



**The 2009 Lebanese Election:
A Technical Assessment of the Electoral Process**
October, 2009

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I. Introduction

The Lebanese parliamentary elections of 2009, arguably one of Lebanon's most critical in recent history, have attracted heavy attention from local and international organizations due to its significance in shaping Lebanon's political landscape, locally, regionally and internationally, for the next four years and potentially many more years afterwards.

The Lebanese Information Center, realizing the significance of these elections and the invariable impact they have on the relationship between the US and Lebanon, has allocated a substantial portion of its resources in order to closely monitor and assess these historical elections, as well as present a clear image of the intricate aspects to its audience in the US.

Highlights of the LIC activities on the elections include:

- Producing several research and assessment papers, covering important aspects of the elections, such as “The Lebanese Parliamentary Elections of 2009: A Determining Factor in Lebanon's Fate,” “The Christian Vote in Lebanese Parliamentary Elections,” “Monitoring the 2009 Lebanese Parliamentary Elections,” “Security Situation Surrounding the 2009 Lebanese Parliamentary Elections ,” and “The 2009 Lebanese Election Results and their Implications: A Post-Voting Analysis.”
- Establishing contacts with Lebanese politicians, American officials, election observers, and Lebanese government’s officials, to address the conditions of the electoral environment.
- Creating a dedicated section on its website (www.licus.org) focusing on the elections. This section included, in addition to the published LIC research and assessment papers, pertinent statistics, documents on the legal and regulatory framework of the elections, general news about the election, and a listing of security incidents.

In addition:

- LIC-US president Dr. Joseph Gebeily had a pre-election visit to Lebanon and met monitoring organizations, Lebanese politicians and US officials, to address the conditions of the electoral environment, assess the associated challenges, and discuss possible solutions.
- LIC members met with international organizations such as NDI, Carter Center, IFES and IRI, as well as with politicians belonging to the March 14 coalition and US officials in Lebanon to assess the technical aspect of the electoral process.
- An LIC unit comprised of a team of researchers and analysts was established in Lebanon to monitor, assess and report on the electoral process.

This study comes as part of the series of LIC papers on the 2009 elections and presents a technical assessment of the elections in general. Background information is provided in the Section II. Security incidents around and during the elections are reported in Section III and other violations of the electoral law are reported in Section IV. Section V discusses the foreign influences and a general assessment of the local and international monitoring organizations is presented in section VI. A brief summary on the results of the elections and its aftermath is presented in section VII and the paper concludes with some recommendations in section VIII.

II. Background

Lebanon is a diverse entity in geopolitical terms with a truly complex political landscape. The 2009 parliamentary elections pitted two major coalitions battling across all districts to win the parliamentary elections in a Byzantine maze of alliances. Prior to the elections, most foreign analyses and opinion polls showed an advance for the Hezbollah-controlled March 8 coalition leading to speculations that Hezbollah could end up forming the next Lebanese cabinet. For the Lebanese citizens, these were truly fateful elections.

Numbers in Brief

The Lebanese government has not conducted a population census for the past 77 years. However, lists from the Lebanese Ministry of Interior (MOI) showed the number of registered voters for these elections to be 3,257,224 voters with Muslim Sunnis accounting for 27.2 percent of the total voters, Muslim Shiites for 26.7 percent and Christians for 39.3 percent. On June 7th, 5187 polling station were open to receive the voters in an election that saw 587 candidates competing for 128 parliamentary seats.

Key Players

- The March 8(M8) coalition is named after a large gathering held on March 8, 2005, to voice support for Syria, blamed then for the assassination of Prime Minister Hariri. M8 is led by Hezbollah (Shiite) headed by [Sayed] Hassan Nasrallah, and comprises the Amal movement (Shiite) headed by Parliament Speaker Nabih Berri, the Free Patriotic Movement (Christian) headed by Michel Aoun, the Marada Party (Christian) headed by Suleiman Franjeh, as well as other smaller fractions including the Syrian National Socialist Party and the Tashnag (Armenian).
- The March 14(M14) coalition is named after the historical rally held on March 14, 2005, to demonstrate support for a free and sovereign Lebanon and demand the withdrawal of the Syrian army from Lebanon, following the assassination of Prime Minister Hariri. M14 is led by the Future Movement (Sunni) headed by Saad Al-Hariri, the Lebanese Forces Party (Christian) headed by Samir Geagea, the Progressive Socialist Party (Druze) headed by Walid Jumblatt, the Kataeb Party (Christian) headed by former President Amin Gemayel, as well as other parties and independent figures.

Relevant Issues

The economy and the security situation were common among the top priorities for most Lebanese, according to polls run in early 2009, while other more specific factors were just as important to the different communities. Chief among those were:

- In the Christian community:
 1. The dangers facing the Christians and the Lebanese State in case of a Hezbollah's win, as clearly expressed by the Maronite Church and the Maronite Patriarch.
 2. The acts of violence in the Christian streets and in downtown Beirut, perpetrated by M8 groups, specifically Aoun's followers and Hezbollah's members.
 3. The campaign led by Aoun and his allies in the M8 alliance against national Christian figures such as President Michel Suleiman and Maronite Patriarch Nasrallah Sfeir, perceived to weaken the Christian position in Lebanon.
- In the Sunni community:
 1. Hezbollah's attacks on the Sunni parts of Beirut on May 7, 2008.
 2. The ongoing Sunni-Shiite tension and occasional clashes, within Lebanon and, to some extent, in the region, as well.

3. Hezbollah's potential implication in the assassination of the Sunni leader Prime Minister Hariri, as reported in some of the foreign press and in certain political circles.
- In the Shiite community:
 1. Hezbollah's rhetoric of resistance against Israel, while the current government and the M14 forces are accused of being agents of the West and even of Israel.
 2. Hezbollah's formidable arsenal and its control of Lebanese areas, creating a defacto "state within a state", thus ensuring a Shiite supremacy over the different communities.
 3. Hezbollah's ironclad control of the Shiite community, practically preventing other contenders from challenging the Hezbollah's monopoly of the Lebanese Shiites.
 4. Tensions and clashes with other socio-religious groups, as mentioned above.
 - In the Druze community:
 1. Hezbollah's attacks on the Druze strongholds in Mount Lebanon on May7, 2008.
 2. Recent and recurring clashes between pro-M8 and pro-M14 elements, causing casualties and deaths, chiefly among Druze.

