

NATIONAL RECONCILIATION CHARTER of LEBANON

The following text is an unofficial English translation of the original Arabic version of the National Reconciliation Charter which is being provided for the convenience of the reader. In case of conflict, however, the original Arabic text shall prevail.

First: General Principles and Reforms

1 - General Principles

2 - The Political Reforms

a. Parliament

b. The President of the Republic

c. The Prime Minister

d. The Council of Ministers

e. The Minister

f. The Resignation of Government, Deeming it Resigned and the Dismissal of Ministers

g. Political Deconfessionalization

3 - Other Reforms

a. Administrative Decentralization

b. The Courts

c. The Law of Parliamentary Elections

d. The Establishment of the Economic and Social Council for Development

e. Education and Instruction

Second: Reinstating the Sovereignty of the Lebanese State over the Entire Lebanese Land

Third: The Liberation of Lebanon from Israeli Occupation

Fourth: The Lebanese-Syrian Relations

FIRST: GENERAL PRINCIPLES AND REFORMS

1 - General Principles

- a. Lebanon is a sovereign, free, independent country; a final homeland for all of its citizens; a unity of people, land and institutions within its borders as defined by the Lebanese Constitution and recognized internationally.
- b. Lebanon is of Arabic affiliation and identity; it is a founding and an active member of the Arab League and is bound by its charter; it is a founding and an active member of the United Nations and abides by its charter; and it is a member of the Non-Aligned Movement. The Lebanese State manifests these principles in all fields and domains with no exception.
- c. Lebanon is a democratic, parliamentary republic founded on the respect of public liberties, the foremost of which are the freedom of opinion and belief; and on social justice and equality in rights and in duties among all citizens without discrimination or distinction.
- d. The people are the source of powers and the possessors of sovereignty which they exercise through the constitutional institutions.
- e. The System is founded on the principle of separation of powers, their balance and their cooperation.
- f. The economic system is a free system that assures individual initiative and private ownership.
- g. The balanced, cultural, social and economic growth of the regions is a principal pillar of the pillars of unity of the state and of stability of the system.
- h. To seek the realization of comprehensive social justice through financial, economic and social reforms.
- i. The land of Lebanon is but one land for all Lebanese; and every Lebanese has the right to reside on any part thereof and to enjoy it under the supremacy of the law. No segregation of people on the basis of any affiliation whatsoever; no partitioning, no dividing and no settling.

j. No legitimacy to any authority which contradicts the charter of cohabitation.

2 - Political Reforms

a. Parliament

Parliament is the legislative authority; it exercises comprehensive control over the policy of government and its affairs:

1. The head of Parliament and his deputy are elected for the duration of the term of Parliament.
2. Two years following the election of the head of Parliament and his deputy, and in the first meeting it holds, Parliament may, for one time only, withdraw its confidence from the head of Parliament or his deputy by a two-third majority of its members pursuant to a petition signed by at least ten deputies. Parliament must immediately in this case hold a meeting to fill in the vacant position.
3. Each project law referred to Parliament by the Council of Ministers which is classified as urgent shall not be issued except, after being listed on the agenda of a regular session and read therein, after the passage of the time delay mentioned in the Constitution without being acted upon and after the approval of the Council of Ministers.
4. The electoral unit is the Mohafazah.
5. Until Parliament enacts an election law which is not based on religious affiliation records; seats in Parliament shall be allocated according to the following rules:
 - a) Equally between Christians and Moslems.
 - b) Proportionally among the sects of each of the two categories.
 - c) Proportionally among the region.
6. The number of members of Parliament shall be increased to (108) divided equally between Christians and Moslems. The newly created positions based on the present Charter as well as the positions which became vacant prior to its declaration shall, for once and by exception, be filled in by appointment of the anticipated Government of National Reconciliation.
7. Concurrent with the election of the first Parliament on a national rather than confessional basis, a Senate will be created wherein all spiritual families will be represented with its authority being confined to matters of destiny.

b. The President of the Republic

The President of the Republic is the head of the State and the symbol of the unity of the nation; he undertakes to secure the integrity of the Constitution and to preserve the independence of Lebanon, its unity and the safety of its land as mandated by the Constitution. He is the supreme commander of the Armed Forces which is subject to the authority of the Council of Ministers. The President exercises the following authorities:

