



WORLD LEBANESE CULTURAL UNION

MEETING WITH UNDP HEAD LEBANON THE HON DAN RADULESCU

WELCOMING REMARKS

The WLCU is both honoured and privileged to be able to address and to have the benefit of the insight of the Hon Dan Radulescu, the Head of the UNDP, Lebanon.

This comes at a time when Lebanon is about to hold elections for the National Assembly and the election of a government that Lebanon is urgently in need of, bearing in mind the current conditions that have brought the country to its knees.

Lebanon is, in our humble opinion, either a failed or a near-failed State in terms of international recognition and as such she is currently in the vortex of such massive national unrest that has never been seen since the Civil War.

The need of the populace, both within and without Lebanon, to determine the fate of the government to be elected and thereby exercise their right to vote in a popular poll that is both open, free and transparent, devoid of any corrupt practices is both vital and more importantly necessitous in these very calamitous times and conditions that have beset, besieged and brought Lebanon to her knees.

The WLCU is conscious of the fact that this opportunity to speak to the UN representative for the UNDP is both significant and should not be in any way taken for granted; hence our need to focus on those matters that we seek to bring to the attention of the UNDP, in terms of our concerns for the conduct of the ballot, both within and without Lebanon.

Lebanese Electoral Law 2018

The Lebanese Electoral Law No 44 was passed on June 17, 2017.

The Lebanese Constitution provides that Lebanese "shall equally enjoy civil and political rights" - Article 7 and further provides that there shall be established a Constitutional

Council: "... to supervise the constitutionality of law and to arbitrate conflicts that arise from parliamentary and presidential elections" - Article 19.

The prescription of universal suffrage is provided by Article 21 of the Constitution that states that every Lebanese citizen who has completed his 21st year is an elector, subject of course to fulfilling conditions as stated by the Electoral Law in force from time to time.

The Lebanese Electoral Law is not so much the focus of our discussion here tonight, save for those matters of concern that arise from within in, that require the UNDP's observance and the need to monitor meaningfully what must be undertaken and more importantly observed to avoid the need for there to be any occasion that could result in unwarranted violence and more importantly an outbreak of civil disobedience with respect to the perceived infraction of the right to vote in a democratic manner.

The revolution has to date been both orderly and indicative of a solemn respect for the State, whilst exercising the right to acknowledge, as is their democratic right, the fact that as a whole the revolution views the current government with disdain.

It is my personal opinion and more importantly had been expressed by the WLCU from time to time that the sentiments of the revolution both right and soberly and sensibly placed, in terms of the protest.

The Electoral Law will necessitate the undertaking of a ballot from within Lebanon where domestically the following features are effectively, without in any way being capable of being refuted, of and concerning the electorate as such:

- (a) Over or at the level of 80% live on the poverty line.
- (b) The political parties currently in power are desperate to ensure that they remain in power and that they keep themselves in power to both ensure but more importantly insulate themselves against prosecution, inquiry and/or investigation despite the protests that have been publicly and vociferously displayed, concerning the maladministration economically, the Beirut Port explosion and the numerous breaches of civil rights that have occurred and still occur, coupled with the collapse of the judicial system and its lack of independence as perceived, both locally and internationally.

An anomaly that exists within the Electoral Law is Article 62 which enables the proliferation of what may in some Western democracies be seen as a bribe but nevertheless authorised to be undertaken and pursued by the party in question insofar as despite there being a prohibition pursuant to Article 62 for the provision of services or the payment of funds. However, if by virtue of Article 62(2) that has been undertaken for a period that exists for 3 years before the start of the election campaign period, that monetary sustenance can still be resourced and accessed. This is truly a remarkable provision and one that can and should be monitored because of it will lead to certain excesses that are regrettably all too often, in a country besieged by poverty, too tempting to

those who have suffered financially and economically to resist if such financial incentives are offered.

UNSCOL and the Supervisor of Elections – Lebanon

It is indeed very comforting that recently the Secretary-General of UNSCOL, the Hon Joanna Wronecka and his Honour Judge Nadim Abdel Malek – the Supervisor for Elections and the Commissioner responsible for the supervisory tasks to be undertaken with respect to elections, met and enabled the United Nations' position to be put concerning the need for transparent, free and open elections to be undertaken and that the concerns of all fair minded citizens throughout the world, watching Lebanon as they are, would be suitably assuaged in terms of their concerns with respect to how the elections are to be undertaken.

This then brings us to, critically, the request to be made of the UNDP in this meeting.

Concerns for UNDP

The WLCU has published a Press Release which we do not seek to re-read but the concerns expressed within that Press Release are, for the purposes of this meeting, sought to be re-agitated.