The Electoral Law

The 2008 electoral law is inspired by the 1960's election law which uses the Qadaa' (the equivalent of a county) as an electoral district. But there were a few exceptions, where two separate Qadaas were merged into one electoral district, such as Marjayoun-Hasbaya, West Bekaa-Rashaya and Baalbeck-Hermel; or where one Qadaa, Saida-Zahrani, was divided into two electoral districts Saida and Zahrani.

The 2008 electoral law distributes the 128 seats of Lebanon's National Assembly [Parliament] among 26 districts with a variable number of representatives per district. The current division of the districts was a core part of the Doha agreement which followed the violent inter-communal fighting of May 2008.

According to the Lebanese Constitution, the Parliament is equally composed of 64 Christian and 64 Moslem members. The table below presents the distribution of parliamentary seats by confession across the 26 electoral districts according to the 2008 electoral law.

District	Sunni	Shi'ite	Druze	Alawite	Maronite	Greek Orthodox	Greek Catholic	Arm. Orthodox	Arm. Catholic	Evangelical	Minorities	Total
Akkar	3			1	1	2						7
Aley			2		2	1						5
Baabda		2	1		3							6
Baalbek-Hermel	2	6			1		1					10
Batroun					2							2
Becharre					2							2
Beirut 1					1	1	1	1	1			5
Beirut 2	1	1						2				4

Table continued from Previous Page

District	Sunni	Shi'ite	Druze	Alawite	Maronite	Greek Orthodox	Greek Catholic	Arm. Orthodox	Arm. Catholic	Evangelical	Minorities	Total
Beirut 3	5	1	1			1				1	1	10
Bint Jbeil		3										3
Chouf	2		2		3		1					8
Jbeil		1			2							3
Jejjine					2		1					3
Kesrwan					5							5
Koura						3						3
Marievoun-Hasbaya	1	2	1			1						5
Metn					4	2	1	1				8
Minieh-Dinnieh	3											3
Nabatieh		3										3
Saida	2											2
Tripoli	5			1	1	1						8
Tyr		4										4
W.Bekaa-Rachaya	2	1	1		1	1						6
Zahleh	1	1			1	1	2	1				7
Zahrani		2					1					3
Zgharta					3							3
Total	27	27	8	2	34	14	8	5	1	1	1	128

Distribution of Parliamentary Seats by Confession among the 26 Electoral Districts

It is important to note that according to the present districts' distribution, 23 Christian MPs out of 64 are elected by predominantly Moslem constituencies, while there are only 6 Moslem seats in Christian-majority districts.

The Electoral Process

Certain aspects of the candidacy for a parliamentary position and of the voting process are different in Lebanon than in other countries. Some distinguishing characteristics of the system are listed below:

1. Parliamentary seats are allocated by confession. While the right to run for a seat is confessionally-based, the right to vote is non-confessional.
2. In confessionally-mixed districts, candidates of the same confession compete only for seats reserved for that confession. It is possible that a contender could win a parliamentary seat, even when other candidates in the same district but from a different confessional group have a higher total number of votes.
3. Voters must return to their home of origin, based on registration records not residence, to vote, while candidates can run in any district as long as there is a seat for the religious group they belong to,

available in that district.

4. There are no official pre-printed ballots.
5. Voters can write the names of their preferred candidates on any piece of paper and drop it into the ballot box.
6. Political parties can print and distribute ballots with the lists of their candidates printed on them.
7. Military and Security personnel are not allowed to vote. And they may not run for office until after a certain period following the end of their service.
8. City, county and provincial Council Members are also forbidden from running for parliamentary seats.

III. Elections Security

Top Governmental Officials, including the President, Minister of Interior, Minister of Defense, Lebanese Armed Forces (LAF) Commander and others insisted on providing the best security environment for the elections.

A comprehensive security plan deploying 50,000 Army soldiers and other security personnel was implemented by the Central Security Council (a governmental body regrouping all armed and security chiefs with the relevant Cabinet Ministers). Nevertheless, LAF Commander Jean Kahwaji expressed the general concern about the state of security in Lebanon, when he said in an interview on April 29th that “As long as foreign and domestic parties are willing to have elections conducted as scheduled, security will be preserved on election day.”

Following the voting day, monitoring organizations, local and international, agreed that elections were generally conducted in a peaceful and safe manner, and praised the internal security forces (ISF) and Lebanese armed forces (LAF) for their performance in maintaining security.

The Lebanese Information Center compiled a list of some of the more relevant security incidents during and around the election date¹:

Prior to the elections:

- Repeated acts of aggression in the Southern Beirut suburbs, Northern Bekaa and the South were perpetrated against members of the “Lebanese Option Gathering” (LOG), an independent Shiite movement headed by Ahmad El Assaad, an open critic of Hezbollah. Notably, all these areas are under Hezbollah's strict security control. At least ten attacks occurred against members of LOG within 3 months prior to the elections and involved mostly the torching of their cars and the throwing of hand grenades at their houses.
- The capture of several Israeli spy rings by the Internal Security Forces, while commendable, took place in cooperation with, if not under the auspices of, Hezbollah. With Hezbollah carrying out the surveillance, arrests, and initial interrogation of suspects, there is an implicit admittance on the part of the government that Hezbollah is a de-facto state security service in Lebanon.

¹ Some of the reported incidents may appear to be not directly linked to the elections, but the LIC's assessment is that they are and are included in the report as such.

