



VIRTUAL PRE-ELECTION ASSESSMENT MISSION STATEMENT REGARDING LEBANON'S 2022 NATIONAL ELECTIONS

Introduction

The National Democratic Institute (NDI) assembled a group of experts to form a virtual pre-election assessment mission (V-PEAM) from February 7 to 18, 2022, to examine conditions for elections in Lebanon. The purpose was to assess the prevailing political environment and preparations for the upcoming 2022 elections and identify areas where change is possible to improve the integrity, transparency, and effectiveness of the elections. The delegation included technical and election experts from Canada, Georgia, and Jordan: Leslie Campbell, NDI Middle East and North Africa Regional Director; Ecaterine Siradze, Resident Director for NDI in Lebanon; Reem Abu Hassan, lawyer, human rights activist, and former Jordanian Minister of Social Development; and Grant Kippen, expert advisor in electoral and democratic development.

The team conducted its activities in accordance with the *Declaration of Principles for International Election Observation*, which establishes the basis for credible international election observation and was formulated and endorsed by 55 intergovernmental and international organizations, including the United Nations Secretariat. NDI's assessment was conducted in light of constraints imposed by the global COVID-19 pandemic, which precluded deployment of international personnel to Lebanon. To complete its assessment, the delegation met virtually with political party representatives, past and future political candidates, international observation groups, Lebanon's Supervisory Commission for Elections (SCE), political analysts and journalists. Despite many attempts to arrange meetings or to get official information about election preparations, the delegation was unable to interview anyone from the Ministry of Internal Affairs and Municipalities (MOIM) or the Ministry of Foreign Affairs of Lebanon MoFA. The delegation notes that the inaccessibility of the officials responsible for election preparations to election observers sets a negative precedent for further observation of Lebanon's electoral processes.

All activities were conducted on a strictly nonpartisan basis and without interfering in the election process. The Institute recognizes that, ultimately, it will be the people of Lebanon who will determine the credibility of their elections and the country's democracy. The delegation therefore offers this pre-election assessment in the spirit of supporting and strengthening democratic institutions, effective election practices, and accountability in Lebanon. The delegation is deeply grateful to all those who met with the delegation and generously shared their views. NDI stands ready to continue to assist Lebanon's efforts to build and sustain democratic practices, institutions, and civil society.

Summary of Observations

Election Preparations and Budget

Lebanon's parliament previously agreed to hold parliamentary elections on March 27, 2022, but the Minister of the Interior and Municipalities announced in January that elections would be delayed until May 15, 2022. The out-of-country vote (OCV) is slated to take place between May 6 and 8 depending on the country. In addition to Lebanese citizens planning to vote in-person on Election Day, a total of 244,442 Lebanese expatriates had registered to vote by November 20, 2021. After revision and checking of documents this number was reduced to 225,114. Lebanon is planning to open polling stations in 59 countries worldwide (this number excludes the polling stations in Ukraine) but preparations for elections, whether in the country or abroad, have been erratic and are running behind schedule at all levels.

Uncertainty about the budget for the 2022 election was the major concern cited during interviews. Many considered the election budget to be a 'red line'— without an agreed-upon budget, most interlocutors believed it would be impossible to conduct elections on time. In late February, the Cabinet of Ministers agreed on a budget of \$18 million USD (\$4.5 million will be allocated to the MoFA for the OCV) compared to \$54 million USD spent on the 2018 elections. Even at this greatly reduced level of expenditure – likely too little to successfully manage elections – the parliament voted for allocation of the budget only on March 29, 2022.

Electoral and Legal Framework

The electoral calendar according to Law 44 defines the electoral deadlines that need to be met in order to implement the electoral process in a credible, transparent, and inclusive manner. Unfortunately, the uncertainty of the election date itself and the lack of budget made it impossible to implement the election procedures as prescribed by the law. For example, the Supervisory Commission for Elections (SCE), a commission that oversees the election preparations of the Ministry of Interior, only received its mandate on February 25, 2022.