In that regard, it is hoped and more importantly understood that the UNDP which is uniquely placed to provide electoral assistance due to its extensive field presence, development perspective, its ability to mobilise and represent the donors and impartiality which it provides will enhance, if not augment the legitimacy needed to support sensitive national processes with respect to elections.

Lebanon should not lightly or for that matter in any way disregard the ability and the assistance that the UNDP can bring to bear upon the electoral process, both within and without Lebanon.

We in the WLCU acknowledge that the UN system is engaged in a wide range of activities that are intended to support the efforts of member States to promote democratic electoral processes and build sustainable democratic institutions.

In the past Lebanon has sought the assistance of the UNDP and again the UNDP is being called upon to assist.

We understand that the objectives of UN electoral assistance are three-fold:

- (i) to assist member States in their efforts to hold democratic elections in accordance with obligations, principles and commitments outlined in universal and regional human rights instruments;

- (ii) to contribute to building in the recipient country a sustainable institutional capacity to organise democratic elections that are genuine and periodic and have the full confidence of contesting parties and candidates and the electorate; and
- (iii) to reduce the potential for election-related violence.

It is a trite observation that the General Assembly, by Resolution 46/137, recognised the role of the UNDP in the provision of technical assistance for electoral activities and underscored the importance of collaboration among actors in the UN system.

In bringing to the attention of the UNDP our concerns, it is with respect to the safe custody of ballots, both when they are lodged and secured, until they are counted and more importantly if not counted at the particular Election Centre where the ballot is both struck and contained, then their safe custody not only after counting but for all intents and purposes until the election results are confirmed.

Equally, the doubt expressed by the Lebanese Government that they are impecunious to enable Embassies throughout the world where the out-of-country voters are, as registered, able to vote, is also a matter that the UN must take due cognisance of to ensure that not only those domestically but those internationally who are entitled to vote are able to vote.

As we have said, 245,000 ex-patriots have registered to vote and they represent a sizeable, if not significant section of voters who are, as is their right, constitutionally both entitled to and should not be thwarted as to the lodging of their vote and the expression of their will, such as it is, with respect to the candidates under consideration.

The importance of international observers has been borne out by the recent events, as can be seen in Azerbaijan and, of course, in South Africa as long ago as 1994.

It should not be forgotten that the work of President Jimmy Carter was instrumental in the maintenance and observance of electoral processes and the United Nations has upheld that work and fostered it, apart from but in addition to its own initiatives undertaken through the UNDP.

Ultimately, what we are expecting is that there will be a process undertaken by the UNDP that will bring to the election not only a sense of but a presence that there has been undertaken **electoral observation** so that it can enable the systematic comprehensive and accurate gathering of information concerning both the conduct of the election and that it was able to and did monitor the conduct of the election, together with all other factors concerning the overall electoral environment and that in that regard the electoral process was undertaken to the highest standards with respect to accuracy of information and impartiality of analysis of and concerning the votes lodged and counted and the ballots ultimately declared.

Apart from the out-of-country voters, there is also a need, as considered by the WLCU, to ensure the UNDP does not lose sight of the fact that within the Lebanese electorate there is

a need to recognise and foster in this election and its observance and practice, the ability to enhance the empowerment of women and marginalised groups for effective and inclusive participation in elections and in particular from those communities that are perceived to be but more importantly treated in discriminatory fashion by reason of gender and/or such other characteristics that warrant their discrimination which must be averted and more importantly eradicated, if at all possible. In this regard, the role of the UNDP cannot be lightly considered, let alone disregarded.

Elections represent a direct expression of citizens' voices and choices. As such, they need not only to be transparent, fair and reflective of the will of the people; in fact, but also to be popularly perceived as such.

External support can be helpful in bolstering the ability of electoral institutions and processes to achieve all of these goals. As political events with high-stakes outcomes, elections are sometimes marred by political and social instability, including violence and/or intimidation.

Because such conditions can threaten the integrity of an election process, it is often useful to help counter them with conflict-sensitive and cautious external support. Such support may also be beneficial in countries undergoing peaceful democratic transitions, as well as those with fledgling institutions and/or a lack of adequate resources.


In the WLCU we are conscious that electoral support comprises two major components: Electoral Assistance and Electoral Observation.

The UNDP does not observe elections, instead it concentrates on providing electoral assistance, often as a strategic entry point of broader democratic and governance programs.

While the UNDP can only observe elections if given a mandate by the Security Council or General Assembly, nevertheless there is equally an ability in the UNDP to oversee and to ensure that the conduct of the elections as such are governed by and more importantly undertaken in accordance with both the domestic norms as legislatively enacted and equally conform to the international instruments and especially those of the United Nations to which Lebanon, as a member State has subscribed and ratified.

In concluding, we thank the Hon Mr Radulescu for allowing us to be privy to his comments to be made and which we anxiously await to hear.

Yours respectfully,



Stephen J. Stanton

31 March 2022