- Attacks carried out against M14 members were also widespread. The most significant aggressions took place on February 14, 2009 during the commemoration of the assassination of Prime Minister Rafik Hariri. Many individuals and groups participating in the popular rally that day were harassed and assaulted on their way to or from the rally by supporters of Hezbollah. Several were injured, and two people were killed.
- Attacks on the offices and homes of M14 members occurred in different Lebanese regions. On February 16th, a grenade was thrown at the Lebanese Forces Party office in the town of Kfour, northeast of Beirut, and two bombs were found on February 20th outside the office of the Kataeb Party in Dbaye. More significant was the finding of an explosive device on March 24th near the residence of former president Amin Gemayel, a prominent figure in the March 14 group.
- Clashes between the Lebanese Armed Forces and armed gangs wanted for smuggling drugs, stealing cars and various other crimes, erupted in the Bekaa, in areas under Hezbollah's control. After the initial assault on these gangs' strongholds, the LAF stopped their operation, apparently by orders from Hezbollah. In the meantime, the gangs' leaders escaped to Syria.
- There is credible evidence that various factions within M8 group were actively distributing weapons and ammunitions to their supporters in different regions of Lebanon. Some of these groups include the Arab Democratic Party of Ali Eid in Jabal Mohsen in Tripoli; the Marada Party of Suleiman Franjieh, in Koura; the Socialist Arab Union Party, in the village of Kfardnis and Rachaya in the Bekaa; and the Syrian National Socialist Party in Hasbaya and Rachaya. There were also accounts of weapons distribution in Akkar, Tripoli and the Bekaa by Hezbollah.
- A total of 16 election-related security incidents were reported in the last 2 weeks prior to the election date. Of these, the three most serious incidents were:
 - In Mount Lebanon, opposition (M8) supporters clashed with supporters of former MP Emile Nawfal (independent), resulting in injuries to police officers and civilians.
 - In the Bekaa, clashes between two families supporting rival coalitions resulted in the death of one person and the injury of a Lebanese Armed Forces member.
 - In Beirut, an army unit led by a pro-March 8 officer violently harassed several March 14 supporters and intimidated those brandishing pro-March 14 signs.

On the day of the elections (Timeline):

- 08:56: Clashes between Hezbollah supporters and MP Bassem el Sabaa (M14) after the latter cast his vote in Burj el Barajneh, a Hezbollah stronghold.
- 10:20: Fistfights and sticks beatings in the northern town of Tabish in Akkar between supporters of "Mustaqbal-Akkar" (M14) and "Development-Akkar" (M8).
- 12:15: Security incident at Bizri School in Sidon between Future Movement supporters (M14) and Ousama Saad's followers (M8).
- 12:44: Convoy of Lebanese Option Gathering's leader Ahmad al-Assaad, an anti-Hezbollah Shiite leader, attacked in Taybeh.
- 13:23: Clashes in Hadath between Hezbollah members and local residents. Army fires at armed elements. 2 Hezbollah gunmen are reportedly wounded.
- 14:00: Clashes in Zahle between Hezbollah supporters and Lebanese army units.

- 14:30: Gunfire and stone throwing in Tariq el Jdideh-Beirut; Army intervenes to contain conflict.
- 16:15: Gunmen open fire at Future TV (pro-M14) headquarters in Beirut.
- 21:12: Clashes in Southern Beirut between the residents of Ain el Remmaneh (mainly pro-M14) and those of Shiyah (mainly pro-Hezbollah).
- 21:25: Hezbollah and Amal supporters attack the house of M14 candidate Bassem el Sabaa in Southern Beirut.
- 21:40: Hezbollah and Amal supporters attack the house of M14 candidate Salah el Barakat in Southern Beirut.
- 22:08: Hezbollah elements surround the house of LOG leader, Ahmad al Assaad, in Marjayoun-South Lebanon.
- 23:30: Supporters of candidate Ousama Saad (M8) destroy and vandalize cars in Sahet al-Najme and Rjal al-arbein in Saida, reacting to the announcement of Saad's loss in the election.

Following the elections

- Wednesday, June 10, 2009: Hezbollah supporters attack Maya Keyrouz, a 24 year-old girl, supporter of March 14 by pushing her SUV off the road.
- Thursday, June 11, 2009: Two hand grenades were found near Jdeideh School (Christian area), north of Beirut.
- Friday, June 12, 2009: A package containing about 150g of explosives was found at the General Security Department headquarters in Beirut.
- Sunday, June 14, 2009: Unknown assailants burned the vehicle of Future Movement activist Nisreen Aql in her hometown of Labaya in the western Bekaa.

IV. Violations

Several violations of the electoral law were reported during and around Election Day. While many of these illegalities could not be confirmed, we have attempted to piece together what we believe were credible reports as well as present some of the measures undertaken by the government to eliminate or reduce these violations:

Fraud

A number of fake identity papers were seized in the districts of Baabda, Zahle and in Southern Lebanon a few days ahead of the elections. Information about fake IDs was first brought to public attention by Prime Minister Fouad Siniora during the cabinet session on June 4th. Both PM Siniora and Minister of Interior Ziad Baroud vowed to aggressively address the issue of voter fraud.

No information was made public about the investigation yet, but it was reported that initial investigations have uncovered a printer used to produce the counterfeit identity cards.

Several steps had been taken by the Ministry of Interior to combat fraud such as:

- Instituting strict measures to detect fake ID's by the Ministry of Interior.
- Using redundant electronic and paper systems to confirm voters' lists and registration.
- Requiring that voters mark their thumbs with indelible ink lasting for 24 hours as an additional

measure order to prevent multiple voting.

- Using transparent ballot boxes in order to make sure that boxes are empty prior to the start of the elections.

Vote Buying and Bribery

Numerous accusations of vote buying and bribery were voiced during and after the election by both camps, March 8 and March 14. Each camp accused the other of paying off voters, and sometimes confiscating their IDs ahead of elections to secure their vote or their abstention from voting.

