYDRYCH, UEN

#### Interprètes

M. Witold CZARTORYSKI, Chef d'Equipe (PL/EN)  
M. Andrzej GRZADKOWSKI (PL/EN)  
Mme Nathalie BADETZ (FR/EN)  
M. Jan KROTKI (FR/EN)

#### Abréviations :

EPP-ED	European People's Party/European Democrats	GUE/NGL	European United Left/Nordic Green Left
PSE	Party of European Socialists	UEN	Union for Europe of the Nations Group
ALDE	Alliance of Liberal and Democrats for Europe	I-D	Independence/Democracy
Verts/ALE	Greens/European Free Alliance	NI	Non-attached

**EUROPEAN PARLIAMENT**  
**PARLIAMENTARY ELECTIONS IN LEBANON**  
**ELECTION OBSERVATION DELEGATION**

**4-8 JUNE 2009**

**PROGRAMME**

**Thursday, 4 June**

*Afternoon*

Arrival of Members in Beirut and transfer to the hotel

Mövenpick Hotel.  
General de Gaulle Avenue  
Phone: +961 1 86.96.66  
Fax: +961 1 80.93.26

**Friday, 5 June**

- 08.00-08.15 Election of the Chair of the EP Election observation delegation  
*Venue: Hotel Mövenpick (French section – breakfast floor - 8<sup>th</sup> floor)*
- 08.15-09.00 Working breakfast with the Chief Observer, Mr José Ignacio SALAFRANCA, Mr Patrick LAURENT, Head of the EC Delegation and the Troïka (PL, CZ and ES)  
*Venue: Hotel Mövenpick (French section – breakfast floor - 8<sup>th</sup> floor)*
- 09.00 Departure from the hotel
- 09.30-10.15 S.E. M. Fouad Siniora, Prime Minister  
*Venue: Grand Sérail*
- 10.30 S.E. M. Fawzi Salloukh, Ministry of Foreign Affairs  
*Venue: Minister of Foreign Affairs*
- 12.00-12.30 S.E. M. General Michel Sleimane, President of the Republic  
*Venue: Baabda*
- 13.00-13.45 S.E. M. Ziad Baroud, Ministry of Interior  
*Venue: Sanayeh*

- 15.30 Mr Ammar Al Musawi, External relation officer - Hezbollah  
*Venue: TBD*
- 17.00-18.00 Meeting with President Carter and NDI  
*Venue: Mövenpick - Mistral Hall (7<sup>th</sup> floor)*
- 19.00 Departure from hotel Mövenpick
- 19.30-21.30 Cocktail hosted by Mr LAURENT, Head of the EC Delegation  
*Venue: Residence of the Head of EC Delegation - Yarzé*

### **Saturday, 6 June**

- 09.15 Departure from the hotel
- 10.00 General Michel Aoun, Leader of the Free Patriotic Movement  
*Venue: Mr Aoun's residence - Rabieh*
- 11.30 Mr Gemayel, Phalangist (Kataeb Party)  
*Venue: Mr Gemayel's residence - Bekfayya*
- 13.00 Mr Hariri, Future movement  
*Venue: Mr Hariri's residence - Qraytem*
- 15.30 Meeting with Civil Society (LADE, LPHU, LTA, LCW)  
*Venue: Mövenpick - Levante 3 room (5<sup>th</sup> floor)*
- 16.30 Meeting with the Core Team of the EU Election Observation Mission  
*Venue: Mövenpick - Levante 3 room (5<sup>th</sup> floor)*
- 18.00 Departure of the team going to Tripoli and arrival to the hotel:  
  
     Château des Oliviers  
     Address : Direction Bahsas, Haykalieh Road, Tripoli  
     Tel : +961 (0)6 411 170 / 180 / 190 - Fax : +961 (0)6 440 981  
     Rate: 90 USD (to be paid by each member of the team)
- Briefing with LTOs in charge of the area of Tripoli
- 18.00 Departure of the team going to the South and arrival to the hotel  
     Fenar Hotel  
     R. Walid  
     Tyr  
     Tel. +961 (0)3.66.50.16  
     Rate: 70 USD + 10% taxes (to be paid by each member of the team)
- Briefing with LTOs in charge of the area of Tyr and Saida

## **Sunday, 7 June: Election Day**

<i>all day</i>	Election observation Opening: 7.00 Closing: 19.00
<i>evening</i>	Return to Beirut (for the deployed)
20.30-21.00	Meeting between the Chief observer, Mr Salafranca and the Head of the EP election observation delegation

