

Lebanon's 2022 Elections: The imperative for establishing an impartial Election Management Body to consolidate broad-based ownership of much needed reforms

Overview

Nearly two years after the breakout of Lebanon's financial and debt crisis, and a year after talks between Lebanon and the International Monetary Fund (IMF) over a potential support package halted, amid infighting between the government and central bank over the scale of losses in the banking system, the World Bank confirmed recently that Lebanon is facing one of the worst economic crisis in the world since the mid-19th century.¹ The explosion that destroyed the Beirut port and deliberate policy in-action has compounded the economic freefall. Squabbling between Prime Minister-designate Saad Hariri and the Hizballah-backed President's son-in-law Gibran Bassil, however, has led to political paralysis in forming a cabinet. In the absence of a functioning executive, Lebanon is unable to re-engage with the IMF and the rest of the international community, while its economy has continued to collapse, and systematic impoverishment of the population is threatening law and order.

Against this backdrop, the mandate of the Lebanese parliament is scheduled to end in May 2022 and elections should be held without delays in order to protect and consolidate a democratic transition of power. We are calling for an independent Electoral Management Body (EMB) backed by international support to be established to oversee Lebanon's upcoming elections for these elections to be a potential vehicle for change and consolidate a broad-based ownership of future socio-economic and institutional reforms. Independent EMBs are the most common model of electoral management worldwide. In Lebanon the Ministry of Interior administers the entire electoral process. Given that the Interior Minister's position is highly politicized and often used to advance political interests, and given that the corruption in Lebanon is mostly aimed at political gain by the existing political parties (clientelism, illicit financial gains by elected members, and appointed officers...) establishing an EMB to oversee and administer Lebanese elections could help tackle financial corruption (including campaign financing) which have enabled elections to be manipulated by the most powerful and to favour the status quo political parties.

¹ The IMF reported more than 90 billion-dollar losses at the central bank while that bank and parliamentarians say it is half that large. *Voice of America*, "As IMF talks drag, Lebanon's economy spirals," 2 July 2020. <https://www.voanews.com/middle-east/imf-talks-drag-lebanons-economy-spirals> . For the World Bank report, see <https://documents1.worldbank.org/curated/en/394741622469174252/pdf/Lebanon-Economic-Monitor-Lebanon-Sinking-to-the-Top-3.pdf>



An independent EMB could tackle another challenge we fear could also derail the elections as a vehicle for change: low voter turnout. In the most recent parliamentary elections in 2018, voter turnout was 47%, down by almost 5% from the previous vote. Low voter turnout is not so much a sign of political apathy but an indicator of the widespread mistrust of the government's administration of the election process. What Lebanon needs to resolve the lack of trust in the election process is an independent EMB to administer elections and not the Interior Ministry. The international community can help technically, logistically and financially with this. The Interior Ministry's continued administration of the 2022 elections will reinforce the perception amongst many Lebanese citizens that the electoral process is rigged. Therefore, a trusted and credible electoral authority is essential for the 2022 elections to be a vehicle for change. Without the establishment of an independent EMB backed by international support, we fear that despite the fury and frustration felt amongst Lebanese over the port explosion, months of economic meltdown, social distress, and loud demands for change, the current political ruling class will continue to dominate the political system. The following outlines why we believe the establishment of an independent EMB with an international component to administer elections is an essential institutional reform for elections to be a changemaker in Lebanon.