Other noticeable accusations addressed the bribing of out-of-country voters mentioning large amounts of money being paid by political parties and candidates to Lebanese living abroad to cover their travel expenses and stay in Lebanon, in exchange of their vote for certain candidates. But no one was able in the end to release reliable figures about the money paid, or the number of Lebanese expatriates flown in for free.

On election day, the Lebanese Army raided the house of Nabil Farhat, in Zahle, a key campaign official for Elias Skaff (M8) and seized funds allegedly used to bribe voters, in addition to counterfeit dollars and a machine for printing counterfeit currency. Farhat was detained.

Campaign Finance Violations²

While the Supervisory Committee on the Electoral Campaign (SCEC) has done a commendable job in improving the reporting of campaign finance violations, there were still some clear breaches that persisted during the elections, most notably:

1. Several political parties are funded by foreign sources, although foreign financing of Lebanese political entities is prohibited by law.
2. Conflicts of interest are obvious with the candidacy of several ministers from the government, running at the same time for parliamentary seats.

It is worth mentioning that there are several loopholes in the campaign finance regulations that hamper an efficient monitoring of the candidates' expenditure. For example, auditing candidates' campaign bank accounts took place only after the elections. In fact, the 2008 Parliamentary Electoral Law does not make any provision for lodging complaints, financial or otherwise, on polling day. Also, the SCEC regulations make no provisions for requiring candidates or political parties to make public their expenditure reports. The fact that organizations and foundations affiliated with, or close to, different candidates were allowed to offer services to voters, with the aim to achieving electoral support for their candidates, is essentially circumventing SCEC regulations. Banking privacy laws in Lebanon preclude SCEC's ability full campaign finance regulations by making it impossible to monitor the bank accounts of entities not directly linked to candidates. Furthermore, the SCEC remains unable to control foreign funding of electoral campaigns. Other countries were able to exploit these loopholes by possibly financing the transport of voters from abroad without any consequences to them, the candidates, or the voters.

Campaign Media Violations³

Regulations on the use of media in campaigning focus on the three main forms of media outlets: The visual (TV), audio (radio stations) and print media (newspapers).

² The pertinent laws regulating Electoral Funding and Spending are presented in Appendix I.

³ The pertinent laws regulating Electoral Media and Advertising are presented in Appendix II.

Violations were reported along three main categories:

1. Coverage time/space: There was significantly more time allocated to the March 8 camp in the visual and audio media whereas the March 14 camp occupied more space in the printed media. Independents received very similar allocations of time and space (approx. 14.5%) across the three forms of outlets.
2. Biasness: Defining and determining media biasness proved to be very challenging since it relies heavily on determining the outlet's share of total viewers/readers and its potential "impact" on viewers/readers. The media violations were scattered according to the type of media outlet with 50% of the total violation occurring in printed press, 28% in television and 22% in radio.
3. Other forms of media violations comprise defamation, libel and slander (53%), intimidation (17%), accusations of treason (14%), incitement (7%), inciting religious feuds (4%), and miscellaneous (5%). Other Violations.
4. Some candidates used places of worship in their campaigning in clear violation of article No. 71 of the law regulating Electoral Media and Advertising.

Complaints Filed to the Constitutional Council

The Constitutional Council received 19 official complaints about the parliamentary elections according to the IFES August report. The deadline for filing complaints was July 7, 2009. Notably, most complaints involving challenging the elections results were filed in Christian districts.

No official announcement in regards to resolving these complaints have been made by the Constitutional Council by the time this report was prepared.

V. Foreign Influences

Syria

A few days before the elections, Syrian President Bashar Al-Assad commented on the Lebanese elections saying that "elections neither bring nor end stability," but rather "accord is what brings stability" and that "regardless of who wins the Lebanese elections, a national unity government and not a majority-run government should be formed."

Walid Al-Moallem, the Syrian foreign minister also reiterated ahead of the Lebanese elections, that "the winner must read the Lebanese situation well." It is not clear whether this was a Syrian threat or just wise advice to the Lebanese.

Subtle messages aside, Syrian interference in the elections, through direct political manipulation or through clandestine channels, was well documented:

- Syria welcomed in March 2009 several leaders from the March 8 camp for a meeting in Damascus to discuss the elections and coordinate their efforts under Syria's blessing. Lebanon's preeminent newspaper, Al-Nahar, reported that the meeting in Damascus, was called for by Speaker Nabih Berri's AMAL Movement, and was attended by head of the Council of the South Qabalan Qabalan (representing Speaker Berri), Sana' Skaff (representing Agriculture Minister Elias Skaff), former deputy prime minister Elie Firzli, former Cabinet Minister Abdul Rahim Mrad, Free National Movement coordinator Maurice Rizk, Sheikh Mohammed Hamadeh (representing Hezbollah) and a

number of other figures. The meeting concluded with an address to Lebanese voters residing in Syria to vote for the pro-Syrian M8 candidates.

- Syrian officials, in an effort to support their preferred candidate in Tripoli, Omar Karame, met on March 18, 2009 with Karame's campaign manager Khaldoun Sharif accompanied by Lebanese businessman, Tarek Fakhreddine, to discuss the formation of the March 8 list in Tripoli.

While reports on the activities of the Syrian Intelligence prior and during the elections were abound, confirming or denying these reports is very challenging, and often impossible due to the clandestine nature of the reported activities. The following list is compiled from multiple reports that the LIC has deemed credible:

- Syrian Intelligence Officers, Generals Mounir Jalloud and Akram Mohammad met in the city of Homs, Syria on Feb 18, 2009 with Wajih Baarini, the March 8 candidate for Sunni seat in Akkar, to discuss the elections in the Akkar district and the ways to support the pro-Syrian candidates.
- Col. Mohammad Mefleh of the Syrian Military Intelligence met on April 10, 2009, with Lebanese candidates Mohammad Yehia, Seoud Youssef and Wajih Baarini to further discuss the elections in the Akkar district, in addition to the formation of the March 8 candidates' list for that district.
- According to Strategic Forecasting Inc. sources, Syrian intelligence officers in the Rif Dimashq Governorate in rural Syria intimidated Syrian citizens who hold dual citizenship in Lebanon to force them to vote for the pro-Syrian candidates in Lebanon. It is estimated that at least 10,000 Syrian-Lebanese dual citizens are eligible to vote. The sources report that intelligence officers have threatened to cut off water and electricity and imprison and torture villagers if they vote "for the enemies of Syria" (i.e. the March 14 coalition.)