## **Monday, 8 June**

09.00	Working breakfast Debriefing of the delegation on the election observation from different teams <i>Venue: Hotel Mövenpick (French section – breakfast floor - 8<sup>th</sup> floor)</i>
10.00	Exchange of views of the delegation with Mr SALAFRANCA <i>Venue: Mövenpick - Levante 3 room (5<sup>th</sup> floor)</i>
12.00	Meeting with the EU-Election Observation Mission and the representatives of the Member States <i>Venue: Mövenpick - Levante 3 (5<sup>th</sup> floor)</i>
15.00	Joint press conference, presentation of the preliminary statement <i>Venue: Mövenpick Levante 1</i>





**EUROPEAN UNION  
ELECTION OBSERVATION MISSION  
LEBANON PARLIAMENTARY ELECTIONS 2009**

**PRELIMINARY STATEMENT**

**Lebanese citizens turn out in large numbers for generally peaceful and well-organised elections with an improved legal framework despite a number of relevant shortcomings highlighting the need for further reform**

**Beirut, 8 June 2009**

*Following an invitation from the **Government of Lebanon** to observe the Parliamentary Elections on 7 June 2009, the European Union Election Observation Mission (EU EOM) was established in Lebanon on **19 April 2009**. The Mission is headed by **Mr. José Ignacio Salafranca**, Chief Observer and Member of the European Parliament. The Mission's mandate is to assess the entire electoral process against international standards for democratic elections and the laws of Lebanon, in accordance with EU methodology and 'The Declaration of Principles for International Observers' commemorated under the auspices of the United Nations in October 2005. The Mission deployed a total of 100 observers from 26 Member States of the European Union as well as from Norway, Switzerland and Canada. They observed the opening, voting, closing and counting processes in 501 polling stations in the country's 26 electoral districts.*

*The EU EOM was joined by a delegation from the European Parliament, led by **Mr José Javier Pomes MEP**, which endorses this statement of preliminary findings. The EU EOM will remain in the country to observe post-electoral developments. Some two months after conclusion of the process, a Final Report will be made public, offering the Mission's detailed evaluation of the elections and including recommendations towards improvements for future elections. The EU EOM is independent in its findings and conclusions.*

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**Preliminary Conclusions**

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- The fifth parliamentary elections since the end of Lebanon's civil war have been contested in a polarised but, so far, generally peaceful environment. The elections were administered by the Ministry of Interior and Municipalities (MoIM) in an impartial and generally efficient and transparent manner, within a legal framework which, although improved, still falls short of a number of international standards. Political parties' commitment to the electoral process was evidenced by their appointment of the five remaining members of the Constitutional Council, enabling the revival of the institution responsible for ruling on complaints about election results.
- Election day was mostly calm and peaceful, with a well-maintained security environment and a strong voter turnout. Polling was administered

satisfactorily, with no shortages of election material; transparency of the process was strengthened with a high participation of candidate representatives.

- These are the first elections to be held under the 2008 Parliamentary Election Law. The new law brought about some improvements, while failing to provide for other important elements of a strong legal framework for elections, in accordance with international standards. Most importantly, the new law does not provide for the establishment of an independent election administration body. It also fails to stipulate the use of pre-printed ballots, which are essential to guarantee citizens' right to vote in secret, free from undue influence. The current electoral system is based on confessionalism and, together with pre-electoral agreements between political parties, this substantially reduces levels of competition. Introducing some degree of proportionality to the electoral system would increase the levels of competition and, so long as it were achieved through complete consensus, would be an important part of future reform.
- Among the new law's positive measures is the holding of polling on a single day, enhancing the integrity of the process. The abandonment of voters' cards and reliance instead on identity cards and an improved voter's register is also useful, as are the new safeguards against fraud, including the use of indelible ink, transparent ballot boxes and serialised envelopes for ballot papers. Although the decision to reduce the minimum voting age from 21 to 18 and the introduction of out-of-country voting will only be implemented at the next elections, the EUEOM considers these positive developments. Military personnel, however, remain disenfranchised.
- The elections were administered by the Ministry of Interior and Municipalities, which carried out preparations in a generally efficient and transparent manner, while clearly maintaining an impartial approach. Nonetheless, the creation of an independent election administration body is the most reliable way of ensuring impartial election management. The newly-created Supervisory Commission on the Electoral Campaign (SCEC) worked under the Ministry's supervision and was tasked with monitoring compliance with media rules and campaign spending regulations. The SCEC acted with impartiality but, during this first exercise of its mandate, its efficiency and transparency were limited by unclear regulations and a lack of enforcement capability.
- The establishment of a permanent voter register is a positive measure and the register for these elections is considered to be generally inclusive and accurate. However, voters are registered in their place of origin rather than their place of residence and procedures for changing registration location are excessively lengthy and cumbersome. As a result, many voters have to travel considerable distances on election day.

