



Report Nb.-1-

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Report on the Electoral Process from April 7-24:

Lebanon's 2009 Parliamentary Electoral Law 15/2009 stipulates in Article 20 that "competent civil society organizations may accompany and observe the elections..." LADE presented a request to the Ministry of Interior and Municipalities to observe the 2009 elections and it received an official approval on April 15, 2009.

In light of this development, and as LADE has promised citizens, it will publish periodically and with transparency all documented and validated violations. LADE currently monitors and assesses the following levels: Election Administration (Ministry of Interior and Municipalities and the Supervisory Commission on Electoral Campaigns – SCEC), Electoral Campaigns (candidates, lists, and political parties), Media (space and content), and Voter Behavior.

In a period of 23 days, LADE recorded and documented 63 violations and confirmed nine of them that are thoroughly listed in the report. In this report, LADE also presents its remarks on the electoral process and highlights some complaints that require the intervention of the Interior Ministry and SCEC.

LADE aims to evaluate and reform the electoral system. The Association also declares that for the first time, the electoral process is observed before, during and after Election Day. LADE has recruited 1,500 volunteer observers and trained 1,297 through 80 workshops, and 26 offices were opened and equipped in all the 26 electoral districts. In the next week, all LADE offices will be operating and LADE invites citizens, voters, parties, associations, municipalities, political actors, and the media to visit these offices and report on any violation or provide information that can promote a free, fair, and transparent electoral process.

LADE welcomes the achievements of the Ministry of Interior and Municipalities especially regarding the mechanization of electoral lists, the issuance of more than 200,000 ID cards, the adoption of a code of ethics for parties, and the launch of SCEC. LADE expresses its thanks to the Ministry for allowing young people from ages of 18 to 21 into the polling stations for monitoring the voting process, and for its efforts to promote the participation of handicapped people. The Association reiterates that the implementation decrees of Article 92 of the electoral law should be issued.

Nonetheless LADE considers that the democracy of the 2009 elections is still threatened and stagnant, unless the rest of the Constitutional Council members are appointed, the Council is activated, and its role and independence protected. It also calls on the Cabinet to prioritize this file and include it in the agenda of its first meeting. LADE also voices its regret for the failure of reform efforts related to a women's quota, which resulted in the candidacy of only 12 women out of a total number of 702 candidates. In other words, women represent 1.7% of candidates, which means they are almost absent in the 2009 elections.

In addition to the violations recorded and validated by LADE, the report will detail LADE's remarks on the electoral process, electoral management, and the electoral complaints submitted to LADE that require action from relevant authorities.



LADE's Remarks on the Democracy of the Electoral Process:

In addition to the violations recorded and validated by LADE, observers documented practices that indicate infringement of the law and disregard for the code of ethics and democratic practices. They are as follows:

- A number of candidates organized election activities, such as gatherings and lectures, in places of worship, which violates Article 71. We urge candidates, lists, and parties to cease such practices, as we consider them exploitation of the religious beliefs of voters for electoral purposes. We also demand the definition of places of worship and not using them in election campaigning.
- Some religious figures delivered partisan speeches that supported one political side, which affects the choices of voters and the democratic process making it seem sectarian. We call on religious figures not to intervene in the electoral process and not to give candidates the opportunity to use places of worship for electoral purposes.
- Some candidates, especially current MPs and ministers, use State resources and their own political influence for electoral purposes, which is against Article 71. We call on candidates to stop these practices, and urge SCEC, the oversight institutions, and the respective judicial authorities to tighten control on public institutions and to take legal procedures against violators.
- A number of political campaign machines provide transportation services to voters, influencing their choices. Thus, we stress the need to reform the law in the next parliamentary session to enable voters to vote in their places of residence.
- A number of electoral campaign machines secure transportation expenses for voters who are not resident in Lebanese territories, which affects their choices. Hence, we stress the importance of applying Chapter Ten of the present law that regulates the voting process of non-resident voters in future elections to ensure their freedom.
- Some candidates tend to violate Paragraph Four of Article 68 through instigation, defamation, slander, and sectarianism, which result in violent reactions and acts of riot, and affect the security and safety of the electoral process. We call on candidates and political entities to abstain from these practices, and urge citizens not to get involved in such acts. We also call on the relevant institutions to take necessary measures to avoid this.