Why Lebanon Needs an Independent EMB with International Commissioners

The independent EMB is now the most widely used type of electoral management authority in the world. An independent EMB is institutionally autonomous and independent from the government and parliament. It has and manages its own budget. Its members are widely respected and trusted figures in society, known for their political nonalignment. The other types of EMBs - the mixed model and government model - will fail to tackle the challenges facing election administration and trust in Lebanon. The government model is where elections are organized by the executive branch of government. International experience shows that three conditions need to be in place for a government EMB to be considered credible by the public: a high level of trust on the part of the public in the neutrality of government administration of elections; a clear separation between the Ministry overseeing elections and the electoral administrative body under their responsibility; and ministers are not involved in any way in the planning for and organization of the election process. All these conditions are absent in Lebanon: the Minister of Interior who oversaw the 2018 elections was a candidate himself along with additional 13 members of the 2018 cabinet including the prime minister, the minister of foreign affairs and the minister of finance. A mixed EMB draws its members from the government or parliament along with non-partisan figures. Applied in Lebanon, this model is unlikely to improve citizens' trust in the election process. For many Lebanese voters, an EMB including affiliates or members of the current political parties will do little to improve citizens' trust in the electoral process. For these reasons, we are calling for the independent EMB model to be applied.

It is not uncommon in countries moving away from civil unrest or a corrupt political system lacking credibility across society to include a temporary international component to the national EMB to overcome the widespread mistrust levelled against the nation's own electoral machinery. For example, in South Africa's first post-apartheid elections, the Independent Election Commission (IEC) was supported by five international electoral commissioners who served as advisors to the EMB.² There are also regional examples of the international community putting pressure on political leaderships to establish an independent EMB. This was the case of the Central Elections Commission (CEC) of Palestine.

² The five international commissioners were Danish political scientist and electoral systems expert Jørgen Elkit; Gay MacDougall, a prominent US civil rights activist and leader on human rights within the United Nations; Ron Gould, one of the world's leading experts on the organization and management of elections who was assistant chief electoral officer at Elections Canada and had participated in more than 100 elections in over 70 countries; Walter Kamba, former vice chancellor of the University of Zimbabwe; and Amare Tekle, a former referendum commissioner from Eritrea.



We believe that the international community recognizes that combatting corruption must occur through transparent and well-managed election processes. This is best indicated by the recently convened special session of the United Nations General Assembly on combatting corruption. The political declaration adopted in May included, for the first time, the need to strengthen and implement measures “that protect the integrity of the electoral process and promote...impartiality in domestic electoral institutions and oversight mechanisms.”³

An Independent EMB with oversight from international electoral experts as a prerequisite for any form of international support to Lebanon

We are convinced that the Lebanese government will be unwilling to relinquish control over election administration, which renders the formation of an EMB, meeting the aforementioned conditions, even more critical in order to avoid the misuse of international financial and humanitarian support and ensuring aid effectiveness in the coming years. This could be achieved through conditioning any future support package for Lebanon to the establishment of an independent EMB as a key element of the governance reforms tackling corruption and transparency and to ensuring adequate budgetary provisions for it under a prospective IMF program.

We are fully aware that the IMF has no mandate over political reforms and could be accused of undue interference in domestic sovereign affairs, something we are keen to avoid, in order not to undermine the success of a much needed engagement with the IMF,⁴ Having said that, we are convinced that ensuring electoral integrity process, one that re-establishes trust in political institutions is critical for building broad-based ownership and consolidating the legitimacy of the momentous reform agenda awaiting Lebanon’s economy and society under an IMF program. As such, an independent EMB is a necessary foundation.

International sanctions on members of Parliament and Government refusing to adopt and execute the anti-corruption reforms