- The requirements for candidate registration are generally in accordance with international standards. A number of candidates withdrew after the official deadline, following negotiation processes among rival parties.
- Election campaigning took place in a generally peaceful environment, despite some isolated incidents, and freedom of movement and assembly were generally respected. Limited competition in the majority of constituencies meant that campaigning activities focused on those constituencies which would effectively determine parliament's majority. Financial resources played an excessively large role in the campaign and new regulations on spending have yet to have any notable effect on this phenomenon. The provision of welfare services by permanent foundations and networks affiliated to different political groups undoubtedly played a significant role in achieving electoral support. Campaign messages rarely focused on proposed social or economic programmes and the effects of the electoral system and of financial resources significantly outweighed any debate on political platforms.
- During the campaign period, the media system as a whole enabled Lebanese citizens to access a variety of political perspectives but individual media outlets tended to be politically aligned. The Election Law's provisions on media election coverage are appropriate on the whole, aiming to ensure balanced coverage and fair access for all contenders but some rules would benefit from clarification.
- Although Lebanese women cast their votes in large numbers, they have extremely low levels of participation in Lebanese political processes and there is no semblance of gender balance in political bodies. The development of appropriate measures would enable improvement of women's political representation and their participation in the administration of elections.
- Civil society contributed to the transparency of the electoral process through the deployment of 2500 national election observers. The new election law's reference to observers' right to accompany the process was a positive inclusion.
- The re-establishment of the Constitutional Council restored the only legal avenue for appealing against election results. The Election Law gives the State Council jurisdiction to hear appeals against SCEC decision but recourses for complaint regarding other elements of the electoral process are limited.
- Not least through their strong participation on polling day, the Lebanese people have confirmed their commitment to their country's democratic processes. The mission congratulates the newly-elected members of the Lebanese Parliament and trusts all contending candidates will accept the results or solve any contentions through the established legal means.

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## Preliminary Assessment

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### **Background**

Lebanon enjoys a well-established tradition of democratic suffrage and the civil war was the only period since independence during which the country did not hold elections. The 2009 Parliamentary elections are the fifth to be held since the Taif agreement which marked the end of the civil war in 1989.

Lebanese politics are certainly marked by the polarisation between the two political blocs which formed after the assassination of former Prime Minister Rafik Hariri, namely the 14 March alliance, constituting the current majority, and the 8 March alliance, which, together with the Change and Reform bloc, forms the current political opposition. Nonetheless, the country's leading politicians have repeatedly expressed their commitment to national unity, including during the electoral campaign.

Political leaders demonstrated their investment in the electoral process when, shortly before polling day, they agreed to appoint the five remaining members of the Constitutional Council. This decision marked the end of a deadlock that had lasted four years and enabled the revival of the institution responsible for ruling on complaints about election results.

During the last National Dialogue meeting before polling day, all political parties re-affirmed their commitment to peaceful elections and respect for the results. On the same occasion, President Michel Sleiman released a public statement calling on all political parties to maintain the peaceful conditions necessary for democratic elections.

### **Legal Framework**

These are the first elections to be held under the 2008 Parliamentary Election Law and the electoral process has benefited from the improved legal framework it provides. After the 2005 elections a National Commission on Election Law was established and presided over by former Minister Fouad Boutros, with the aim of drafting extensive electoral reforms. In June 2006, the Commission's draft law was submitted to the Prime Minister but was among the many projects suspended due to the July 2006 war and its aftermath. In May 2008, the Doha agreement led to the formation of a national unity government, paved the way for the election of President Suleiman and foresaw the examination of the proposed law by Parliament. In September 2008, Parliament passed the new election law, which retained a number of the improvements drafted in the Boutros proposal but rejected several particularly important ones.

One important proposal that was not retained in the new election law was the creation of an independent electoral commission. Instead, the new law established the Supervisory Commission on the Electoral Campaign (SCEC) to work under the supervision of the Ministry of Interior and Municipalities, which administers

elections. The SCEC is a temporary body with the mandate to supervise campaign spending and monitor media compliance with electoral regulations. While in itself a positive development, the SCEC cannot be considered comparable to a permanent and independent election administration body, the establishment of which remains an essential priority for future electoral reform.

The new election law's other most serious flaw is its failure to introduce the use of official pre-printed ballots, which was recommended by the EUEOM in 2005 and retained by the Boutros proposal. The current system relies on voters writing their own ballots, or, more often, on political party representatives distributing ballots listing their candidates. This makes votes identifiable, which seriously compromises voters' right to a secret vote and thereby also their right to choose freely and without intimidation. The system also provides a mechanism which can support vote-buying schemes. The newly-introduced mandatory use of polling booths and envelopes for ballots partially enhance secrecy of vote but these provisions cannot compensate for the lack of pre-printed ballots.

