

ictj briefing

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Dead at the Root

Systemic Dysfunction and the Failure of Reform in Lebanon

Lebanon is in crisis and its people are tired-tired of decades of endemic corruption, mismanagement, and impunity and tired of moving from one disaster to the next without making progress on long-awaited reforms. The massive explosion in the capital on August 4, 2020, was only the latest tragedy, the result of decades of systemic dysfunction that perpetuates injustice for victims of all types of human rights violations in Lebanon and inflicts harms on countless Lebanese.

During the 15-year civil war (1975–1990), more than 150,000 people died, 300,000 were injured or disabled, more than one million were displaced, and more than 17,000 went missing. Although the 1990 Ta’if Agreement effectively ended the armed conflict, it failed to address human rights abuses committed during the war, a shortcoming that has meant a failure to address victims’ rights. Rather than curbing sectarianism, one of the root causes of the war, the agreement strengthened it by establishing a system of power sharing among the different warring factions along sectarian lines.

More than three decades after the signing of Ta’if, its proposed constitutional reforms remain little more than ink on paper. The agreement cited the need for a gradual plan for implementing political and institutional reforms, such as the promulgation of an electoral law on a nonsectarian basis, the establishment of a confessional senate, administrative decentralization, and the creation of a national committee to discuss the abolishment of political sectarianism. Instead, the agreement’s reinforcement of sectarian politics has led, in many instances, to the paralysis of political and administrative authorities. It also set the stage for a severely flawed and selective justice system that grants near total impunity at every turn to Lebanon’s elite and only makes weak attempts to seek justice in a few high-profile cases, while denying it to ordinary people.

In response, many Lebanese have spent years demanding the implementation of political and institutional reforms to end the sectarian political system that fuels networks of patronage and clientelism and allows for the kind of systemic corruption that has left the country grappling with the worst economic and fiscal crisis since the end of the war.¹ In 2015, the longstanding discontent over government inaction on these issues came to a

¹ Lebanon ranks 137 out of 198 countries for corruption. See “2019 Corruption Perceptions Index” webpage, Transparency International, www.transparency.org/en/cpi/2019#. Nearly half of the Lebanese population now lives below the poverty line. See World Bank, “Targeting Poor Households in Lebanon,” April 21, 2020.

Dead at the Root

Systemic Dysfunction and the Failure of Reform in Lebanon

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head as mass protests erupted—in part, because of a garbage crisis that became a potent example of state dysfunction. These demonstrations were organized by new grassroots groups, the most prominent of which were the “You Stink” movement and “We Want Accountability.” These groups and their supporters demanded, among other changes, political accountability. This demand was repeated in 2019 during the October Revolution, which was triggered by the deteriorating economic and financial situation. This time, the movement also called for the total removal of the corrupt political elite that has been exploiting the sectarian political system for its own benefit since 1990.

The deteriorating economic situation has been further exacerbated by the COVID-19 pandemic and the August 4 explosion in Beirut, which exposed the extent of the country's weak and overall dysfunctional political system. Approximately 200 people were killed in the explosion and over 6,000 wounded. About 300,000 remain displaced, while, according to the World Bank, “economic losses from the explosion are estimated at around \$3.5 billion, material losses at around \$4.5 billion, and urgent reconstruction needs at around \$2 billion.”² Although foreign donations have helped, the government has done little to respond to these harms and losses.

Similarly, there has been no effort by government to address the grievances underlying the 2019 revolution. On November 6, 2020, the US Department of the Treasury's Office of Foreign Assets Control, pursuant to US Executive Order 13818 under the Global Magnitsky Human Rights Accountability Act, sanctioned top Lebanese politician Gebran Bassil over alleged corruption,³ stating, “This designation further demonstrates that the United States supports the Lebanese people in their continued calls for reform and accountability.”⁴ Although Bassil was one of the main targets (among many others) of the October Revolution protests, some saw these sanctions as linked to Bassil's close ties with Hezbollah, harkening to similar US sanctions against two former ministers in September 2020 for providing material support to Hezbollah and engaging in corruption.⁵

