

Newsletter

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www.feslb.org

Dear colleagues and friends,

This is the first newsletter of the Friedrich Ebert Stiftung Beirut in 2011, continuing the tradition of informing our friends and partners about recent and upcoming projects, as well as topics being discussed in Lebanon. In regard to current domestic events, we also included a short analysis of the political situation in the country.

Access to information in every country of the world is becoming easier with the rapid technological progress of our time. But still, in an environment of highly emotional and often subjective news coverage, the FES representations in the Middle East can provide valuable analysis from a neutral perspective - a perspective gained from the decade-long engagement of the FES offices in regional socio-economic matters, promoting the values our foundation stands for.

We hope you will enjoy reading about our work, and will of course stay available for your constructive comments.

Finally, I would like to thank my colleagues of FES Beirut for their efforts to create this electronic newsletter.

Samir Farah
Representative FES Beirut

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Coalition of Civil Society Organizations in Lebanon for the Universal Periodic Review - CCSOL (Beirut, Geneva - June - November 2010)

Approaching the UNHRC's periodic review on Lebanon, FES Beirut launched the idea of building a strong coalition of civil society organizations to prepare a joint report covering key human rights issues in Lebanon. More than 50 organizations joined the CCSOL in November 2009, which since then compiled their knowledge and research results on various human rights concerns in the country. The joint submission report, presented on April 12th, 2010, to the Office of the High Commissioner of Human Rights (OHCHR) and published in a booklet by the FES, highlighted not only major violations, but also ongoing progress in the fields of social, economic, cultural, as well as civil and political rights. While for example positive steps were pushed forward in the progress of abolishing the death penalty, issues like the treatment of Palestinian refugees, missing reforms of the electoral law and the deficient health care system remain causes of serious concern. Furthermore, recommendations for legal, policy and institutional reforms to be undertaken by the Lebanese government were integrated in order to ensure a greater protection of human rights.

In November 2010, a CCSOL delegation traveled to Geneva to attend the 9th UPR session. Through numerous meetings with OHCHR officials, foreign diplomats, government representatives and the media, the coalition took the opportunity to forward its remarks to key decision makers involved in the process. Especially the well attended CCSOL Side Event one day before Lebanon's UPR, which offered a forum for open discussions on the occasion, and the active participation at the official session, aimed at including the gathered recommendations in the final Draft Report of the Working Group.

Aware of the need to give Lebanese civil society an opportunity to express its rights and demands, FES Beirut decided to maintain support for the CCSOL coalition in 2011 in order to actively monitor the implementation of UPR recommendations.

- **CCSOL Submission to the OHCHR on the Occasion of the 9th Session of the UPR**
<http://library.fes.de/pdf-files/bueros/beirut/07486.pdf>
 - **Draft Report of the Working Group on the UPR - Lebanon**
http://lib.ohchr.org/HRBodies/UPR/Documents/session9/LB/A_HRC_WG.6_9_L.16_Lebanon.pdf



Side Event in Geneva



CCSOL delegation

Conference: Lebanese Stakeholders and their Vision of the State (Beirut/Antelias - April 2011)

The Lebanese state and its particular power sharing formula is not just unique in the Arab world, but also controversially discussed amongst scholars and politicians alike. The confessional distribution of governmental positions, as well as the fixed amount of political representation given to the Christian, Sunni and Shi'a communities by the electoral system in general, are known to be the root cause for the various crises Lebanon experienced and is currently witnessing.

But despite the apparent shortcomings of Lebanon's political system, is a solution without reference to the country's unique sectarian composition really possible? How much is the democratic frame of the state undermined by the idea of confessionalism? And to what extent do issues like clientelism and the question of national versus sectarian identity play a role in the build-up of the state.

In cooperation with the Mouvement Culturel Antelias, the FES will organize a conference in which party members, government representatives and various civil society organizations will get the chance to discuss their differing visions of Lebanese statehood.