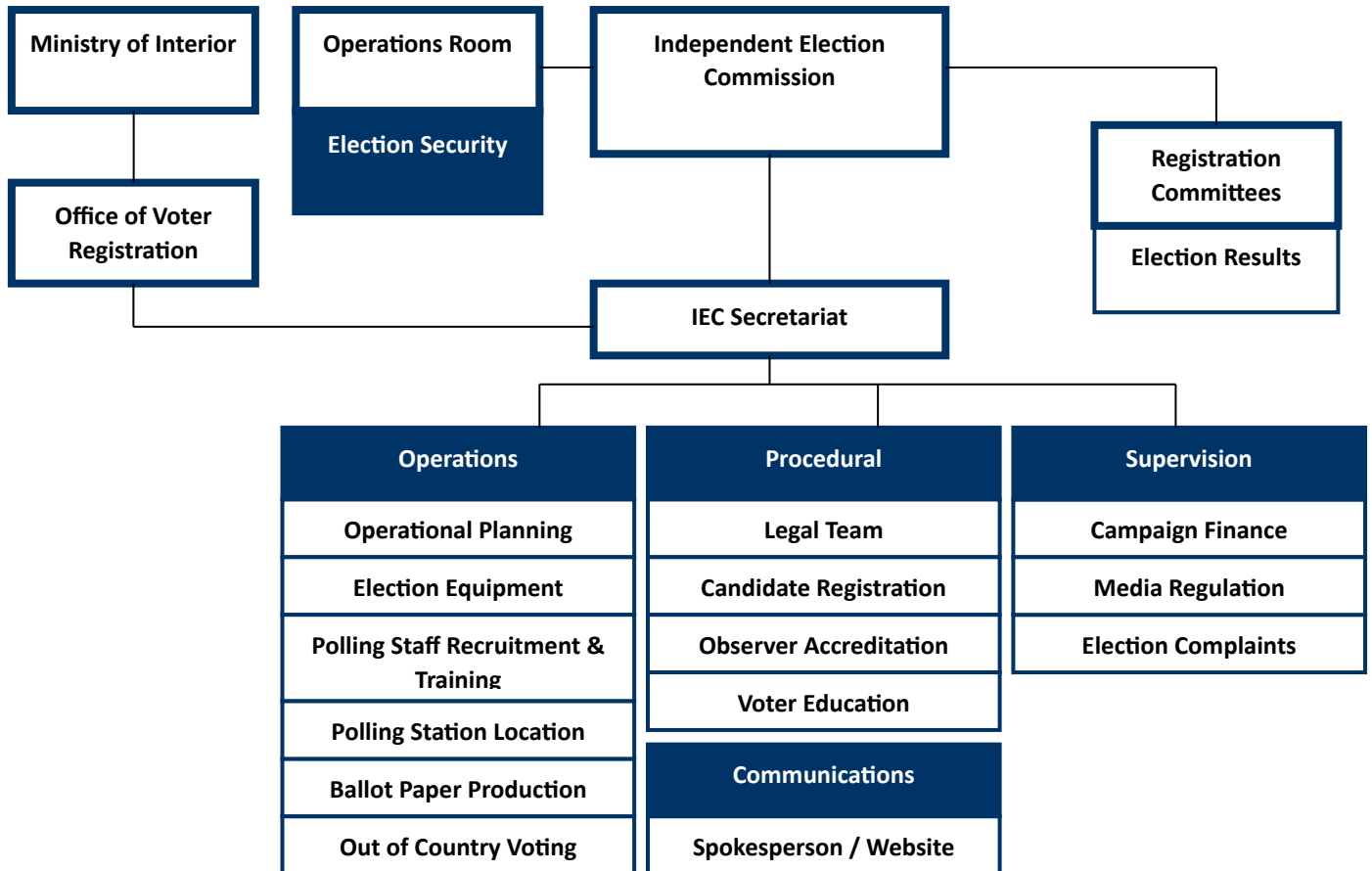
We are calling on the international community to support our calls for anti-corruption reforms. In the absence of political will to implement reforms that will increase the transparency of the electoral process and curb the influence of external powers who have previously supplied members of parliament with financial support to buy votes, we believe that the international community should also support sanctions on members of parliament and government who refuse to adopt and execute the proposed anti-corruption reforms.

³ Clause 12, *United Nations General Assembly*, “Thirty-second special session: Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation,” May 2021, p.5.

⁴ <https://www.imf.org/en/About/Factsheets/Sheets/2016/08/02/21/28/IMF-Conditionality>



The following diagram demonstrates the structure of an independent EMB, which can be established ahead of next year's scheduled elections. *It can be fully functional within 3 to 4 months period.*





Endorsed by:

- Kataeb Party
- Minteshreen
- Independence Movement
- Liqaa Teshreen
- Tahalof Watani
- Khat Ahmar
- North Revolutionist Union
- Nabad El Janoub - Pulse of the South
- The Lebanese Diaspora Network - TLDN
- Collectif Libanais en France