

Decree No 1517

Procedures and Conditions of elections' observation by the concerned international entities

The President of the Republic,

Pursuant to the Constitution,

Pursuant to the Parliamentary Elections Law No. 25 dated 8/10/2008 and its amendments, and particularly article 20 thereof,

Pursuant to the recommendation of the Minister of Interior and Municipalities,

And after consulting the State Council (opinion No. 126/2008-2009 dated 12/2/2009),

And upon the approval of the Council of Ministers on 26/2/2009,

Decreases the following:

Article 1:

The following terms and expressions, wherever mentioned in this decree, shall indicate the following:

- The Ministry: the Ministry of Interior and Municipalities
- The Minister: the Minister of Interior and Municipalities
- International entities: the international and regional organizations, the international non-governmental organizations, and the States' representatives and delegates.
- The observers' teams or observers: delegations accredited by an international entity to accompany the elections on its behalf.

Article 2:

International entities that meet the conditions stipulated in this decree shall be entitled to accompany the parliamentary elections, provided that they abide by the applicable laws and regulations and respect the sovereignty of the Lebanese Republic.

Article 3:

International entities willing to accompany the electoral process shall meet the following conditions:

- 1- International and regional organizations or international non-governmental organizations:
 - a. Enjoying a legal personality pursuant to the laws of their countries of registration or pursuant to the international conventions that they established.
 - b. Their statutes shall stipulate objectives that are directly related to democracy, human rights, elections, transparency, or training thereon.
 - c. Should have already dispatched delegations to accompany elections or teams to observe the official electoral process of at least five countries.
 - d. Should not be connected in any way to any Lebanese political party.
 - e. Shall abide, without reservation, by a Code of Ethics or a Memorandum of Understanding established by the Ministry of Interior and Municipalities for this purpose.
- 2- State representatives and delegates:

It is sufficient to fill the Special Observer Form issued for them by the Ministry.

Article 4:

- 1- The international organizations that meet the conditions may accompany the electoral process, either upon a clear request from the Lebanese Republic or upon an initiative from the international entities themselves expressing to the Minister, in writing, their willingness to accompany the electoral process. This procedure should be completed two months, at least, before the elections by virtue of a letter containing the following information and documents in Arabic or English:
 - a. Documents proving that it is a duly recognized international organization.
 - b. A copy of its statute or of the convention by virtue of which it was established.
 - c. A list of the observers' teams' names and identities, provided that they do not exceed 100 persons. The Ministry alone can accept or refuse the participation of any of the proposed names.
 - d. The estimated date of arrival of the observers' teams.
 - e. The name of the coordination and liaison official appointed by the international organization and charged with contacting and communicating with the official authorities, signing all documents and forms, and carrying out the various administrative affairs related to the accompanying process, by virtue of a written request issued by the competent authority and attached to the mentioned letter.
- 2- An special register shall be kept at the Ministry to record all pertinent requests and information.

Article 5:

The international entities can be represented by observers' teams or observers accredited on an individual basis. They have the freedom to choose these observers within the framework of the applicable laws and regulations. The Ministry agrees upon the observers' names and determines the allowed number for each international organization.

The observer accredited by international entities to accompany the electoral process shall meet the following conditions:

- a- He should have completed the age of twenty-one years at least at the date of his registration in the lists submitted by the international entity.
- b- He should not be convicted by a foreign or national court for a felony or crimes against public freedoms or human rights or corruption crimes.
- c- Should have experience and knowledge and should have participated in delegations concerning elections' observing and accompanying.

Article 6:

The international organizations are alone directly responsible for the observers acting in their names in all activities and works that they carry. All official authorities should remove any obstacle that obstructs the international organizations' and observers' work. They should also facilitate their work, ensure their safety, provide them with a security escort when needed, and guarantee their freedom in accompanying the electoral process all over the country.

The official authorities should, as well, ensure the freedom of the international entities and their observers to issue periodical and final data and reports stating the outcomes and recommendations about the electoral process without any interference in their work or activities, provided that these entities abide by the stipulations of the present decree.

Article 7:

The international organizations and their observers should always work in conformity with the following principles:

- 1- They should work within the limits of the Lebanese Republic sovereignty and abide by, respect, and implement the applicable laws and regulations in all cases. They should seek to cooperate with the electoral authorities in Lebanon and should not impede the elections progress in any way.
- 2- They should be objective, neutral, independent and comprehensive in all activities and works. They should not draw any conclusions unless they take into consideration all conditions and facts.

- 3- They should avoid any clash or conflict between the political, economic or other interests of the international organizations and accurately and objectively accompany the elections.
- 4- They should refrain from impeding and interfering in the electoral process or in the state's political affairs, and abstain from attempting to solve or arbitrate in conflicts.
- 5- They should refrain from instigating conflicts or starting any act that reveals prejudice or preference for any political or electoral force. Moreover, they should not show any kind of support or opposition to any party, political or electoral authority.
- 6- They should be neither directly nor indirectly connected to any Lebanese political groups, and have no relation with any of the parties running for the elections.
- 7- The reports that they draw should be made public and transparent as they always have to declare the methods that they use to get the information that they rely on. The information should be accurate, objective and based on accurate scientific standards.
- 8- They should always be ready to inform the Ministry and the Lebanese Government about their information sources and reveal them when requested.

Article 8:

The observers are entitled to be accompanied by translators or to have recourse to local translators in order to facilitate their duties. All translators should abide by the same legal procedures and code of conduct used by observers.

Article 9:

In addition to the above, the international entities wishing to accompany the electoral process should abide by the Code of Ethics or the Memorandum of Understanding established by the Ministry in participation with the said entities, by virtue of which they set the basic principles for accompanying the electoral process, as well as the rights and obligations of the international organizations and the code of conduct for the observers.

Article 10:

- 1- The Ministry decides on the accreditation of the international entity that expresses its willingness to accompany the elections within seven working days starting the date of receiving the letter presented by the international organization. The result shall be notified in writing to the concerned persons, their silence is considered an implicit rejection.
- 2- After having issued the decision of accrediting the international entity and its observers, the Ministry issues special cards for each accredited observer. The shape and content of these cards shall be designated by virtue of a decision issued by the Minister of Interior and Municipalities.

Article 11:

The Minister is entitled to cancel the accreditation to accompany the electoral process given to any international organization or accredited observer in case of violation of the Memorandum of Understanding or the Code of Ethics, or if the applicable Lebanese laws and regulations were not respected, especially the provisions of the present decree.

Article 12:

The Lebanese Republic shall not have any financial burdens resulting from accompanying the electoral process by the authorities concerned with the provisions herein.

Article 13:

This decree shall enter into force immediately upon its publication in the official gazette. It shall be circulated when need be.

Baabda, on 13 March 2009

President Michel SLEIMAN (signature)

Issued by the President of the Republic

President of the Council of Ministers, Fouad SINIORA (signature)

Minister of Interior and Municipalities, Ziyad BAROUD (signature)