Inconsistent Justice: Lack of Accountability for Violations against Ordinary Citizens

Since the Ta'if Agreement, amnesties and the failure to prosecute those responsible for serious violations of international humanitarian and human rights law have been features of Lebanese political life. Less than 18 months after the signing of the peace accord, a general amnesty was granted for all political and wartime crimes committed before March 28, 1991, with the exception of assassinations and attempted murders of “religious dignitaries, political leaders, Arab and foreign diplomats.”⁶ Explained at the time as necessary for ongoing demobilization efforts, the law established a legal framework and pattern of practice that prioritized the prosecution of crimes perpetrated against high-ranking elites during the civil war, while effectively preventing prosecutions of any violations committed against ordinary citizens.

2 United Nations, “At UN Assembly, Lebanese Leader Appeals for Help to Rebuild after Beirut Explosion,” September 23, 2020.

3 Gebran Bassil is a former foreign and energy minister and current member of parliament and head of the Free Patriotic Movement. He is also President Michel Aoun's son-in-law.

4 US Department of the Treasury, “Treasury Targets Corruption in Lebanon,” November 6, 2020.

5 These were former Finance Minister and current Member of Parliament Ali Hassan Khalil and former Public Works and Transportation Minister Youssef Fenianos.

6 General Amnesty Law No. 84 of 1991.

The amnesty law, as interpreted and expanded on, has weakened accountability by protecting perpetrators and establishing discriminatory and unequal legal protections. Since its promulgation, prosecutions relating to “ongoing and repeated crimes,” like enforced disappearance, which were expressly exempted from amnesty, have been rare. Prosecutors have not prioritized enforced disappearance cases, and courts have been reluctant to consider them as continuing crimes,⁷ regarding them as being covered by the amnesty. Further, very few lawsuits have been filed related to enforced disappearance, largely because of fear of reprisals, lack of evidence, lengthy trials, high costs, and the lack of trust in the judiciary.⁸

At the same time, few cases involving political assassination have resulted in convictions. In 2005, Samir Geagea, leader of the Lebanese Forces and the only warlord to be convicted and sentenced to life imprisonment for political assassinations committed during the war,⁹ was granted a special pardon under Law 677 after 11 years of imprisonment. More recently, the trial in absentia by the hybrid Special Tribunal for Lebanon (STL) of those accused of assassinating former Prime Minister Rafik Hariri ended in a guilty verdict for Salim Ayyash, one of the four defendants; however, neither that conviction nor the work of the court have made a meaningful dent in Lebanon’s vast justice deficit. The STL, established in 2009 by the United Nations, has a narrow mandate to investigate the 2005 bombing and other political assassinations linked to the Hariri case.¹⁰ In September 2019, the STL confirmed an indictment against Ayyash relating to attacks targeting three Lebanese politicians in 2004 and 2005, which marked the opening of a new STL case. Still, the STL’s narrow scope excludes from its jurisdiction serious and politically motivated crimes not related to the 2005 attacks, including war-time violations. Although the court constitutes a mechanism for criminal accountability, the verdict issued on August 18, 2020, after 15 years of investigations and prosecution, did little to satisfy victims’ need for and right to justice.¹¹

In general, those who perpetrated serious human rights violations during the war have been allowed to entrench power, accumulate wealth, and wield political influence to block any changes that could threaten their position or that of their allies. This has had devastating impacts on the victims of conflict and other acts of political violence, as well as on Lebanon’s system of government. More than 30 years after the war, there has been no formal acknowledgment by the government of what happened or of the harms caused.¹² The passage in November 2018 of the Law on Missing and Forcibly Disappeared Persons, or Law 105,¹³ which criminalized enforced disappearance and established the National

7 Article 8 of the 2006 International Convention for the Protection of All Persons from Enforced Disappearance defines enforced disappearance as continuous crime. According to the Working Group on Enforced or Involuntary Disappearances, this means that the crime ends only once “the State acknowledges the detention or releases information pertaining to the fate or whereabouts of the individual.” OHCHR, Working Group on Enforced or Involuntary Disappearances, “General Comment on Enforced Disappearance as a Continuous Crime,” 3.