1. He chairs the Council of Ministers at his discretion without voting.
2. He heads the Supreme Council of Defense.
3. He issues the decrees and requests their proclamation. He has the right to ask the Council of Ministers to reconsider any decision taken by it within a period of fifteen days from the time said decision is deposited with the Presidency. If the Council of Ministers insists on the decision taken, or if the delay has passed without the decree being issued or returned, the decree or the decision becomes imperatively effective and must be proclaimed.
4. He issues the Laws as per the delays stipulated by the Constitution and requests their proclamation following their ratification by Parliament; and he has the right, following notification of the Council of Ministers, to demand the reconsideration of the Laws within the delays stipulated by the Constitution and in conformity with its mandates; and in the event the delays ended without their issue or return, the Laws become imperatively effective and must be proclaimed.
5. He refers project laws, submitted to him by the Council of Ministers, to Parliament.
6. He nominates the designated Prime Minister in consultation with the head of Parliament based on binding parliamentary consultations which he officially communicates to the head of Parliament.
7. He individually issues the decree nominating the Prime Minister.
8. He issues, in agreement with the Prime Minister, the decree constituting the Government.
9. He issues the decrees accepting the resignation of the Government or the resignation of Ministers or their dismissal.
10. He accredits ambassadors and accepts their credentials; and awards official State decorations by decree.
11. He assumes negotiation in entering into international treaties and their execution in agreement with the Prime Minister; which treaties do not become effective except after the consent of the Council of Ministers; and the Government shall, whenever national interest and safety of the State permit, present them to Parliament. As to treaties comprising terms that are related to State finance and commercial

agreements and other agreements which may not be abrogated on a year to year basis, must not be executed except by consent of Parliament.

12. He addresses, when necessary, letters to Parliament.

13. He calls Parliament, in agreement with the Prime Minister and pursuant to a decree, into holding extraordinary sessions.

14. The President has the right to present to the Council of Ministers any emergency issue not included on the Meeting Agenda.

15. He exceptionally calls the Council of Ministers, as he deems it necessary, in agreement with the Prime Minister.

16. He grants private pardons by a decree.

17. The President shall not bear the consequences of carrying out his functions, except when violating the Constitution or in the case of high treason.

c. The Prime Minister

The Prime Minister is the head of Government, he represents it and speaks on its behalf, and is considered responsible for the implementation of the general policy established by the Council of Ministers. He exercises the following authorities:

1. He heads the Council of Ministers.

2. He conducts parliamentary consultations to form the Government and signs with the President the decree for its constitution. The Government shall, within a period of thirty days, present its Ministerial Address to Parliament to obtain its confidence; and it shall not exercise its authorities prior to acquiring the confidence of Parliament, or following its resignation or being deemed resigned, except in the narrow meaning of carrying out business.

3. He presents to Parliament the general policy of Government.

4. He signs all decrees, except the decree designating the Prime Minister and the decree accepting the resignation of the Government or of being deemed resigned.

5. He signs the decree calling for an extraordinary session and the decrees proclaiming the Laws and the request for their reconsideration.

6. He calls on the Council of Ministers to convene and draws up its meeting agenda; and informs the

President, A Priori, of the subjects included thereon as well as of the urgent matters which will be discussed, and signs the original minutes of meetings.

7. He follows up the activities of the Departments and Public Agencies and coordinates among the Ministers, and gives general directives so as to ensure a proper flow of work.

8. He holds, in the presence of the Minister concerned, working sessions with involved parties in the State.

9. He is, imperatively, the deputy head of the Supreme Council of Defense.

d. The Council of Ministers

The executive power is vested in the Council of Ministers, and among the powers it exercises are the following:

1. Formulating the general policy of the State in all domains, drawing out project laws and decrees and taking necessary decisions for their implementation.

2. Overseeing the implementation of laws and regulations and supervising the activities of all State agencies with no exception, including departments and civil, military and security institutions.

3. The Council of Ministers is the authority which the Armed Forces are subject to.

4. Appointing State employees, dismissing them and accepting their resignation in accordance with the Law.

5. The right to dissolve Parliament pursuant to a request by the President if Parliament has abstained from meeting during the term of a regular or an extraordinary session extending for a period of not less than one month despite being called in for two consecutive times, or if it turns down the national budget in its totality for the purpose of disrupting government activities. The exercise of this right may not be repeated for the same reasons which resulted in dissolving Parliament for the first time.