Iran

- Iranian president Mahmoud Ahmadinejad stated on May 26, 2009 that the victory of the opposition [March 8 camp] in the Lebanese parliamentary elections will "strengthen the resistance and change the status in the region".
- Iranian parliament speaker Ali Larijani said, commenting on the Lebanese elections, that "the US must know that Iran takes pride in its support to Hezbollah and Hamas".

Saudi Arabia

- While Saudi Arabia has remained somewhat silent regarding Lebanese elections, there are various reports that the Saudis were trying to match the Iranian spending for the election to prevent a Hezbollah win.

Israel

- Israel voiced its opinion on the upcoming elections on several occasions and most notably through its Interior Minister, Eli Yishai, who stated that Hezbollah's victory would create an "Iranian entity" and that "Lebanon would then become a terror state."
- Israel was accused on the day of the election by March 8 member, Lebanese Telecommunication Minister, Gebran Bassil, of causing massive disruption in cellular communication in the country around the time of the election. Bassil claimed that investigations conducted by his ministry revealed

that Israel was responsible for jamming cellular signals and interrupting communications. Bassil asked the Lebanese foreign minister to issue a formal complaint with the UN regarding the alleged disruption.

United States

- US Secretary of State Hillary Clinton visited Lebanon on April 26, 2009, six weeks before the elections. She told reporters that "the US will continue to support the voices of moderation in Lebanon and the responsible institutions of the Lebanese State they are working hard to build". This visit and statement were heavily criticized by Hezbollah as being US interference in Lebanese affairs ahead of the elections.
- US Vice President Joe Biden visited Lebanon on May 24, 2009, two weeks before the elections, and met with Lebanese president Michel Suleiman. Mr. Biden was the highest-ranking American official to visit Lebanon in more than 25 years. The White House said that the visit was meant to reinforce the support for an independent and sovereign Lebanon. "The US will evaluate the shape of its assistance program based on the politics of the new government" Mr. Biden told reporters after his meeting with the President. VP Biden, in his meeting with M14 leaders, indicated that the sovereignty of Lebanon would not be sacrificed in any future regional peacemaking efforts. He also hinted that continued American military support of Lebanon would depend on the outcome of the upcoming parliamentary elections.
- A congressional delegation comprised of three members of the House of Representatives who serve on the House Committee on Foreign Affairs visited Lebanon on May 27, 2009. The members were Gary Ackerman, Chairman of the House Sub-Committee on the Middle East and South Asia, Sheila Jackson-Lee, and Keith Ellison. The members of the congressional delegation expressed their support for the principles of democracy, sovereignty and democracy in Lebanon and reaffirmed the U.S. Government's commitment to Lebanon, its state institutions and its citizens.

VI. Monitors' Activities and Limitations

A great number of domestic and international observers were accredited by the Government of Lebanon to monitor the 2009 parliamentary elections. Lebanese civil society organizations, led by the Lebanese Association for Democratic Elections (LADE) within the Coalition Libanaise pour l'Observation d'Elections (CLOE), organized Lebanon's largest domestic observer mission. LADE deployed a total of 2,500 observers throughout the country, with a combination of both stationary and mobile observers. LADE and CLOE developed an SMS (text message) reporting system, which was used for the first time in Lebanon. The Lebanese Transparency Association (LTA) monitored the financing of the elections.

Two hundred international observers were present including those from the National Democratic Institute (NDI), the European Union Observation Mission, the International Foundation for Electoral System (IFES) and the Carter Center.

The monitoring organizations reported on several aspects of the elections, including the conduct of the elections, ballots, training of polling centers, vote buying, voter's intimidation, security incidents, accessibility, etc.

According to the different organizations, elections were conducted in a satisfactory manner and most of the problems seen were similar to those witnessed in any other election elsewhere in the world.

Access

There has not been any account from the monitoring organizations on restricted access to any district, voting center, campaign offices, etc. But the heavy presence of party supporters as well as the establishment of temporary party offices in the immediate vicinity of polling stations at the time of the election was considered by the observers to be intimidating.

Methodology and Coordination

The European Union guidelines for Electoral Observation Missions (EOM's) governed the election monitoring activities of the majority of the international monitoring agencies in Lebanon's elections. The Lebanese monitoring organizations also functioned under their own code of conduct. While the overall performance of the individual agencies was commendable, coordination among them was minimal. On the other hand, the presence of other foreign observers, such as the Arab and Turkish teams, was largely symbolic, and devoid of any significant role.

Money, Media and Militias

The Lebanese Transparency Association (LTA) was the main organization monitoring campaign finances using a program called Campaign Finance Monitoring (CFM). The program was supported by the Canadian and the United Kingdom embassies through the Global Peace and Security Fund–Glyn Berry Program, and the Open Society Institute. LTA published its detailed report on the elections in August.

The Supervisory Committee on the Electoral Campaign (SCEC) was the main domestic body “entrusted to carry out a number of tasks pertaining to the supervision of the Media performance and their dealing with candidates and political authorities in order to guarantee fair and balanced media coverage with respect to observing promotion, paid advertisement, and electoral spending.”

The SCEC produced several statements on campaign finance regulations regarding the expenses of electoral promotion and advertisement, the nature of candidates' expenditures during the campaign, the process related to renting electoral premises and organizing festivals, rallies and banquets for electoral purposes, the method for lodging complaints, the tracking of expenses resulting from the transportation of voters, the ceiling of electoral spending and the procedures of monitoring the cost of electoral media and advertising.

In addition, the SCEC has, to date, released two reports on the biasness observed in visual, audio and printed media. Most of their results are summarized in section IV of this report.