8 ICTJ, *Failing to Deal with the Past: What Cost to Lebanon?*, 2014; Lebanese Center for Human Rights, *Lebanon: Enforced Disappearance and Incommunicado Detentions*, 2008, 36.

9 This includes the assassination of former Prime Minister Rachid Karami, in 1987.

10 The 2005 bombing killed 22 people, including Hariri, and injured many more. The STL “has jurisdiction over persons responsible for attacks in Lebanon between 1 October 2004 and 12 December 2005, or any later date decided by Lebanon and the United Nations with the consent of the UN Security Council, determined to be connected to the 14 February 2005 attack.” See “The Cases,” STL webpage, www.stl-tsl.org/en/the-cases

11 Nour El Bejjani Noureddine, Sibley Hawkins, and Elena Naughton, “Justice Served? The Special Tribunal for Lebanon Renders Its Long-Anticipated Judgment,” ICTJ, August 20, 2020.

12 There have been some individual statements of regret or apology from officials, for example, the former Lebanese Forces Intelligence Chief Assaad Chaftari, issued in 2000. But there has been no official national apology, like those issued by governments in other countries for wartime abuses. See ICTJ, *More Than Words: Apologies as a Form of Reparation*, 2015.

13 Law 105 on Missing and Forcibly Disappeared Persons was passed by parliament on November 12, 2018, and was published in the official gazette on December 6, 2018.

Commission for the Missing and Forcibly Disappeared in Lebanon, offers hope that this acknowledgment gap will finally be closed, but now, almost two years later, the full group of commissioners has yet to be named.¹⁴ The government also has yet to provide any reparations to victims of conflict and other acts of political violence. It is understandable that victims continue to feel bereft of justice because their suffering has never been recognized and their rights have never been addressed. The lack of justice and structural reforms is felt even more strongly today, amid declining socioeconomic conditions, which are the expected consequence of government failures over so many years.

The High Price of Injustice, Dysfunction, and Corruption

Among the most crucial problems facing Lebanon today are systemic corruption in the public and private sectors coupled with a power sharing system that reinforce political sectarianism, nepotism, and a prioritization of narrow personal and sectarian interests over public interests. According to the Lebanese Ministry of Finance, in April 2020, the public debt reached approximately USD \$92 billion as a result of corruption and embezzlement of public funds. The electricity sector, for example, is responsible for approximately 45 percent of the public debt, even though many have lacked a consistent supply of electricity since the civil war.

The international community has long insisted that Lebanon implement a number of reforms, including fighting corruption, as a precondition for financial assistance. In 2009, Lebanon became party to the UN Convention against Corruption; since then, it has passed a number of anti-corruption laws. Unfortunately, the implementation of these laws remains inadequate. An Access to Information Law was passed in 2017, but it has been poorly implemented, with minimal compliance from different authorities and departments. And although the Whistleblower Protection Law, passed in 2018, also constitutes a step forward, it is limited to the public sector, and it cannot be implemented without the establishment of a National Anti-Corruption Commission, in accordance with the Anti-Corruption in the Public Sector Law, which was only passed in 2020.

In May 2020, Lebanon's parliament passed legislation lifting banking secrecy for public officials. However, that law did not empower the judiciary to order disclosures; instead, it reaffirmed the Central Bank's Special Investigation Committee authority to do so, a power it has yet to exercise. It also granted the same power to the National Anti-Corruption Commission, which has not been formed.

In September 2020, parliament passed Law 189 on Financial Disclosure, Conflicts of Interest, and Illicit Enrichment that includes significant amendments to Law 154 of 1999 on Illicit Enrichment.¹⁵ Although the new law addresses a number of gaps in the old one, it is vague on whether it applies to top politicians, including the president, ministers, and members of parliament. In addition, the effective implementation of some of the provisions of the law requires an operational anti-corruption commission, which has yet to be established.