6. If present, the President heads the meetings of the Council of Ministers.

The Council of Ministers convenes regularly in a specific quarter; and the legal Quorum for its meeting shall be two-third majority of its members; and it takes its decisions by consensus, and in the absence of consensus, they are taken by voting. Decisions are taken by simple majority of the attendants, except Major Issues which require the consent of two-third of the Council's members. The following subjects are considered Major Issues:

The state of emergency and lifting it; war and peace; general mobilization; international treaties

and agreements; the national budget of the State; comprehensive development and long range plans; appointment of the employees of the first category and its equivalent; reconsideration of administrative divisions; the dissolution of Parliament; elections law; naturalization law; personal statute laws; the dismissal of ministers.

e. The Minister

The authority of the Minister shall be strengthened in line with the general policy of Government and the principle of collective responsibility, and he shall not be dismissed except by a decision by the Council of Ministers or by individually withdrawing confidence from him by Parliament.

f. The Resignation of Government, Deeming it Resigned and the Dismissal of Ministers

1. The Government shall be considered resigned in the following cases:

- a) If the Prime Minister has resigned.
- b) If it loses more than one-third of the number of its members specified in the decree constituting it.
- c) Upon the death of its head.
- d) At the commencement of a Presidential term.
- e) At the commencement of a Parliamentary term.
- f) Upon losing the confidence of Parliament as a result of the latter's initiative or by pledging it itself.

2. The dismissal of a Minister shall be pursuant to a decree signed by the President and the Prime Minister following the approval of the Council of Ministers.

3. Upon the resignation of Government or deeming it resigned, Parliament shall enter into an extraordinary meeting session until a new government has been formed and obtained confidence.

g. Political Deconfessionalization

Political deconfessionalization is a principal national objective which must be pursued in accordance with a transitional plan, and Parliament, which is elected on the basis of equal sharing by Moslems and Christians, shall take appropriate measures to achieve this objective and to form a national commission headed by the President and contains political, intellectual and societal personalities in addition to the head of Parliament and the Prime Minister. The mission of the commission is to study and recommend the means of eliminating confessionalism and to present them to Parliament and to the Council of Ministers and to follow up the implementation of the transitional plan.

During the transient stage, the following shall be achieved:

- a) The rule of Confessional representation shall be abolished and qualification and specialization shall be adopted in public offices, in the judiciary, in the military and security establishments, in public and mixed agencies and in independent authorities as may be required to achieve National Reconciliation, except for first category positions and their equivalent positions therein which shall be equally shared by Christians and Moslems with no position being confined to either sect.
- b) Abolishing the mention of religion and sect in the identity card.

3 - Other Reforms

a. Administrative Decentralization

1. The Lebanese State is but one unified State with a powerful centralized authority.
2. The authority of Governors and of Deputy Governors shall be extended and all the departments of the State shall be represented in the Administrative regions at the highest level possible so as to facilitate the provision of services to the citizens and to respond locally to their needs.
3. Reconsidering administrative divisions so as to secure national fusion and to preserve cohabitation and the unity of land, people and institutions.
4. Adopting maximum administrative decentralization on the level of small administrative units (Kada' and below) by way of electing a council for each Kada' headed by a deputy governor so as to insure local participation.
5. Adopting a unified development plan encompassing the nation and able to develop the Lebanese regions economically and socially, and strengthening the resources of the Municipalities, the Unified Municipalities and the Municipality Unions with necessary financial means.

b. The Courts

- a) In order to secure the submission of all responsables and citizens to the supremacy of the Law and to secure the conformity of the Legislative and Executive authorities to the postulate of cohabitation and to the basic rights of the Lebanese citizens stipulated in the Constitution:
 1. The Supreme Council stipulated in the Constitution shall be formed with its mission being the impeachment of Presidents and Ministers. A special law devoted to the Council's legal proceedings shall be decreed.
 2. A Constitutional Council shall be established for the purpose of interpreting the Constitution and of

monitoring the constitutionality of the Laws and to rule on all disputes and appeals relating to Parliamentary and Presidential elections.

3. The following parties have the right to consult with the Constitutional Council regarding the interpretation of the Constitution and the monitoring of the constitutionality of the laws:

- a. The President of the Republic.
- b. The Head of Parliament.
- c. The Prime Minister.
- d. Certain percentage of the members of Parliament.

b) To safeguard the principle of harmony between Religion and State, the heads of the Lebanese factions shall have the right to consult with the Constitutional Council with regard to:

1. Personal Statutes.
2. The freedom of belief and practice of religious rites.
3. Freedom of religious education.

c) To strengthen the independence of the Judiciary, a determined number of the members of the Supreme Council of Justice shall be elected by the judicial body.

c. The Law of Parliamentary Elections

Parliamentary elections shall be conducted in accordance with a new election law based on the Governorate (Mohafazah) and which considers the principles that guarantee cohabitation among Lebanese and which insures the accuracy of political representation of the various categories of people and their generations and the effectiveness of such representation, after the reconsideration of administrative divisions within the framework of the unity of land, people and institutions.

d. The Establishment of the Economic and Social Council for Development

A Social Economic Council shall be established to insure the participation of the representatives of various sectors in the formulation of the economic and social policy of the State through the offering of advice and suggestions.

e. Education and Instruction.