The Supervisory Commission for the Elections (SCE)

The Supervisory Commission is responsible for media monitoring, voter education and campaign finance monitoring. It consists of 11 members nominated by the cabinet of ministers. By law, appointments to the SCE were due by November 21, 2021, six months before the end of the current Parliament's term which is on May 21, 2022. In January 2022, the Minister of Interior decided to keep the previous commission composition in place. As the commission lacked three members and was running behind the electoral schedule, an additional three members were nominated on February 25, 2022 by the cabinet of ministers on the recommendation of the Minister of Interior. On February 26, the SCE issued a statement announcing the launch of its activities. The SCE has asked the Interior Ministry to allocate 5.8 billion Lebanese pounds (around \$250,000 USD at current rates) plus \$75,000 USD for technical equipment. As of this writing, the SCE has not received any of these amounts.

"MEGA" Centers and Accessibility

NDI's delegation heard many stakeholders express serious and legitimate concerns over the issue of polling station/center accessibility. These concerns ranged from lack of accessibility for

persons with disabilities and the elderly to the potential impact that high fuel prices would have on voters traveling to their home villages/cities, as well as fears around personal security and other types of intimidation. Lebanese law requires voters to return to the village or city of their initial registration – typically an ancestral town or village. This requirement was frequently cited in interviews as an impediment to the voting process. The economic crisis in Lebanon has skyrocketed fuel prices, in turn making travel from the current city of residence to their village of origin expensive and potentially impossible. Additionally, voter intimidation is reported to be more frequent in smaller villages and towns where political party influence is stronger.

The NDI delegation also considered the physical accessibility of polling centers. Peoples with physical disabilities and the elderly should be able to enter polling centers to cast their vote without assistance from others if they so choose; this has not been possible in past elections because when buildings with stairs and no elevators are used, these groups are forced to rely on others to physically get them to the ballot box, which can influence their decision of whether to go to vote or possibly subject them to undue influence when they vote. It was not evident in the discussions with NDI's delegation that the responsible ministries were implementing or even considering an agreed-upon approach to adequately address these concerns.

One possible solution, often raised in meetings, for accessibility problems and the myriad challenges of having to travel to ancestral villages to vote is the implementation of “MEGA” centers. MEGA centers, an initiative to allow voters to vote in nine convenient and populous “mega” locations, rather than returning to the village of their initial registration, have long been presented as a desirable election reform to facilitate access to a greater number of voters and to reduce intimidation and fraud on election day. Many interviewees were highly supportive of MEGA centers and argued that they would increase the accessibility and fairness of the election process in Lebanon. However, amendments to the law would be necessary in order to approve MEGA centers for use during the 2022 election. Additionally, the MOIM would need to fund and provide 3000 additional polling stations, 600 additional registration committees, and 6000 additional temporary workers to run MEGA centers, costing approximately LBP 22 billion. In short, the financial, logistical, and political impediments to the MEGA Centers would appear to make this reform impossible for 2022 elections. Even if timing allowed, there appears to be little support from policy makers to progress this option.

Diaspora Voting

Lebanon's large diaspora makes the out-of-country vote a crucial factor in its elections. Reportedly 225,114 Lebanese expatriates registered to vote, but whether they will be able to cast their votes remained uncertain for much of the pre-election process. Canceling OCV was discussed by government officials as a possibility to save on costs, although many with whom the delegation spoke said that canceling voting for the diaspora would call into question the inclusivity and legitimacy of the election itself. Funding issues compounded the complications of arranging polling centers internationally, as well as ensuring all Lebanese had the correct documents to be able to vote on Election Day. There had been discussions about confining the OCV to six members of parliament who would represent the diaspora. Several interviewees asserted that reducing diaspora representation to six members of parliament would be tantamount to canceling the OCV altogether. Many interviewees expressed their concerns that diaspora voting was being negatively affected by lack of commitment and the lag in preparations by the

government and MFA. The delegation notes that by law, Lebanese citizens abroad have the right to participate in elections, and the responsible ministries should ensure that every effort is made to protect this fundamental right.