The Election Law was developed without taking into consideration the Constitutional aim of eventually establishing a non-confessional electoral system. This factor, combined with the majority vote system and pre-electoral agreements between parties, results in substantially reduced levels of competition which even led to the assignment of some seats before polling day. In order to attain an electoral system which supports genuine competition there is a need for reform to introduce a degree of proportionality, while maintaining the protection of all Lebanese communities. So long as it is achieved through complete consensus, further reform prioritising these principles would significantly strengthen the legal framework for Lebanese elections to better meet international standards.

The Parliamentary Election Law does contain a number of clear improvements. One of these is the decision to hold the elections across the country over the course of a single day. Previous elections were held over several weeks, resulting in an overlap of periods for campaigning, voting and results announcements, which diminished the integrity of the process, as well as affecting voters' motivation.

The new law gives Lebanese citizens living abroad the right to vote from outside the country, a provision the law specifies will be implemented in time for the next elections. The measure is positive not only because it promotes participation but also because it will limit the opportunity for political parties or other sponsors to provide transport for some voters to return to the country, a practice which, although legal, may enable manipulation of voting choices. In another measure in the spirit of universal suffrage, the new law refers to the right of disabled voters to access polling stations.

Also in line with the principle of universal suffrage is the recent preparation for an amendment to the Constitution, to reduce the minimum voting age from 21 to 18 years, which is the age of majority.<sup>1</sup> Again, this should be in place in time for the next elections. The new law maintains the prohibition of voting for Internal Security

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<sup>1</sup> On 19 March 2009, Parliament voted unanimously to adopt a Constitutional Law to reduce the voting age in Lebanon from 21 years to 18 years. A Constitutional Amendment will be drafted pending approval by the Council of Ministers.

Forces, Public Security, State Security and Customs Police. This disenfranchisement of thousands of Lebanese citizens should be reconsidered, in accordance with international standards on universal suffrage.

The Election Law introduces a number of useful safeguards against fraud. While establishing a permanent voter register along with a system to cross-check entries with national identity documents, the law abandons earlier reliance on voter cards, which had been the source of allegations of fraud. Another provision to limit the possibility of multiple voting is the prescribed use of indelible ink. The stipulation of transparent ballot boxes and serialised envelopes for ballots and the provision for storing ballots rather than burning them directly after counting are welcome confidence-enhancing measures. The new law's reference to the right of election observers to accompany the electoral process also supports an important element of transparency.

Other positive measures in the new law include the prohibition of campaigning materials or activities in the immediate vicinity of polling centres and the establishment of a full day without campaigning through the media directly before election day. Last but not least, the decision to count blank ballots rather than qualify them as invalid allows for a valuable recognition of citizens who use their vote to express their dissatisfaction.

### **Electoral Administration**

The Ministry of the Interior and Municipalities is the competent body for administering parliamentary elections and administrative bodies are responsible for implementing measures.<sup>2</sup> The EUEOM commends the consistent neutrality and commitment shown by the Minister for Interior and Municipalities and recognises the extent to which the Ministry retained the confidence of the public and contending parties alike. Nonetheless, the best guarantee to assure neutrality for future elections is the creation of an independent election administration body.

The Ministry of the Interior and Municipalities carried out electoral preparations in a transparent manner, publishing its decisions and holding regular press briefings on preparation developments. On the whole, the Ministry was efficient and addressed the key requirements for the polling day. These included ensuring the selection and training of 11,500 polling staff members, as well as the sourcing and distribution of election materials. Among other initiatives, the Ministry prepared a contingency plan for polling stations in case of electricity cuts and coordinated with the Central Security Council to prepare a comprehensive security plan.

The newly-established Supervisory Commission on the Electoral Campaign (SCEC) took on some tasks normally carried out by an election administration body. The

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<sup>2</sup> The Director General of Political Affairs and Refugees is responsible for the operational and logistical preparations for the elections and Governors and sub-Governors administer the elections at the governorate and district levels.

SCEC, composed of ten members appointed by the Council of Ministers,<sup>3</sup> works under the supervision of the Ministry of Interior and Municipalities and is responsible for monitoring campaign financing and the media. During the course of its first exercise, the Commission was perceived to have conducted its work in an impartial manner but it was often unable to enforce respect of regulations.<sup>4</sup> Particularly in a context so defined by resources, the SCEC's remit to monitor campaign spending was insufficiently supported during the campaign period and the extent to which the SCEC is able to audit candidates' financial statements can only be seen after the deadline for submission, one month after polling day.