Mouvement Culturel Antelias

Seminar: Domestic Workers in Lebanon (Beirut, February 23, 2011)

Domestic workers in Lebanon, who often derive from Southeast Asian countries, continue to face discriminatory labor conditions and scarce legal protection by the state. Although formally being granted universal human and labor rights by the state (*Art. 23 & 24 - Universal Declaration of Human Rights*), especially house maids are, in practice, discriminated by their employers, the main part of Lebanese society and even the national jurisdiction itself. Increasing cases of domestic violence against maids, uncertain salary payment, missing job descriptions and unspecified working hours, as well as several cases of suicide illustrate the alarming situation at present.

The FES Beirut will organize a seminar to tackle these issues, bringing together all parties involved - the affected workers, their employers and state officials from the Ministry of Labor. The seminar will enable participants to present their different positions on the situation of domestic workers and discuss possible approaches. To promote an implementation of the seminar's results, a committee will be established thereupon to work out a draft law that governs all relevant issues related to the domestic workers group.

State and Religion - Comparing Cases of Changing Relations

Edited by Angela Hermann and John Richardson, in cooperation with res gerendae, the AUB, the Orient Institut Beirut and the FES. (Publication Date - April 2011)

According to a widely accepted typology, relations between state and religion can be broadly divided into three categories: first, systems with an established (i.e. a state or a privileged) religion; second, systems of strict separation between state and religion and, third, mixed systems. In modern history, changes from one form of relations to another can be described by two opposing trends: Secularization and (re)vitalization of religion. Both trends tend to impact on state-religion relations, although not automatically and immediately.

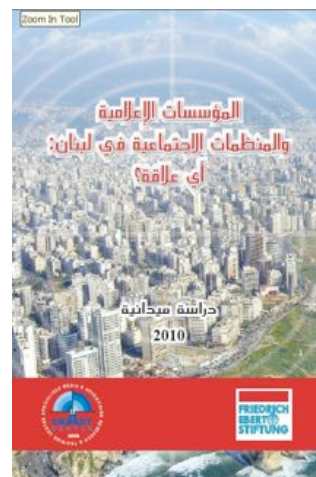
This volume, which is a result of a seminar in October 2009 organized by the OIB, res gerendae, the AUB and FES, presents 12 cases of changing relations between state and religion and explores and analyses the respective determinants. Providing different regional case studies - including Europe, the Middle East, Africa and Asia -, the authors seek to give an idea of the variety of processes of change in the relations between state and religion as they exist in the world today and of forces driving such processes.

Media and Civil Society - Field Study

Edited by the Specialized Media & Advertising Research and Training Center (SMART) and FES Beirut (soon available as PDF-document on our webpage)

This booklet presents the results of a national socio-political field study that examined the relationship between local Lebanese NGOs and the media. The journalist's assessment especially focuses on how the media receives the different roles of local NGOs, how much interest it takes in functions implemented by NGOs and how much it gets involved in NGO and civil society activities.

The analysis of the field study equips media elements and policy makers with more knowledge and better skills on the role of NGOs, in order to sustainably strengthen the capacities of civil society actors to contribute to the socio-political discourse.



Upcoming Indictment and Governmental Crisis

A Political Report - Lebanon, January 2011

Tapered sectarian tensions and a continuing political crisis have shifted Lebanon into a dangerous position over the last few months. A dispute over the forthcoming indictment of the UN's Special Tribunal for Lebanon (STL), investigating the circumstances of former prime minister Rafic Hariri's assassination in February 2005, did not only recently cause the government to collapse, but is also feared to further escalate the situation once published. Failed international mediation efforts and Hezbollah's rising political influence transform the country once again into a dangerous powder-keg.

The upcoming indictment of Hezbollah

Several unconfirmed press releases indicate that STL prosecutor Daniel Bellemare, who handed down his indictment to pre-trial judge Daniel Fransen on January 17th, will soon officially present evidence of Hezbollah's involvement in the deadly bombing, which killed Hariri along with 21 others and wounded over 100 in Downtown Beirut, unleashing highly emotional political drive.