Voter Education and Turnout

According to the Law, the SCE is responsible for voter education. As mentioned above, the necessary budget has not been allocated yet. In order for SCE to carry out its voter education and two other major supervisory activities – media monitoring and campaign finance monitoring – resources have to flow as soon as possible. Meanwhile, international and domestic organizations are actively carrying out voter education and media monitoring activities.

Voter turnout, or lack thereof, is perhaps one of the greatest challenges impeding Lebanon's democratic process. Beyond the accessibility issues, delaying decisions for crucial election processes and policies has given many in Lebanon the impression that this election is either unimportant or may not occur at all. Despite reassurances from lead government officials that elections will happen on time, Lebanon voters, CSOs, and parties all appear unsure, and at times very doubtful, about the elections.

An additional component of voter turnout lies in Lebanon's complex party system. Saad Hariri, former Prime Minister of Lebanon and leader of the Future Movement, in January 2022 announced his plan to suspend his involvement in political activities and to not run in 2022 elections. This withdrawal of a major Sunni-affiliated figure has led to concerns that Sunni voters may not participate in the elections this year. With an estimated one third of the country identifying as Sunni muslims, their abstention, or suppressed turnout could reduce the credibility of Lebanon's election.

Political Parties, Movements and Independent Candidates

The Taif Accord, signed after the civil war in 1989 by Lebanon's warring parties, effectively ended the conflict and allowed the sectarian political system dominated by a ruling elite, many of them former militia leaders, to become entrenched. Corruption grew rife and political parties established patronage networks that doled out everything from government positions to business opportunities and contracts, buying electoral support from the citizenry once election time came. The 2019 October uprising focused on reducing the power of corrupt ruling elites and established political parties and patronage networks. Lebanon saw the proliferation of new political movements that advocate for major political reforms in the country. V-PEAM met with some of these movements during the mission. It was reported to us that all new political movements support a more level playing field within the Lebanese political process in order to help reform it and increase voter participation. These reform parties and movements insist that the parliamentary elections currently scheduled for May 2022 occur on time. From their perspective, delaying the elections would potentially allow establishment figures to keep key seats across the country and slow momentum for reform. These new political movements also believe that delays in electing reform minded leaders will hasten Lebanon's economic woes. The political reformists believe that political momentum is behind them following the 2020 Beirut port explosion and delaying the elections could undercut their momentum.

Registration of Candidates

Although registration for candidates opened by the decree of the Minister of Interior on January 10, the actual ability of candidates to register was delayed because bank closures stymied the process of opening official candidate bank accounts. On February 10 the Central Bank of Lebanon responded to the decree of the Minister of Interior which addressed the respective banks and instructed them to facilitate the opening of accounts for candidates. This accelerated candidate registration and by March 15, 1043 candidates submitted their candidacies (888 men and 155 women) to the MOIM. The Ministry has five days to revise the submitted documents and approve candidacies.

Intimidation and Gender

Interviews with women and independent candidates brought up concerns of intimidation. Female candidates in Lebanon have been frequent targets of online hate and harassment campaigns. The attacks on the women candidates are insults and degrading comments made on their personal character, unrelated to their policies or platform. Lebanese women who attempt to participate in the political process also face discrimination and vitriol from extended family members and local men who do not believe women should be involved in politics. Lebanon's law does not set any minimum gender quota for the parliament or political parties. Without a quota system like those implemented by many other countries in the region, women candidates are less likely to be noticed, promoted, encouraged or selected as candidates by their own parties. Independent candidates of all genders running for office in Lebanon experience intimidation from traditional political parties. Candidates from 'opposition' parties and those from outside the main ruling parties of Lebanon receive threats of violence and harassment and face many obstacles to success.

Recommendations

The biggest challenge for the upcoming elections in Lebanon will be the participation of voters on Election Day. This problem needs to be addressed by every stakeholder of the electoral process in a timely and credible manner. The following recommendations, listed by stakeholder, address voter participation and other minimum improvements that could be implemented before voting day:

Lebanese Government

- The government needs to commit resources and personnel to ensure that voters are able to participate in the election both in Lebanon and abroad. With over 225,000 Lebanese voters registered to participate in the elections overseas, NDI's delegation recognizes that there continues to be significant challenges to out-of-country voting. NDI delegates' concerns about the challenges to accessing the polling stations for the elderly and those with disabilities must also be addressed. The respective government institutions overseeing the elections need to take into consideration the special needs of various voters, ensuring that every voter is given a chance to cast a vote and exercise their constitutional rights on Election Day.