The International Foundation for Electoral Systems (IFES) created a risk assessment program (LEVRA) that evaluated the level of security threats in the 26 electoral districts. Moreover, the program follows on all security incidents in the pre-election stage and during the elections. The LEVRA program is considered confidential with limited access.

Confirming Results

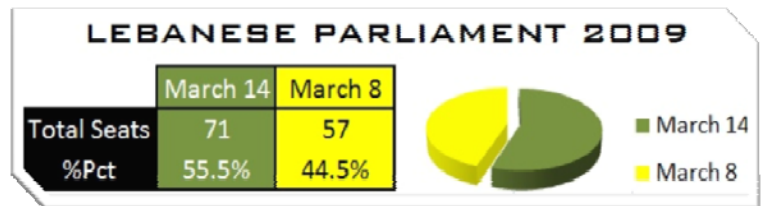
As mentioned before, all the monitoring organizations reported in their post-election statements that the elections took place in a relatively peaceful and constructive environment. This can be seen as a stamp of approval by these monitoring agencies on the validity of the elections and their results, exception being the few disputes which stakeholders were encouraged to pursue through legal channels.

VII. Results and the Aftermath

Soon after the polling stations closed unofficial results began to appear. One of the first reactions came from Hezbollah admitting their defeat. However, Hezbollah official, MP Mohammed Raad, was quick to warn on June 8th that “the majority must commit not to question our role as a resistance party, the legitimacy of our weapons arsenal and the fact that Israel is an enemy state.” Later on, Hezbollah leader, *Sayed Hassan Nasrallah*, said that his organization acknowledges the defeat and will pursue the election violations in a legal manner and not resort to the street.

The international community overwhelmingly welcomed the Lebanese results where the March 14 coalition secured the majority with 71 seats while the March 8 coalition remained in the minority with 57 seats.

Official numbers for the voters’ turnout were as follows: 38.66% in Beirut, 61.50% in Mount Lebanon, 55% in Bekaa, 55% in North, 56.25% in South and 48.66% in Nabatiye, with national average of 54.8%.



VIII. Recommendations

1. The electoral law should be re-visited to guarantee better representation of the different components of the Lebanese society and Lebanese political groups. Several reforms have been proposed in that sense by the National Commission on Electoral Law (the Boutros Commission), by politicians, parties, as well as independent local and international groups. These reforms advocate a different electoral system either based on proportionality, or smaller districts with anywhere between one and three candidates in each.
2. Districts should be rezoned to ensure a minimum of consistency and uniformity among them in terms of parliamentary seats, geographic size and constituencies.
3. Ballots, which are pre-printed, standardized and uniform containing the name alongside the picture of each candidate, should be adopted.
4. Voting age should be lowered to the minimum of 18.
5. Awareness campaigns should be developed to encourage women’s participation in the electoral process.
6. Out-of-Country Voters’ rights to cast their ballot in their countries of residence should be implemented, especially that it has already been agreed upon by the Lebanese authorities and the various political and confessional groups.
7. Voters’ education about the different steps of the electoral process should be enhanced.
8. The independent electoral commission to organize the elections, separately from governmental structures, should be finally established.
9. Electoral disputes resolution system should be set in a clearer and more practical manner.
10. Campaign Finance and Campaign Media Laws needs to be re-written taking into account the feasibility of enforcement.

Appendix I – Electoral Funding and Spending

Article 54

The electoral campaigns funding and the candidates spending during the electoral campaign which starts on the date of application for candidacy and ends upon closing the ballot boxes, shall be governed by the provisions of the present law.

Article 55

- 1-Each candidate must open an account under the name “**Electoral Campaign Account**” with an operating bank in Lebanon. He shall attach to the candidacy application, a certificate from the said bank, proving the existence of such an account and mentioning the account number and owner’s name.
- 2-The Electoral Campaign Account shall not be subject to bank secrecy. The candidate is automatically considered as waiving the right to such secrecy upon the account opening.
- 3-All electoral contributions and expenses shall be exclusively made through this account during the period of the electoral campaign.
- 4-Every candidate shall determine the procedures that he/she follows for receiving funds and contributions meant to fund the electoral campaign and the authority to pay electoral expenses, in conformity with the provision of the present law.
- 5-No amount exceeding 1million LBP shall be received or paid unless by check.
- 6-Each candidate shall, upon filing the candidacy application, declare the name of his financial auditor, under a notarized written letter submitted to the Commission.

Article 56

- 1-The candidate may use his own money to fund his electoral campaign. The money of the spouse or any of the ascendants and descendants shall also be considered as the candidate’s own money. All expenses contracted or paid by the candidate from his own money for his electoral campaign shall be subject to an expenditure ceiling.
- 2-Only Lebanese natural or legal persons may offer contributions for a candidate’s electoral campaign.
- 3-A candidate or list shall be strictly prohibited from accepting or receiving, whether directly or indirectly, contributions or aids from foreign states or from a non-Lebanese natural or legal person. (Correction of typing mistake in the Arabic version by virtue of law /59/ dated 27/12/08amending some articles of law no. 25)
- 4-Any grant, donation, cash or in-kind gift or subscription offered to the candidate, shall be considered a contribution to the electoral campaign funding.
- 5-The services provided for free by volunteers shall not be considered as contributions as per this law.
- 6-The total amount of all contributions received by a candidate for his electoral campaign shall not exceed the electoral expenditure ceiling.

Article 57

- 1-The maximum limit of funds that each candidate may spend on his electoral campaign shall be determined as follows:
 - a. A fixed flat amount equivalent to one hundred and fifty million Lebanese pounds
 - b. A variable part depending on the number of voters within his electoral district and determined by virtue of a decree issued by the Council of Ministers upon the suggestion of the Minister of Interior and Municipalities.