The 2005 assassination and the following widespread accusations of Syria being the responsible wirepuller quickly led to massive political-sectarian clashes between supporters and opponents of Syria's military presence in Lebanon. After Syria's withdrawal in April 2005 in accordance with UN Resolution 1559, the international community insisted on the prosecution of the apparent Syrian culprits, ultimately establishing the STL in 2007 by adopting UN Resolution 1757.¹

But as, amongst others, the German news magazine *Der Spiegel* has reported², the STL obviously has found evidence that not Syrian actors played the leading part in Hariri's assassination, but individuals affiliated with the Lebanese Hezbollah. Meanwhile, even Saad Hariri, the victim's son and then prime

minister, has revoked from his former imputation of Syria, stating: „This was a political accusation, and this political accusation has finished.“³ Even considering the statement's pragmatic nature, fulfilling March 14's part in Saudi Arabia's rapprochement policy towards Syria, it still represented a significant turnaround in Hariri's politics. Various speculations and accusations against Hezbollah in the media have since contributed to the rising domestic tensions in Lebanon.

Hezbollah threatens, Hariri stays firm

Hezbollah's reaction on the impending indictment of some of its members have been anything but cautious. Senior officials of the militant Shi'ite movement have repeatedly threatened to use violence if its members are accused. „Whoever thinks that the resistance will not defend itself and its honor against any accusation or attack by whatever means it finds appropriate (...) is mistaken“, Hezbollah Secretary General Hassan Nasrallah stated in a televised speech in November. Taking into account that the party's armed wing is still the country's most powerful military actor⁴, Nasrallah's negotiating position is quite influential.

In anticipation of the indictment's publication, Hezbollah also set up a propaganda campaign during the second half of 2010, aimed at challenging the tribunal's credibility and thus the legitimacy of the expected findings. In this context, the movement questions the tribunal's neutrality by portraying it as a biased political instrument, manipulated by the U.S. and Israel to weaken Hezbollah and its backers Syria and Iran. The unique character of the STL as an institution to investigate Rafic Hariri's assassination, while many similar political assassinations in Lebanon stayed more or less unnoted, strengthens the group's perception of

¹ FES Handbook on the STL: <http://library.fes.de/pdf-files/bueros/beirut/05381.pdf>

² *Der Spiegel* 22/2009: *Der zweite Kreis der Hölle*

³ Said during a visit to Damascus in September 2010 - <http://www.reuters.com/article/idUSTRE68510420100906>

⁴ Carnegie Middle East Center - October 13, 2010: *Lebanon, Hizbollah and the Hariri Tribunal*

a highly selective form of international justice. But more importantly, it criticizes the tribunal's reliance on false witnesses early in the process, who Hezbollah claims have misled the investigation, and the role of Israeli espionage, which apparently had infiltrated the Lebanese telecommunications sector.

However, March 14 leader Saad Hariri had managed to stay firm against Hezbollah's demand to reject the results of the tribunal until early January. Although Hariri was under high pressure, knowing that a political solution with Hezbollah was necessary for maintaining sectarian calm in the country, he and his allies were not willing to trade off the long lasting struggle for justice for social stability. The March 14 Alliance rather seemed confident that Lebanon's internal differences could be solved through calm negotiations - a false conviction, as the following events showed.

Political deadlock since November

The result of these ongoing discrepancies has been a sorely political deadlock. The former National Unity Government, consisting of both March 14 and March 8 ministers, has only met once since November. At the last meeting on December 15th, the cabinet failed to discuss any of the more than 500 items left on its agenda due to a dispute over the controversial 'false witnesses' issue, prompting president Sleiman to defer the session. While March 8 insisted the 'false witnesses' issue to be delegated to the Judicial Council, the country's highest court, March 14 feared this move to obstruct the tribunal's work and therefore preferred a trial in line with the regular judiciary. Since Hezbollah and its March 8 allies refused to attend any further Cabinet meeting before the issue is settled, Lebanon's political leadership has been paralyzed for the last three months.

Since the entrenched positions and an advanced internal Sunni-Shi'a split have been preventing goal-oriented talks between March 14 and March 8, various regional powers have struggled to overcome the Lebanese crisis by

implementing an externally negotiated settlement. After the abrupt failure of a promising Syrian-Saudi initiative, short term mediation efforts of Turkey and Qatar also quickly reached a dead end in early January.