- NDI's delegation recommends that the Lebanese government ensures that all aspects of the electoral process are adequately funded and resourced. The government should also ensure that security forces are available and trained in their roles and responsibilities as guardians of the elections process. The delegation also recommends that all government ministries and institutions involved in managing and supporting the elections process are coordinating their efforts and that maximum efforts are being made to ensure the process is credible, transparent and inclusive.
- The role of the Supervisory Commission for Elections (SCE) is limited to the monitoring of the media's compliance with campaign regulations and the monitoring of candidates' and lists' campaign finance. However, the delay in forming the SCE and budget allocation, seriously undermined its capacity to effectively fulfill its mandate. The VPEAM recommends that the SCE should be granted full financial and administrative autonomy from the Ministry of Interior and Municipalities (MoIM), and sufficient financial and human resources to carry out its legal duties.
- NDI's delegation recognizes the particularly difficult challenges facing women candidates standing for election. The delegation would welcome effective actions to be taken on the part of the responsible ministries and other stakeholders to address this serious issue. Examples include a code of conduct that all candidates/parties/stakeholders would sign that would explicitly prohibit all forms of gender-based intimidation.

Political parties / Candidates

- Political parties and independent candidates need to ensure they communicate actively and deliver information about their campaign programs to the larger public, in order for them to make informed choices during the election.
- Political parties and independent candidates must clearly communicate to Lebanese voters and citizens that they reject and denounce all types of violence and intimidation initiated throughout the elections period.
- Political parties and candidates need to prevent supporters from using intimidation, threats, vote buying and other forms of coercion in order to guarantee a credible, free, and inclusive electoral process.
- Political parties should address issues of women's participation by clearly communicating specific steps that the party/list is implementing. NDI's delegation understands that there is no gender quota in the law obliging political parties to present a minimum number of women candidates on their lists. However, the delegates encourage political parties to regulate the issue internally by setting up a minimum women's quota for the party candidate lists. This would create a positive precedent that later can be translated into law as a parliamentary quota.

International Community

- International parties need to stay engaged in Lebanon and support all electoral stakeholders in carrying out upcoming parliamentary elections in a fair and equitable manner.
- International parties should observe and monitor the electoral process to ensure electoral stakeholders are contributing to a credible, transparent, and inclusive elections

Media

- For the citizens to make the informed choices during the election, the media needs to stay engaged and make sure that Lebanese voters are informed on the electoral processes, voters rights and responsibilities, political parties and candidates as well as lists and E-Day procedures.
- Media should report on candidates and their platforms as a matter of public interest in order for voters to be able to make informed decisions, rather than limiting coverage of campaigns and candidates to those who are willing and able to pay for airtime.
- Media should inform the public of the electoral offenses that are taking place during the pre-election period, on election day and after the election;
- Media should report on cases of intimidation of journalists to the public and relevant authorities.
- Media outlets should provide equitable coverage of the female candidates running for this year's parliamentary election. With only 155 registered women candidates and low female candidate representation across districts, the V-PEAM recognizes the need for parliamentary diversity which can be done by encouraging media outlets to provide more coverage on the different women candidates running for the elections. This could encourage voter turnout among women voters as well as ensure that gender related electoral offenses are acknowledged and addressed by providing platforms for discussion.

Local Civil Society Organizations (CSOs)

- Domestic CSOs need to continue their activities in an impartial and objective manner and continue informing the public and respective authorities on their observation efforts and the shortcomings of the electoral processes.
- Domestic CSOs should pay special attention during their election observation effort to ensure that every voter has the ability to exercise voting rights in a free and informed way.
- Throughout the pre-election, election day and post-election observation, CSOs need to report cases of intimidation and pressure on voters in a timely and public manner.