The Ministry of the Interior and Municipalities undertook positive measures to implement provisions of the Election Law, including the adoption of a decree to facilitate access to polling stations for disabled persons. However, it failed to address in a timely fashion the lack of written procedures for determining the validity of ballots and for the aggregation of results, especially at the Registration and Higher Registration Committee levels. In response to reports that false national ID cards were circulating during the final days of the electoral campaign, the Ministry acted appropriately in introducing provisions to prevent the use of such cards at polling stations.

### **Voter and Candidate Registration**

Among the important improvements brought about by the 2008 Parliamentary Election Law, a permanent voter's register was established and this was updated for the purposes of these elections between December 2008 and 30 March 2009. Some 3,257,224 voters were registered, representing around a seven percent increase in the number of citizens registered for the 2005 elections. The register is considered to be generally inclusive and accurate.

Voters are registered in their place of origin rather than their place of residence and procedures for changing registration location are excessively lengthy and cumbersome.<sup>5</sup> This is linked to the country's confessional system and requires voters to travel considerable distances on election day.

The voter's register is used to produce checklists for use in polling stations. The Election Law gives voters whose names do not appear on voter checklists the right to approach a Registration Committee for a decision allowing them to vote. Although the law does not state when this can be done, the Ministry of Interior issued a clarification stating that such requests can be made on election day.

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<sup>3</sup> Article 12 of the Parliamentary Election Law stipulates the following members: three presiding judges, two former Presidents of the Bar Association, two media and advertising experts, and three experts in election-related disciplines.

<sup>4</sup> For example, towards the regulation of campaign spending, Article 70 of the Election Law states that local authorities should designate public billposting areas for electoral advertisements, thus enabling the SCEC to monitor those areas. However, local authorities did not comply with this requirement.

<sup>5</sup> According to Article 41 of the 1951 Law on Civil Registry Records, an application for transfer of registration location may be made after three years of permanent residence, by producing a statement signed by the Mukhtar and two witnesses and submitting this to the Civil Registry Office in the original registration location. The validity of the claim is then investigated by the police or gendarmerie, after which the claim is considered by the government, which has the discretion to allow it or not.

The checklists in polling stations also include the serial numbers of voters' identity cards or valid passports, which must be produced in order to vote. This identification reference serves not only as a safeguard against impersonation but also as a practical reference, following widespread variations in name spellings. Technical problems related to the collection of required fingerprints resulted in delays in the issuance of identity cards and the Ministry of Interior redoubled its efforts, issuing approximately 300,000 identity cards in the five months prior to the elections. Nonetheless, it remains possible that a number of citizens who did not receive their identity card before Election Day and who did not have a valid passport were left disenfranchised.

The Election Law's criteria for candidates to register are generally straightforward and in accordance with international standards and the deadline for candidate registration on 7 April passed without incident or complaint. Following the official deadline for candidacy withdrawal, several candidates announced their unofficial withdrawal from the campaign. These withdrawals increased closer to election day, partly due to the negotiation processes through which candidates' lists were finalised and agreements among rival candidates were struck.

## **Campaign Environment**

Election campaigning took place in a generally peaceful environment, despite some isolated incidents.<sup>6</sup> During the course of the campaign, EUEOM interlocutors from across the political spectrum expressed their concern that the prevalence of arms in the country could disturb the electoral process. Particularly considering the recent history of conflict in Lebanon, the mission's assessment so far is that concerns about a relevant impact on the electoral process have not materialised.

The electoral system limits the extent of genuine competition in the majority of constituencies and this was exacerbated by pre-electoral alliances between political parties, according to which some refrained from contesting in certain seats, in exchange for a reverse arrangement in others. As a result, it was always clear that parliament's majority would be determined by the results in small number of constituencies and campaigning efforts were focused on these areas. Nonetheless, rallies, bill-posting and village gatherings took place throughout the country.

Financial resources played an excessively large role in the electoral campaign. In addition to reports of direct vote-buying, it was evident that the provision of health, education and other welfare services by permanent foundations and networks affiliated to different political groups played a significant role in achieving electoral support.

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<sup>6</sup> Before polling day, there were some 16 election-related incidents which resulted in injuries. Of these, the two most serious incidents took place in the last fortnight of the campaign period. In Mount Lebanon, opposition supporters clashed with supporters of former MP Emile Nawfal, resulting in injuries to police officers and civilians. The other serious incident resulted in the death of an opposition supporter and the injury of a Lebanese Armed Forces member, when a clash took place between two families supporting rival coalitions in Bekaa.



Despite the elaboration of detailed electoral platforms by the major parties, relatively few campaign messages focused on substantive social or economic programmes. As such, there was little to outweigh the influences of confessionalism, community allegiance and financial resources.