¹⁴ In addition to the commission, official truth-seeking processes should be undertaken at the national level, including comprehensive investigations into gross human rights violations and violations of international humanitarian law committed since the beginning of the civil war. This process should include commemoration activities, like creating memorials to victims of the conflict and human rights abuses.

¹⁵ Corruption charges were recently filed against eight former high-ranking security officers under the newly revised law based on preliminary investigations by Lebanon's public prosecution office. This development represents a welcome advance toward accountability and a great opportunity for bringing to light some of the structures of corruption in Lebanese society. Timour Azhari, "Lebanon Ex-Army Boss, Intelligence Heads Charged with Corruption," *Al Jazeera*, December 2, 2020.

As a result, although successive Lebanese governments and political leaders have rallied around the slogan of fighting corruption, they have never achieved tangible results. Corruption and mismanagement have been enabled by their unwillingness to implement reforms or rework the political system, which has ensured that the same people dominate the country for years. Any possibility for the establishment of good governance and accountability for political crimes has been thwarted by careful attempts to maintain a sectarian balance in the judicial organs so as to ensure paralysis and inaction.

Ineffective Tools to Curb Impunity

In Lebanon, accountability has also been impaired by the violation of the principle of separation of powers stipulated in the Preamble to the Lebanese Constitution.¹⁶

Parliamentary oversight of the executive branch remains minimally effective. Parliamentarians rarely use the relevant tools provided to them by law, such as raising questions, conducting interrogations, forming parliamentary committees of inquiry, and withdrawing confidence from a minister or the government as a whole. The practice of adopting “national unity governments” that include representatives of the main political blocs in parliament has rendered parliament unable to exercise effective oversight, allowing government administrations to operate unchecked. Even monitoring agencies such as the Court of Audit, the Civil Service Board, the General Disciplinary Council for Public Employees, and the Central Inspection Board, which are supposed to ensure proper spending of public funds and improve the performance of public administrations, are affiliated with the Council of Ministers, which oversees their work, performance, and spending and, therefore, can exercise undue pressure and influence over them. Appointments to these agencies are based on political and sectarian considerations, rather than public interest, rendering them potentially biased and ineffective.¹⁷

The independence of the judiciary is enshrined in Article 20 of the Constitution and other domestic and international laws;¹⁸ however, in practice, the judiciary lacks clear administrative and financial autonomy. The executive sets court budgets and plays an outsized role in selecting, appointing, promoting, transferring, and disciplining judges. It also appoints 8 out of the 10 members of the High Judicial Council,¹⁹ the body entrusted with selecting and ratifying judicial nominations and guaranteeing the independence of the judiciary. By institutionalizing the involvement of the executive branch in this way, albeit indirectly, it allows the executive undue influence over judiciary actions.²⁰

Similarly, appointments to other state institutions are sectarian, including the security sector-comprising the Lebanese Armed Forces, Internal Security Forces, General Security, and State Security. Efforts to rebuild the security sector after the war, as envisioned in the Ta’if Agreement, were undermined by sectarian politics, a lack of political will, and the

16 Paragraph E of the Preamble to the Constitution states, “The political system is established on the principle of separation of powers, their balance, and cooperation.”

17 Despite the many recent scandals related to state corruption and mismanagement of state resources, the roles and report of control agencies have been absent.

18 Article 20, Lebanese Constitution; Article 1, Code of Civil Procedures; Article 14.5, International Covenant on Civil and Political Rights; Article 8, Universal Declaration of Human Rights, and the UN Basic Principles on the Independence of the Judiciary and others.

19 Eight out of the 10 members of the High Judicial Council are appointed by a decree issued by the Council of Ministers based on a proposal by the minister of justice. Two members from among the chamber presidents of the Court of Cassation are elected through secret ballot by all the presidents and associate judges of that court.