Complaints Registered:

LADE receives a number of complaints from citizens, candidates, and voters on a daily basis. Some of these complaints are left to the public opinion to decide upon, and the complaints that need urgent response or settlement are referred to the Interior Ministry, SCEC, and the concerned institutions.

- LADE received a number of complaints on bribing voters in the districts of Tripoli, Hasbaya, Marjayoun, Kesrawan, Zahle, and Akkar. We call on the Ministry of Interior and SCEC to take the necessary procedures, check on the validity of this information, and take appropriate measures against offenders.



- There has been information that indicates the transferring of 3,000 civil registries of voters from different districts to the second district of Beirut for citizens who had never lived there. Thus, we call on the Interior Ministry to check on the validity of this information, and see if it occurred in other districts.
- Citizens made complaints on practices motorcades of candidates and politicians in a way that violates their rights and security, and increases tensions. We call on candidates and politicians to respect the laws and public order, and urge the Interior Ministry to take necessary measures to prevent these practices.

Reporting Violations

On Electoral Campaigns:

LADE is monitoring the campaigns of candidates, lists, and political parties to observe whether they are complying with the law and with the provisions on campaign spending and advertising criteria.

In electoral campaigns, LADE has so far recorded 63 violations which are being validated. LADE published only nine violations after they were confirmed:

LADE does not claim that the observation process has been complete and conducted in all districts. We may have omitted many violations. Therefore, we request that all concerned parties provide us with all the violations observed, and LADE will publish them once they are validated.

Below is a summary of all of the validated violations recorded:

1. Violation of Article 59 – Provision of services or payment of money to voters: The campaign machine of the Shiite candidate in Marjayoun-Hasbya district, Ahmad al-Assaad, distributed health cards that were conditional upon voter choices.
2. Violation of Article 59 – Provision of services or payment of money to voters: The election machine of the Maronite candidate in Kesrwan district, Mansour El-Bone, provided voters with vouchers of medical services during his campaign.
3. Violation of Article 71 – Use of public utilities for election campaigning: The Maronite candidate in Batroun district, Gebran Bassil, circulated a voice message that says: *“Hello, this is Gebran Bassil speaking. This is not a lie, but the truth. This is not a dream, but the reality. These are no mere words, but deeds. SMS costs 10 cents now, instead of 27, 20, and 15 cents. Communication with SMS is better, cheaper, and easier... We will always communicate with you by SMS so that you will know our news and prices in detail. Hopefully, we’ll be in touch”* during this campaign, with no reference to the Ministry of Telecommunications or his position as the Minister of Telecommunications.
4. Violation of Article 71 – Use of public utilities for election campaigning: The election machine of the Future Movement posted pictures of candidate Saad Hariri on