The 2008 Election Law introduced regulations for campaign spending and gave the SCEC the mandate to enforce them. Candidates were required by law to open a campaign bank account and to abide by campaign spending limits determined by the size of their prospective constituencies. However, neither the spending regulations nor the SCEC's resources were of sufficient scope to address the extent to which finances defined the campaign. Auditing of candidates' financial statements takes place after the elections, with little practical regulation during the campaign period.

## Media Environment<sup>7</sup>

The media landscape in Lebanon is vibrant and diverse, with a large number of print and broadcast media outlets providing a plurality of opinions. However, while the media system as a whole enables Lebanese citizens to access a variety of political perspectives, individual media outlets tend to be politically aligned. Freedom of expression was generally respected during the campaign period. The Election Law's provisions on media election coverage are appropriate on the whole, aiming to ensure balanced coverage and fair access for all contenders. Nonetheless, some rules remain subject to interpretation and would benefit from clarification.

EU EOM monitoring results indicate that most media align themselves with a political bloc.<sup>8</sup> Television news broadcasts tend to be partial, either in terms of coverage, tone, or both. Publicly-funded *Télé Liban* allocated about half of its political news coverage to March 14 representatives and about one third to the representatives of the opposition<sup>9</sup> and the tone of its reporting was neutral. Among the private television channels, *Al Manar*, *NBN* and *OTV* all gave more coverage to the opposition<sup>10</sup> and *OTV* and *Al Manar* in particular were more often negative about March 14 than about the opposition. For its part, *New TV* gave almost equal coverage to March 14 and the opposition in its prime-time news<sup>11</sup> but was more often negative about March 14. Conversely, *Future News*, *MTV* and *LBC* all gave more coverage to March 14 with *MTV* and *Future News* in particular tending to be more negative about the opposition.<sup>12</sup> A distinctive feature of television news bulletins was the broadcast of

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<sup>7</sup> Full details of the EUEOM's media monitoring findings can be viewed on the mission's website, [www.eueomlebanon.org](http://www.eueomlebanon.org)

<sup>8</sup> Independent candidates running on March 14 and opposition tickets have been considered as representatives of these blocs.

<sup>9</sup> *Télé Liban* allocated 51% of its political news coverage to March 14 representatives and 28% to the representatives of the opposition. In its overall informative and political programming, *Télé Liban* devoted 39% of its time to 14 March and 33% to the opposition.

<sup>10</sup> *Al Manar* devoted 68% of its news coverage to the opposition and 23% to March 14. *OTV* gave 66% of its political news coverage to the opposition and 23% to 14 March. On *NBN*, 62% of news coverage referred to the opposition and 26% to March 14.

<sup>11</sup> The station gave 44% and 40% respectively to March 14 and to the opposition, while in its informative and political programmes overall, *New TV* dedicated 47% of its time to the opposition and 25% to March 14.

<sup>12</sup> *Future News* offered more coverage to 14 March representatives (66%), while the opposition parties received 22% of the political coverage. *MTV* devoted 57% to 14 March, 30% to the opposition. In the

editorials, in the form of commentary by newsreaders at the start of news programmes. These sometimes included endorsements of political groups.

Among the four monitored newspapers, *Al Mustaqbal* attributed two thirds of its political space to March 14 and one quarter to opposition parties.<sup>13</sup> *Al Akhbar* gave reasonably equal space to both blocs<sup>14</sup> but was more critical of March 14. *An Nahar*'s coverage of the opposition was more negative than its coverage of March 14, to which the newspaper also awarded more space.<sup>15</sup> *As Safir* granted roughly equal access to both political blocs but the tone of its reporting was slightly more negative towards March 14 than towards the opposition.<sup>16</sup>

Media coverage generally reflected the characteristics of the electoral campaign, notably in its emphasis on appeals to community allegiances, rather than on political platforms. Political discourse in the media included personal attacks against political opponents and arguably inflammatory rhetoric.

In its capacity as the supervisory body for the media during electoral campaigns, the SCEC issued three reports presenting figures on levels of access and on media violations. The SCEC referred four such cases to the Court of Publication.<sup>17</sup>

### **Participation of Women**

Although Lebanese women cast their votes in large numbers, they have extremely low levels of participation in Lebanese political processes and there is no semblance of gender balance in political bodies. The development of appropriate measures would enable improvement of women's political representation and their participation in the administration of elections.

The Election Law consolidates civil registry rules by stating that on marriage, a woman's location of registration is to be transferred to her husband's.<sup>18</sup> In addition, Lebanon's nationality law forbids the transmission of Lebanese nationality to the children of a Lebanese woman married to a foreigner. These rules clearly discriminate against women as they restrict their enjoyment of civil and political rights.