20 In contradiction to Article 95 (b) of the Constitution, sectarian balance is still taken into consideration in judicial appointments, which also often means that they are stalled for several months.

presence of Syria and Israel forces in Lebanese territories. Although the security sector increased its capacities after the end of the Israeli occupation in 2000 and the departure of Syrian forces in 2005, the agencies that make up this sector, including the Lebanese Army which enjoys more public trust than many other state institutions, still lack sufficient resources. These agencies are also weakened by corruption.²¹ In addition, the leadership of each security agency is selected on the basis of sect above all other considerations. Each agency head then reports to a different political authority: either the minister of interior or the minister of defense. Both ministers, who are also appointed according to sectarian repartition, have the potential to encourage fealty to sectarian and political patrons, rather than to the institutional chain of command motivated by professional, nonpartisan concerns. This has undermined the intrinsic role that security institutions should play in protecting the nation and all its people.²²

Fair trial and due process norms are also routinely ignored by ordinary courts. Defendants who do not have the means to hire their own counsel rarely receive effective legal assistance; and the length of pretrial detention remains largely unregulated, which is one of the main reasons for Lebanon's overcrowded prisons. Today, with the detection of a number of COVID-19 cases in Roumieh prison, the biggest in Lebanon, human rights activists are demanding that trials of detainees be sped up and prisoners who have served their sentences but failed to pay fines be released.²³

The police and security forces are also known to torture defendants and subject them to other forms of ill treatment. Lebanon's military courts are even more problematic. One of several exceptional courts still operating in Lebanon, military courts do not comply with basic fair trial principles; they are known to impose arbitrary sentences with limited opportunities for appeal. Although primarily mandated to deal with disciplinary cases involving military personnel, they still have broad jurisdiction to try civilians and juveniles in security-related cases, a practice incompatible with Lebanon's obligations under the International Covenant on Civil and Political Rights.²⁴ This power is often used by officials as a tool to suppress free speech and activism, as evidenced most prominently by the recent trial before the military court of protesters who had been arrested and then abused.²⁵ Despite an anti-torture law passed in 2017 that requires torture complaints to be referred to an investigative judge,²⁶ authorities have not referred any such claim. As a result, cases involving the use of force by the security forces or the army against peaceful protesters, detainees, and others have not been adequately investigated.²⁷ Impunity in these cases remains a recurring problem.

21 ICTJ, *Failing to Deal with the Past: What Cost to Lebanon?*, 2014.

22 Ibid.

23 This practice of paying a fine to become eligible for release from prison is highly controversial. See UNODC, *Handbook on the International Transfer of Sentenced Persons* (2012), Annex I, Model Agreement on the Transfer of Foreign Prisoners, art. 16 ("A sanction involving deprivation of liberty shall, however, not be converted to a pecuniary sanction.")

24 International Covenant on Civil and Political Rights, art. 14. Exceptional courts should be abolished in Lebanon; and military courts should have limited jurisdiction only over military personnel which should not extend to crimes that constitute human rights violations.

25 Aya Majzoub, "Lebanon's Military Courts Have No Business Trying Civilians," Human Rights Watch, February 5, 2020.

26 Law No. 65 on Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted on October 26, 2017.

27 Law No. 62 of 2016 established the National Human Rights Institute, which is tasked with monitoring Lebanon's compliance with international human rights law, making recommendations to the government to strengthen protections against torture, and investigating individual cases of violations and referring them to the General Prosecutor. This institute includes a National Preventive Mechanism against torture, mandated to monitor the implementation of law 65. However, these two bodies are not yet operational. Although their members have been appointed, no budget has been allocated.

Another obstacle that weakens accountability is the wide scope of immunity provided to ministers and parliamentarians. While Articles 39 and 40 of the Constitution guarantee immunity to parliamentarians in order to allow them to perform their duties effectively, parliament's bylaws outline a procedure to lift this immunity. However, in practice, parliamentary immunity is rarely lifted, despite several past demands. Tellingly, immunity has only been lifted in three cases.²⁸