Obviously, the negative economic and social consequences of such a situation are substantial. The country's economy is struck hardly by rising fuel prices, which recently led bus and taxi drivers, as well as the General Labor Confederation to call for a nationwide strike in February. In addition, low wages and mounting costs of living also put pressure on many employees. Government institutions which failed to counteract these economic developments must now face increasing public criticism and discontent. The lacking energy supply and urgently needed decisions on the utilization of offshore resources are just two further examples of the deadlock's widespread impact. But not only economic troubles, also social matters like the ongoing discrimination of Palestinian refugees remain unsolved.

March 14 forced onto defensive

Hopes of a mutual and durable solution to the crisis are more and more dashed by the current domestic developments.

Responding to the failure of the Syrian-Saudi initiative on January 11th, March 8 leaders insisted that president Sleiman convenes the cabinet the following day with the tribunal's issue being the only item on the agenda. In detail, March 8 wanted the government to stop financing the tribunal, withdraw the involved Lebanese judges and prosecute the 'false witnesses'. That being rejected by Sleiman and the prime minister, March 8 resigned all of its ten cabinet ministers on January 12, shortly followed by the resignation of Sayyed Hussein, a minister affiliated with the president. In line with the Lebanese constitution, the government effectively collapsed with this step, assigning the parliament to name a new prime minister and form a new cabinet.

Following March 8's announcement of choosing an its own candidate, Najib Mikati,

and two weeks full of political accusations, cooperation refusals and intervention efforts from various international powers, Mikati eventually gained a parliamentary majority on January 25th. Walid Jumblatt's Progressive Socialist Party (PSP), pressured by the perspective of violent sectarian clashes and its consequences for the Druze minority in the country, turned the balance by ceasing support for Hariri and instead voting for Mikati. Having the events of 2008 in mind, when Hezbollah forces heavily attacked the Druze territory in the Shouf and caused severe damage to the vulnerable sectarian group, Jumblatt refused to risk such a scenario again. President Sleiman's official announcement of Mikati's election victory on January 25th caused nationwide unrest amongst Hariri loyalists, especially inside the Sunni community, which sees Hariri emotionally as their only legitimate representative. Demonstrations in Tripoli, Sidon and Beirut neighborhoods, as well as several violent incidents all over the country during a 'day of rage' were the result of March 14's downfall.

Although the Sunnite Mikati, a telecommunications billionaire and former prime minister himself, repeatedly affirmed his independency and endeavor to build a consensus government that represents all parts of Lebanese society, March 14 denied every form of cooperation with a prime minister supported by Hezbollah. This being the case, Lebanon's political actors gamble away the advancements of the longsome elaborated 2008 Doha Agreement.

Hezbollah's slow rise

The big winner of Hariri's setback is, without doubt, Hezbollah. Its slow, though intended rise from an armed resistance militia to an elected ruling party, was, nevertheless, conceivable. Assured by its declared victory over Israel's army in 2006, Hezbollah and its allies started showing its domestic power, blocking the government through months long sit-ins in Downtown Beirut throughout 2007. But it was not until May 2008 that the

movement revealed its military superiority by violently taking over parts of the capital in opposition to the government's attempt to shut down the militia's telecommunications network. At present, Hezbollah contrives to gain political influence using its military deterrent potential. Although not even being the strongest party of the March 8 movement, there are *de facto* no decisions made without Hezbollah's approval - a fact that leaves many Lebanese citizens and the international community with serious concerns looking at a future March 8-led government.

According to several press reports, Mikati might manage to form a new government very soon, though, due to Hariri's refusal to participate, it is likely to consist only of March 8 politicians and technocrats. In the meantime, state institutions will only continue to function at the most basic levels, while no new decisions, laws or decrees can be passed before the new government is formed.

How this tensed and quickly progressing situation will continue remains uncertain. The government has been suspended, extending the political paralysis. The absence of a peaceful deal between the opposing fractions heats up sectarian tensions in the country, so does the perspective of a government without Hariri's participation. And the soon expected publication of STL indictments will only throw more oil on the domestic fire.

Undeniably certain remains only the fact that Lebanese politics is once again approaching a deep crisis, leaving at first and most importantly its people as the main sufferers.