Just 12 of the 587 parliamentary candidates were women, many of them relations of prominent male political leaders. Four women were elected and will constitute 3% of the new parliament, even less than the 5% representation in the outgoing parliament.

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*LBC* prime time news editions 14 March received 52% of political airtime, the opposition 32%.

<sup>13</sup> *Al Mustaqbal* attributed of 65% its political space to March 14 and 20% to opposition parties, often in a negative tone.

<sup>14</sup> Forty-five per cent of coverage was given to March 14 and 41% to the opposition.

<sup>15</sup> *An Nahar* awarded 47% of the political space to 14 march and 37% to the opposition.

<sup>16</sup> *Assafir* granted 40% of its space to March 14 and 46% to the opposition.

<sup>17</sup> The first case concerned an article published by daily newspaper Ad-Diyar, whose owner, Mr Charles Ayoub, is a candidate running in Keserwan. The article included accusations against Michel Aoun, also running in Keserwan, and the Press Court found these to clearly affect his dignity and pride. The Ad-Diyar publishing company was therefore fined 50 million Lebanese pounds. The other three cases concerned alleged breaches of the rule prohibiting publication of polls 10 days before polling day.

<sup>18</sup> Articles 25 and 26, Registration of Personal Status Documents Dec 7th 1951 and Article 32, Parliamentary Election Law 2008.

Although the Boutros Commission recommended that electoral lists should have a minimum of 30 % female candidates, no such measure was included in the new law.

Women are also poorly represented at all levels of the administrative bodies which organise the elections, although some improvement may be discerned in the appointment, for the first time, of women as polling station Heads.

### **Civil Society**

Lebanese civil society participated in the electoral process through a number of initiatives that contributed to building public awareness. The Lebanese Association for Democratic Elections (LADE) was the largest domestic observation group. In collaboration with the Lebanese Coalition for Election Observation, LADE played a key role in supporting the integrity of the electoral process by carrying out voter information programmes and highlighting violations through periodic reports, as well as training and deploying around 2500 national observers on election day.

Relying on legal provisions for disabled persons in the new election law, the Lebanese Physically Handicapped Union (LPHU) worked with the Ministry of Interior on the decree that was adopted to facilitate access to Polling Stations. A countrywide audit of polling stations carried out by the LPHU found that there was little provision for physically disabled voters but the new legal provisions clearly constitute a positive development.

### **Complaints and Appeals**

The re-establishment of the Constitutional Council restored the recourse for appealing against election results. On 5<sup>th</sup> June, the ten members of the Constitutional Council took oath, elected their President, Vice-President and Secretary, and the Council is now operational. In order to carry out its mandate, the Constitutional Council will need to establish clear assessment criteria and operational procedures and be provided with adequate resources.

Recourses for complaint regarding the preparatory stages of the electoral process are limited and unclear. The Constitutional Council and the State Council previously determined themselves incompetent to adjudicate preparatory electoral acts, such as the formation of voter lists, or decrees on calling elections. The new Election Law gives the State Council jurisdiction to hear appeals against SCEC decisions. This recourse was employed in one instance during the electoral campaign, although the outcome was a confirmation of the SCEC's authority to sanction, rather than a substantive appeal determination.<sup>19</sup>

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<sup>19</sup> On 21 May 2009, the Co-ordinator of the General Secretariat of the March 14 alliance appealed against a SCEC decision not allowing an advertisement to be broadcast, due to its content. The State Council confirmed the SCEC's competence to evaluate electoral content of advertisements, despite the Sécurité Générale's competence to review general content.

During the campaign period, the SCEC received no campaign financing complaints, but did receive a number of media-related complaints from candidates, lists and parties. In the main, these complaints relied on Article 68 of the Election Law which prohibits defamation and referred to statements made by candidates in the print and broadcast media, as well as the content of political parties' websites, billboard advertisements, booklets and pamphlets. Other complaints referred to the misuse of public spaces for advertising or other electoral purposes such as events or rallies, as defined under Articles 70 and 71 of the Election Law. The SCEC issued several warnings in response, and referred four cases to the Publications Court. So far, the Court has ruled on one of these cases, confirming the SCEC's position in relation to the violation.

### **Polling and Counting**

A significant increase in voter turnout, as compared to the 2005 parliamentary elections, confirmed the Lebanese people's commitment to democracy. Voters' motivation was supported by the decision of the Council of Ministers to make the two days on either side of polling day national holidays, thus enabling voters to travel. However, long waiting times and queues resulted in tensions in some locations. Security forces acted quickly and efficiently to maintain order and were always observed to operate within their mandate. Throughout the day, the Minister's presence both in the media and on the ground facilitated *ad hoc* clarifications to improve procedural shortcomings and contributed to a calm atmosphere.