Similarly problematic, the Judicial Council, an exceptional court mandated to receive cases related to state security, lacks the authority to try the president and ministers, a matter of particular concern today in connection with the August 4 explosion. On August 10, 2020, Lebanon's Council of Ministers referred the investigation of the explosion to the Judicial Council by decree. The court consists of five members appointed by the Council of Ministers on the recommendation of the minister of justice and the consent of the High Judicial Council. However, given that the procedure for referring cases to the Judicial Council, as well as the appointment of its members, could be based on political considerations, there are significant questions about its impartiality and independence as well as its findings and decisions, which are not subject to appeal. In November 2020, the judicial investigator asked parliament to investigate current and former ministers, who do not fall under the Judicial Council's jurisdiction given the immunity they enjoy, on suspicion of committing violations related to the August 4 explosion.²⁹ On December 10, 2020, the judicial investigator charged caretaker Prime Minister Hassan Diab and three ex-ministers (former Finance Minister and current Member of Parliament Ali Hassan Khalil, former Public Works and Transportation Minister and current Member of Parliament Ghazi Zeaiter, and former Public Works and Transportation Minister Youssef Fenianos) with negligence over the explosion. Some consider this decision of the judicial investigator to be politically motivated and have questioned his authority to charge ministers and members of parliament while others consider this decision as a positive step that affirms the judicial investigator's authority to try high level officials.

Lebanon's Constitution provides for impeachment as a mechanism for removing the president and ministers on the ground of alleged criminal conduct. However, this potential accountability mechanism is limited to cases involving "high treason" or the "violation of duties assigned to them," which is the case of ministers suspected of having responsibility in the explosion, and requires the approval of a two-thirds majority of all members of the Chamber of Deputies,³⁰ a bar that is almost impossible to meet given the disincentives created by the sectarian composition of the chamber. To make accountability even more difficult, impeachment trials should be held before the Supreme Council, which has the function of trying presidents and ministers, but this council has not been activated for years, despite allegations that should have fallen under its mandate.³¹ Therefore, for many Lebanese, this seems like a dead end rather than a vehicle for meaningful accountability.

28 In 1952, MP Refaat Kazoon was accused of killing a journalist, in 1994 MP Yahya Shamas was accused of drug smuggling, and in 1999 MP Habib Hakim was accused of embezzling public funds.

29 Timour Azhari, "Lebanon Judge Asks Parliament to Probe Ministers Over Port Blast," *Al Jazeera*, November 25, 2020.

30 Constitution, article 70.

31 According to Article 80 of the Constitution, the Supreme Council consists of seven members of parliament (MPs) and eight judges. Members are appointed at the beginning of each parliamentary term; however, the council has not been activated for years. For example, the appointment of its members was delayed from 2018 to 2019, and, although seven MPs were appointed, the judges still have not been appointed. Since the Ta'if Agreement, the Supreme Council has only been expected to convene twice, but parliament failed to impeach the ministers both times. The first time, a parliamentary investigative committee was formed in 1993 to look into a case against former President Amine Gemayel, but failed to refer the case to the Supreme Council; and the second, in a 2004 case against former Minister Chahe Barsoumian, the majority required for impeachment was not attained.

Recurring Political Paralysis

In a parliamentary democracy like Lebanon's, when the means for financial, administrative, and judicial accountability are no longer effective, elections should serve as the final bastion for the electorate to hold officials accountable, by choosing new representatives who can perform their oversight role adequately. However, in 2013, people in Lebanon were prevented from exercising their right to vote, in violation of Articles 21 and 24 of the Constitution and Lebanon's international human rights obligations including, under the International Covenant on Civil and Political Rights, to ensure the right "to vote and to be elected at genuine political elections." Parliamentarians, instead of holding new elections at the end of their four-year term, extended their term three times, between 2013 and 2017, citing alleged security concerns and fear of political instability, as ways to cloak their inability to agree on a new electoral law that would work in their favor. All of these justifications had little legal weight.

Long-delayed general elections were held in May 2018, under a new proportional representation system adopted in June 2017. Although these elections represented a chance for voters to hold officials accountable for failing to respond to many continuing crises, no major political changes took place. This is unsurprising in a country long divided along sectarian lines and yet prevented from coming together through a meaningful process of reckoning with the past or reform of the systems that maintain deep divisions. Instead of real change, the elections ultimately resulted in the re-entrenchment of the same old political elites. Most Lebanese were not motivated to vote under the 2017 electoral law because, like previous laws, it was designed to favor the same political figures, and voters ultimately fell in step with their sectarian groups.