Article 58

The aggregate expenses incurred by the candidate and those paid in their favor or with their express or tacit consent by other persons, shall be considered electoral expenditure under the present law. The said expenditure shall be directly related to the electoral campaign. It shall include among others:

- 1-Rental of electoral offices and all related charges.
- 2-Organization of rallies, festivals, public meetings and election-related banquets.
- 3-Preparation, publication and distribution of advertising and promotional material such as books, booklets, bulletins, publications, and letters sent by regular or electronic mail.
- 4-Design, printing, distribution and posting of pictures, posters and billboards.
- 5-Compensations paid to party agents and persons involved in the electoral campaign.

6-Transportation fees of electoral campaign staff and voters.

7-Electoral promotion costs and any other costs paid to any radio, TV, newspaper, magazine or any other publication used for electoral campaigning.

Article 59

Financial donations including service provision or payment of money to voters such as (interalia) in-kind and cash donations and support to individuals, charity, social, cultural, family, religious organizations or other, or sports clubs and all non-public institutions shall be prohibited during the campaign period. The above-mentioned donations shall not be prohibited if they are granted by candidates or institutions owned or run by candidates who have been doing so on a regular basis for not less than three years prior to the commencement of the electoral campaign.

Article 60

1. The Commission shall form one committee or more to undertake, independently from any other authority, the supervision of candidates' compliance with the provisions concerning the opening of the electoral campaign bank account, as well as financial support and contributions and expenditure during the electoral campaign.

2. The Commission may at any time, check the "electoral campaign account" of each candidate and request any information or documents or clarifications.

3. The committee shall submit to the Commission a report on the audit and supervision results and the candidates' compliance with legal provisions concerning funding and spending.

Article 61

1-After the elections, each candidate must draw up an exhaustive statement of account following the principles of accounting and including, in details, the total received contributions with their sources and dates, and the total of expenses paid or to be paid with their nature and dates, during the electoral period.

2-This statement should be submitted to the Commission within one month after the polling day along with supporting documents related to all account items, such as receipts and disbursement notes, in addition to an exhaustive bank statement of the electoral account showing all transactions made through this account since its opening until the submission of the said statement.

3-There shall be attached to the statement of account a declaration signed by each candidate--whether list candidate or independent candidate- and notarized in order to be accurately dated. The candidate declares thereby, under his full responsibility, that the attached statement of account is correct, exhaustive and includes all received contributions and paid or to be paid expenses pertaining to the electoral campaign. He shall also expressly declare that there are no other cash or in-kind expenses or funds paid in cash or through other bank accounts or third parties.

Article 62

1-Whoever intentionally breaches any of the provisions of this chapter shall be sentenced to 6months imprisonment at most and to a fine ranging between 50 million LBP and 100 million LBP, or to one of the said sentences, with no prejudice to sanctions of penal crimes as per the law.

2-When the challenge is submitted, the commission's report and the candidate's exhaustive statement of account shall be sent to the Constitutional Council. The said documents shall be attached to the candidate's election challenge file.

Appendix II – Electoral Media and Advertising

Article 63

In the implementation of the present law, the hereunder terms, whether used in their singular or plural form, shall have the following meaning:

- **Electoral media:** Any media material such as news, analyses, statements, interviews, debates, discussions, reports, press conferences and meetings, directly or indirectly related to elections and broadcasted for free, in the usual or special programs of a media company.
- **Electoral promotion:** Any material related to the candidates' programs, electoral campaigns and political and electoral positions, recorded/filmed inside or outside the media company studios, and through which the candidate wishes to address the voters by broadcasting it, at their own expense, in the company's programs dedicated for this purpose, against a specific price.
- **Electoral advertising:** Any material promoting the election of a certain candidate broadcasted against specific prices, during the commercials' breaks of the media company.
- **Electoral material:** It includes the electoral media, promotion and advertising.

Article 64

Each list or candidate shall undertake the organization of various legal activities to explain their electoral program using the appropriate way and means, with no prejudice to the rules and regulations.

Article 65

During the electoral campaign period determined in this law, the electoral material used in the audio visual and printed media starting the date of application for candidacy until the closing of ballot boxes, shall be governed by the provisions of the present chapter

Article 66

A- Paid electoral promotion and advertising in both private and public audio-visual and printed media shall be authorized pursuant to the following provisions:

- 1- The private and public media wishing to take part in electoral advertising or promotion shall submit to the Commission, at least ten days before the beginning of the electoral campaign, a declaration expressing its wish to participate, along with a price list and information on the "spaces" it intends to consecrate for electoral advertising and promotion.
- 2- The media shall comply with their price list and "spaces" allocation info submitted. They shall not reject any electoral advertising requested by a candidate adhering to the mentioned prices.
- 3- Media companies failing to submit their declaration within the set deadline shall be banned from undertaking any electoral promotion or advertising activity during the whole electoral campaign period.
- 4- The audio-visual media shall expressly indicate when broadcasting electoral ads that they are paid ads as they shall mention the advertising party.
- 5- The media shall be banned from accepting any ads for free or against a rate that is different from the price list submitted.
- 6- The candidate or its legal representative shall submit a copy print/tape of the electoral promotion or advertisement, along with a written booking request, to the Commission and media companies to broadcast it. This shall be done three days at least before the first broadcast date.
- 7- Every media company shall 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.
- 8- None of the candidates may disburse more than 50% of their total promotion and advertising spending to one Media Company, be it a radio station, TV channel, or printed media.

B- Audio visual and printed media wishing to cover the voting and vote count procedures shall obtain written authorizations for this purpose from the Commission, pursuant to the provisions of the present law.

Article 67

The public media shall remain impartial in all phases of the electoral process. They (including body and staff) may not carry out any activity that might be considered in favor of any candidate or list at the expense of another candidate or list.