The opening of polling stations took place in a timely, calm and peaceful manner, with no observed incidents of intimidation or violence, and in 92 % of observed polling stations EU EOM observers assessed the overall process as either satisfactory or good.

The polling was well-administered by polling station staff, which included at least one woman in 33 % of polling stations. Unfortunately, women were observed acting as polling station heads in only 8% of polling stations. Domestic observers were present in 40% of polling stations observed by the EU EOM and while candidate representatives were observed in almost all polling stations, they were over-represented in 17% of polling stations. The timely distribution of election material resulted in no observed shortages on election day. Despite the law prohibiting them, campaigning materials were present in the direct vicinity of more than 40 % of observed polling stations and campaigning activities in 18 %.

Contrary to Article 82 (2) of the Election Law, which states that there must be a minimum of one polling station head and two assistants present during the electoral process, the Ministry's official polling and counting handbook indicates that polling operations could proceed if there are fewer than three members present. Establishment of minimum staff presence is a safeguard against procedural and results manipulation. EU EOM observers noted throughout the day that almost 25% of polling stations operated with fewer than three members, and candidate representatives were often selected to fulfil the roles of both political representative and polling assistant. Despite this shortcoming, implementation of polling procedures was rated as either satisfactory or good in 95% of observed polling stations.

Closing was according to the foreseen schedule and the counting atmosphere was generally calm. Procedures were implemented in a transparent manner and with only minor irregularities concerning validation of the ballots and packaging of sensitive materials. The content of every ballot was always announced aloud and results were posted outside polling stations and candidate representatives received copies of the results. EU EOM observers assessed closing and counting procedures as either satisfactory or good in almost all observed polling stations.

The EUEOM will continue to observe the remaining phases of the electoral process.

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The EOM would like to express its appreciation to the Ministry of Interior and Municipalities and other national authorities as well as political parties, national and international observation missions, and Lebanese civil society organisations for their cooperation and warm welcome during the observation period. The EU EOM is grateful to the Delegation of the European Commission in Lebanon, the diplomatic missions of Member States and GTZ , for their assistance throughout the mission.

This report is also available in on the EU EOM website. The English original is the only official version.

Une version française de cette déclaration est disponible sur le site internet de la mission.  
Seule la version anglaise est officielle.

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**EUROPEAN UNION ELECTION OBSERVATION MISSION**  
**Republic Of Lebanon Parliamentary Elections 2009**  
بعثة الاتحاد الاوروبي لمراقبة الانتخابات النيابية اللبنانية 2009



*Press Release – For immediate release*

**Generally peaceful and well-organised elections  
with an improved legal framework but further reform needed**

**Beirut, 8 June 2009** – The Chief Observer of the European Union Election Observation Mission to Lebanon today praised Lebanese citizens for showing a strong commitment to their country's democratic process.

"I would like to commend citizens who turned out to vote in significant numbers yesterday and I applaud their patience in the face of lengthy queues in many polling centres," said Mr José Ignacio Salafranca MEP.

"The considerable turnout at the polls shows a growing level of engagement by the electorate in the country's democratic process and this is very encouraging."

The mission concludes that the parliamentary elections were contested in a polarised but generally peaceful environment within an improved legal framework which nevertheless needs further reform.

Election day was mostly calm and peaceful, with a well-maintained security environment and a strong voter turnout. Polling was administered satisfactorily, with no shortages of election material. Transparency of the process was strengthened with a high participation of candidate representatives.

"Lebanon is a country of great diversity and complexity and the political landscape which has emerged today reflects this. I hope that all political parties will put aside the disputes of the past to build a common future for all citizens based on compromise and consensus," Mr Salafranca added.

The EU mission fielded almost 100 observers on election day. The mission has been present in Lebanon since 19<sup>th</sup> April. A delegation of Members of the European Parliament joined the mission ahead of election day, led by Mr José Javier Pomes Ruiz.

"I stress the continued interest of the European Parliament in the democratic process in Lebanon. I call on Lebanese political groups to join hands in co-operation, and I also call on the newly elected Lebanese parliament to work towards reforming the electoral law," said Mr Pomes Ruiz.

The mission assessed the entire electoral process against regional and international standards for elections as well as the laws of Lebanon. The EUEOM wishes to express its appreciation to the government of the republic of Lebanon and the Ministry of Interior for their co-operation and assistance in the course of the observation.

The EUEOM will continue to observe the post-electoral period and Mr Salafranca will return to Lebanon in the coming months to present a detailed final report including recommendations for future elections.

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