For over a decade, Lebanese were not only prevented from electing a new parliament, but in many cases, they were left without a president or government for significant periods of time.³² For example, in 2009, Lebanon was left without a government for five months, and in 2014, for 10 months. After the resignation of Prime Minister Saad Hariri in October 2019, it took over three months to form a new government. In the midst of the current crisis following the August 4 explosion, the country yet again finds itself effectively leaderless. Although Saad Hariri was named prime minister on October 22, he has not been able to form a government—although it has been over four months since the explosion.³³

Although the Constitution provides a general framework for how to form a government, there are no clear regulations defining how that process is to be implemented, nor are there clear consequences for failing to meet the established deadlines. In addition, prioritizing sectarian equilibrium over expertise when forming a new government allows dysfunction to prevail, contributes to serious delays, and brings unqualified ministers into a government already marked by paralysis and inaction.³⁴ This paralysis has also resulted in the obstruction or delay of state budget approval. In fact, Lebanon was left without a state budget for 12 consecutive years, which means that there was no real oversight over public spending.

32 There have been two instances of presidential vacuums in Lebanon since the war. At the end of President Emile Lahoud's term, in November 2007, no successor was voted in until the election of President Michel Sleiman, in May 2008. The second vacuum lasted from the end of Sleiman's term in 2014 until 2016, when current President Michel Aoun was elected.

33 Prime Minister Hassan Diab resigned on August 10, 2020, in the aftermath of the August 4 explosion.

34 Catherine Batrun and Marcus Hallinan, Civil Society Knowledge Center, *Government (Non-)formation in Contemporary Lebanon: Sectarianism, Power-Sharing, and Economic Immobilism*, 2018.

Lebanese people are victims of an absent state that has been ignoring them for years and that continues to fail in its responsibilities and functions. War-time victims are still waiting for answers and redress. Citizens have felt neglected for too long; they still lack basic rights, like access to justice. Knowing Lebanon's long history of impunity, victims of the August 4 explosion have very little hope that they would see anyone held to account even if sufficient evidence emerges to support findings of criminal negligence, recklessness, or some other form of responsibility.

Conclusion

Lebanon has long been stymied by a combination of political deadlock and lack of accountability that has resulted in ongoing human rights violations and overall systemic rot.

Today, the people of Lebanon are paying the price for years of corruption, mismanagement, and a dysfunctional political system. They have been left with a local currency that is rapidly declining in value, eroding their savings and livelihoods. Today, nearly half of the population is living below the poverty line, with limited services and high economic insecurity.

Since the war, elites in Lebanon have consistently blamed the country's dysfunction on others, including neighboring countries and the international community, which have interfered in different ways in the politics and finances of the country. That narrative is no longer sufficient. It is clear that the problems Lebanon is facing today have deep-rooted causes that were never addressed at the end of the war. People will continue to find themselves victims of a corrupt and unjust system until that system is uprooted entirely, and a new, more just, equal, inclusive, and nonsectarian system is set up in its place.

The way to do that is to start fostering frank dialogue about the past and the root causes of the current system in a way that offers people the opportunity to heal old wounds and move forward toward a new society that promotes coexistence; that can rely on accountable, professional, representative, and transparent institutions; and that protects and upholds the rights of all. Only then can people be persuaded not to choose sectarian allegiance as the sole means to preserve and protect their community's well-being.

A more concerted truth-seeking process, dialogue, and other ways of sharing a better and fuller understanding of the past and current issues could help the Lebanese people begin to build a common national identity that puts principles such as justice, truth, equality, citizenship, and inclusion at its core. But to achieve this, people must feel confident that they are moving toward a system that will work for all. This requires significant reforms and the understanding by those in power that the structures that have kept them at the top until now are no longer sustainable.