Article 68

- 1-All media shall observe the freedom of expression of opinions and trends of thought in the private audio-visual media during the electoral campaign so that fairness, balance, and impartiality among candidates and lists would be guaranteed.
- 2-Clause 1 above shall apply to all electoral media programs and public and political news programs including news bulletins, political talk shows, interviews, reports, meetings, discussions, round tables and live electoral events.
- 3-None of the audio visual private media shall declare its support or encouragement to any candidate or list, in order to maintain the principle of independence. The mentioned media shall, during the electoral campaign, clearly distinguish between facts and realities on one hand and opinions and comments on the other hand, in all their news bulletins.
- 4-During the electoral campaign, the audio-visual media, lists and candidates shall abide by the following obligations: - Refrain from any act of libel, slander and defamation towards any list or candidate. - Refrain from broadcasting anything that might trigger religious/confessional/ethnic sensitivities or acts of violence or riots, or support for terrorism, crimes, or sabotage. - Refrain from broadcasting anything that might be a means of pressure, intimidation, mistrust, allusion, disbelief, or promise of material or in-kind benefits. - Refrain from distorting, screening, falsifying, omitting, or misrepresenting information.
- 5-The Commission shall ensure the balance in media access during the electoral campaigning period among competing lists and candidates by binding media companies to host all competitors--list representatives or individual candidates--under the same conditions in terms of timing, duration and program types.

Article 69

All audio-visual media shall reserve, during the electoral campaign, at least three hours weekly for broadcasting election-related educational programs produced by the Ministry of Information, and the Ministry of Interior and Municipalities, in coordination with the concerned media.

Article 70

- 1-The competent local authority shall, under the supervision of the administrative authority in each city or village, designate appropriate billposting places for electoral ads and posters during the whole electoral campaign period.
- 2-No ad or poster for candidates shall be posted outside the places reserved for this purpose. In addition, any candidate shall be prohibited from posting an ad or a poster in places reserved for others.
- 3-The competent local authority shall allocate the specified places as per Clause 1 of this article among lists and candidates according to the order in which candidacy applications were filed or announcement of lists was made. ("or announcement of lists" added by virtue of law /59/ dated 27/12/08 amending some articles of law no. 25) Local authorities and companies exploiting the ads places shall collaborate with the Commission for the sound implementation of these provisions.
- 4-No candidate or list may waive his/its electoral ads places in favor of another candidate or list.

Article 71

- 1-Public utilities, governmental institutions, public institutions, private or public universities, faculties, institutes and schools, and houses of worship may not be used for electoral events and rallies or for posting pictures or for electoral promotion purposes.
- 2-Civil servants and employees of public institutions, municipalities, and municipal unions may not use their powers in favor of any candidate or list.

Article 72

On the elections' day, the distribution of ballot papers, flyers, or any other documents in favor of or against a candidate shall be banned at polling center entrances or any other place located in the direct vicinity of the center, at the risk of confiscation without prejudice to all other sentences stated herein.

Article 73

Twenty-four hours before polling day until the closing of ballot boxes, all private and public audio-visual media shall be prohibited from broadcasting any live electoral advertisement, promotion, or call, except for voices/scenes that cannot be avoided while covering the electoral operation. On the Elections Day, coverage shall be limited to the electoral activity happenings.

Article 74

- 1-The Commission shall specify the conditions of opinion polls operations performed during the electoral campaign and the procedure to follow in order to ensure reliable, fair and impartial polls.
- 2-The Commission shall specify the terms and conditions of publication, broadcasting, and distribution of opinion polls results during the electoral campaign. It shall have all powers to verify the compliance of opinion polls with rules and regulations and with the Commission's decision. It shall be entitled to take all necessary measures in order to stop or remedy violations against audio-visual media, opinion polls institutions, or any third party.
- 3-The party conducting the poll shall be responsible of mentioning in the announcement, publication, broadcasting, or distribution of the opinion polls' results the following information: - Name of the entity conducting the opinion poll - Name of the entity asking for and paying the cost of the opinion poll - Dates for conducting the on-the-field-opinion poll - Size, mode of selection and distribution of the polled sample - Poll technique - The verbatim asked questions - Limits of results' interpretation and margin of error when need be.
- 4-Ten days before the polling day and until the closing of all ballot boxes, no opinion polls or comments thereon shall be published, broadcasted or distributed in any way whatsoever.

Article 75

- 1-The Commission shall verify the adherence of printed and audio-visual media in Lebanon to the electoral promotion provisions mentioned herein.
- 2-The Commission shall, at its own discretion, assess whether or not, and to what extent, the access of candidates to foreign satellite media should be part of the advertising and media spaces allocated by the Commission to each list or candidate.
- 3-The Commission shall immediately consider any complaint filed by a wronged list or candidate. Decisions as to filing such complaint in the competent Court of Publications shall be taken within twenty four hours of receipt.

Article 76

Without prejudice to the criminal code, press law, and audio-visual media law, the Commission may take any of the following procedures against any printed or audio visual media for violating the provisions of this chapter on electoral media and advertising:

A - Address a warning to the defaulting media and compel it to broadcast an excuse or enable the wronged candidate to exercise the Right to an Answer.

B- Refer the defaulting media to the competent Court of Publications who shall take one of the measures hereunder:

- Impose a financial fine on the defaulting media ranging between 50 and 100 million Lebanese pounds.
- Partially suspend the work of the defaulting media for a maximum of three days. This measure shall include suspending all political and news programs, bulletins, interviews and fora.
- If the violation recurs, totally suspend the work of the defaulting media and totally suspend all of its programs for a maximum of three days. The Public Prosecution shall sue the defaulting media before the Court of Publications directly or upon a request filed by the wronged party. The defaulting media shall submit a brief to the court within 24 hours of notification. The Court of Publications shall render its judgment within a maximum of 24 hours. The Public Prosecution and the accused party may appeal the decision before the Court of Appeal within 24 hours starting from the judgment declaration date for the Public Prosecution, and from the notification date for the defaulting media. The appeal shall not stop the judgment execution unless the Court of Cassation decides to stop the said execution within 24 hours after filing the challenge.

Article 77

Media companies shall broadcast and publish the corrections and feedback of candidates within a period of 24 hours after the broadcasting/publication of the criticized news. The media shall refuse to broadcast/publish any feedback violating the laws.