- several public facilities in Akkar district, including El-Hedaya School, during his campaign.
5. Violation of Article 68 – Slander or defamation: The Maronite candidate in Kesrwan district, Charles Ayoub, slandered and defamed his political opponent in *Ad-Diyar* paper, edition 7291, saying: *“I am running in Kesrwan district because of the prostitution of Aoun and the spoiled Christians of March 14th. So many acts of discrimination, division, stabbing, sedition, and hatred are committed by this reformist guide under claims of reform.”*
 6. Violation of Article 61 – Slander, defamation, or treason accusation: The Maronite candidate in Zgharta district, Sleiman Frangieh, slandered and accused his political opponent of treason on March 6, 2009 during the annual dinner of Marada Movement youth in Bnashii, saying: *“We wonder if it was these tanks and weapons that killed Christians or not? With all due respect to everybody, the military machine of the Lebanese Forces, which was said to be there for protecting the Christian community, murdered and destroyed this society the most.”*
 7. Violation of Article 71 – Use of public utilities for election campaigning: The Shiite candidate in Saida Villages district, Nabih Berri, inaugurated the Ain Al-Zarqa project in Mashgara, and promoted his electoral list during the inauguration ceremony saying: *“On behalf of the Resistance, Development, and Liberation list, which I will be honored to head, and for the sake of supporting the South and the Western Bekaa district, keeping the people in their lands, providing new job opportunities, and increasing crops seven-fold compared to now,”* on Sunday April 12, 2009.
 8. Violation of Article 71 – Use of public utilities and places of worship for election campaigning: The Catholic candidate in Baalbek-Hermel district, Talal el-Makdessi held an election meeting in “Saidet Bechwat” Hall in Dair el-Ahmar (Baalbek) on April, 17 2009.
 9. Violation of the Article 71: Use of public utilities for election campaigning: The Shiite candidate in the electoral district of Saida Villages, Nabih Berri, inaugurated on April 18 public schools in Zawtar, Kfour, and Anasira in the presence of ministers Fawzi Salloukh, Mohamed Jawad Khalifeh, and Ali Kanso, and MPs Abdul Latif al-Zein, Ali Bazzi, Ali Osseiran, and others. Berri spoke of a “Second Cedar Revolution,” and asked the candidates for *“an opportunity to be unified and to look for common initiatives in order to strengthen the economy and an occasion for us to deserve Lebanon.”* This statement was accompanied by party slogans posted all around the above-mentioned schools.

In Election Administration:

Election administration is another one of the levels of the observation conducted by LADE. On this level, LADE monitors the Ministry of Interior and Municipalities, the Supervisory Commission on Electoral Campaigns (SCEC), Registration Committees, Municipalities, and the Security Forces. The Association’s evaluation methodology considers the organization and performance of the above-mentioned bodies, as well as their compliance to deadlines before, during and after election day.



In its evaluation and monitoring methodology, LADE uses a set of 181 criteria and a number of resources for information, including the official “gazette,” the website (<http://www.elections.gov.lb/>), the media, and especially LADE’s periodic visits to SCEC. LADE conducted its first evaluation visit to the Supervisory Commission, which expressed its willingness to provide LADE with the necessary information and to answer the Association’s questions. The Supervisory Commission promised as well to hold periodic meetings with LADE on a weekly basis.

The Supervisory Commission issues circulars and decrees related to electoral media, advertising, and spending, and the terms of public opinion polls. It also opened and equipped the media monitoring center, and issued a warning that requires from the candidates, the media, and the municipalities to implement media regulations.

LADE declared that it will release on April 30 a detailed report on the basis on which it will evaluate the Commission’s work.

Most of the local authorities did not designate the appropriate billposting places for electoral ads and posters in each city or village, which is against the Article 70 of the law. Thus LADE asks the Ministry of Interior and Municipalities to take the appropriate action to enforce the implementation of these provisions and address the violations.

The following table includes the questions posed to the Supervisory Commission, which are a sample of the criteria used by LADE to evaluate the Commission’s work, as well as LADE’s answers.

Questions Posed to the Supervisory Commission			
On Work Organization	Yes	No	n/a
1. Did the Commission publish its monitoring methodology?		x	
2. Did the Commission start monitoring all candidates’ electoral campaigns during the campaigning period, which starts on the date of application for candidacy and ends upon the closing of ballot boxes?	x		
3. Did the Commission hold weekly session on a regular basis since it started its work?	x		
4. Does the Commission methodology include all terms/provisions, as stipulated by Article 54?	x		
On Electoral Spending			



1. Does the Commission audit the candidate accounts for electoral campaigning?			X
2. Are civil society organizations allowed to monitor these accounts?		X	
On Electoral Media & Advertising			
1. Does the Commission have any methodology to observe the electoral media and advertising?	X		
2. Did the Commission require from the companies employing the advertising spaces to submit copies of the contracts signed with the candidates to use these places?	X		
3. Are the price lists of the authorized media outlets published?		X	
4. Did all the authorized media outlets publish the price lists of their ads spaces?		X	
5. Did media outlets abide by the authorized price lists?	X		
6. Did the Commission prohibit any candidate or political party from displaying any advertisement or picture, either of him or of the political party he belongs to, on billboards which they have not paid for?		X	
7. Did the Commission reject any request made by media outlets or parties which do not own the right of using billboards?		X	
8. Did the Commission force the companies exploiting the ads places to adopt a certain balance when renting those billboards to the competing candidates?	X		
9. Did the Commission accuse any of the company exploiting ads places of violating the adopted laws and regulations?		X	
10. Did the Commission take actions against any media outlet that has shown its support to one candidate but not the other?		X	



11. Did the Commission focus on specific outlets while monitoring?		X	
12. Did the Commission notice whether a candidate has abdicated his own billposting places, where he ought to post election advertisements, to another coalition or candidate?		X	
13. Was any complaint referred to the Court of Publications?		X	
14. What actions did the Commission take to strike a balance among candidates appearing in media outlets?			X
15. Did the Commission observe any advertisement materials which were publicized by media outlets, without clarifying what was the rate used for broadcasting these materials?		X	
16. Did the Commission observe any advertisements which the candidates have failed to define their true nature?			X
17. Did the Commission observe whether a certain media station has refused to broadcast the ads of one candidate in particular?		X	
18. Did the Commission observe that media outlets have failed to respect freedom of expression when it comes to expressing different opinions and trends of thought?		X	
19. Did the Commission observe that the candidates and competing coalitions were not treated with neutrality and balance?		X	
20. Did the Commission observe any materials in media outlets that might trigger religious, confessional, and ethnic sensitivities?	X		
21. Did the Commission observe any materials that might incite acts of violence or crimes in media outlets?	X		



22. Did the Commission make sure that all local authorities have designated appropriate billposting places for electoral ads and posters during the whole electoral campaign period?		x	
23. Did the candidate or its legal representative submit a copy print/tape of the electoral promotion or advertisement, along with a written booking order, to the Commission and media companies to broadcast it, at least three days before the first broadcast date? Which parties have failed to do so?	x		
24. Did every media outlet present a weekly report to the Commission, including an account of all electoral ads and promotions broadcasted during the past week with the broadcasting time and rates received? Which parties have failed to do so?	x		
On Handling Violations and Complaints			
25. Did the Commission review the complaints which have been filed by candidates? What are these complaints and how were they handled?	SCEC received three official complaints so far		

In Electoral Media and Advertising:

LADE will soon publish a detailed report on media monitoring findings.

Meanwhile LADE wants to mention that a number of media outlets are broadcasting ads that trigger confessional sensitivities; commit acts of libel, slander and defamation towards some candidates; support acts of violence and riots; and misrepresent and falsify any information.

LADE calls upon all the media to respect the law and to ensure the “justice, the balance, and the impartiality” in the treatment between the lists. We also call the Supervisory Commission to use its prerogatives stipulated in the law and to take the necessary steps against the media that violate the law.

Summary of the achievements realized in the 2009 observation process:

After 17 days of work, LADE realized the following achievements:



- It prepared a detailed systematic and scientific methodology composed of 267 criteria and started to implement this methodology based on Lebanon's electoral legal provisions and International Standards.
- It equipped and opened 26 offices in all electoral districts.
- It trained more than 50 trainers on the law and the observation methodology.
- It trained 1,297 observers through 80 workshops in the majority of the electoral districts.
- It documented 63 violations and validated 9 of them.

To inform LADE about violations, please call us on

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Annex of the articles of the electoral law 25/2008 that were mentioned in the report:

- **Article 59**
- **Article 68**
- **Article 71**
- **Article 92**