1. To put education at the disposal of people and to make it mandatory, at least in the elementary stage.

2. To emphasize the freedom of education in accordance with the laws and regulations.
3. To protect private education and to strengthen State control over private schools and the school textbook.
4. To rehabilitate formal, vocational and technical education and to strengthen it and to develop it in such a manner so as to fulfill and to suite the developmental and constructive needs of the nation. To rehabilitate the Lebanese University and to support it, especially in its applied faculties.
5. To review and to develop the curricula in a manner which strengthens national cohesiveness and fusion and spiritual and cultural openness, and to unify the textbook in the history and civil education courses.

f. Information

To reorganize all media under the Law and within the framework of a responsible freedom, and in a manner which serves the objectives of reconciliation and of ending the state of war.

SECOND: REINSTATING THE SOVEREIGNTY OF THE LEBANESE STATE OVER THE ENTIRE LEBANESE LAND

Whereas an agreement was reached among the Lebanese parties on the establishment of a strong and able state founded on national reconciliation, the government of national reconciliation shall draw up a detailed one year security plan aiming at gradually reinstating the authority of the Lebanese State over the entire Lebanese territory by means of its own forces, with its broad lines being characterized as follows:

1. Disbanding all Lebanese and non Lebanese militias and surrendering their arms to the Lebanese State within a period of six months starting after the ratification of the National Reconciliation Charter, the election of the President, the formation of the Government of national reconciliation and the adoption of political reforms in a constitutional manner.
2. Reinforcing Internal Security Forces through:
 - a) Opening the door to all Lebanese, with no exception, to volunteer and to commence their training centrally and then to distribute them to the units in the Mohafazah, and to subject them to periodic and organized training programs.
 - b) Strengthening the security system in such a way so as to be capable of controlling the entry and exit of persons across land, sea and air borders.
3. Reinforcing the Armed Forces:

- a) The primary duty of the armed forces is to defend the nation and, if necessary, to protect national order whenever the danger exceeds the capability of the Internal Security Forces to individually deal with it.
- b) The Armed Forces shall be used to support the Internal Security Forces in preserving security under the circumstances as may be determined by the Council of Ministers.
- c) The Armed Forces shall be unified, prepared and trained so as to be capable of assuming its national duties in facing Israeli aggression.
- d) The Armed Forces shall return to barracks at the time when the Internal Security Forces become ready to assume its security mission.
- e) The intelligence activities of the Armed Forces shall be reorganized to serve military purposes only.

4. Fundamentally solving the problem of the Lebanese immigrants by approving the right of every Lebanese immigrant, who emigrated since 1975, to return to the place from which he or she emigrated; passing the necessary legislation securing this right and providing the necessary means for reconstruction.

Whereas the aim of the Lebanese state is to reinstate its authority over the entire Lebanese territory by means of its own forces, which is represented primarily by the Internal Security Forces, and out of the brotherly ties which bind Syria to Lebanon, the Syrian Forces shall, with due thanks, assist the legitimate Lebanese forces to reinstate the sovereignty of the Lebanese State in a definite time period of a maximum of two years starting after the ratification of the National Reconciliation Charter, the election of the President, the formation of the Government of National Reconciliation and the adoption of political reforms in a constitutional manner; at the end of this period both governments, the Syrian Government and the Lebanese Government of national reconciliation will decide on the repositioning of the Syrian forces in the Bekaa area and the access to western Bekaa in Dahr - Elbeidar up to the line of Hamana - Mdeirej - Ein Darah and, in case of necessity, in other points to be decided by a joint Lebanese Syrian military committee. Also an agreement shall be signed by both governments which determines the size and the duration of the presence of the Syrian Forces in the above areas and the relation of these forces with the Lebanese State authorities present in these areas. The Tripartite Supreme Arab Committee is ready to assist the two States in reaching this agreement, if they so desire.

THIRD: THE LIBERATION OF LEBANON FROM ISRAELI OCCUPATION

Regaining the authority of the State up to internationally recognized Lebanese borders requires the following:

- a) Pursuing the implementation of Resolution No. 425 and all Security Council's resolutions promulgating the total elimination of the Israeli occupation.

b) Adhering to the Truce Agreement signed on March 23, 1949.

c) Taking all necessary measures to liberate all the Lebanese territory from the Israeli occupation, extending the authority of the State over all its land, deploying the Lebanese Army along the internationally recognized Lebanese borders and pursuing the reinforcement of the existence of the International Security Forces in Southern Lebanon so as to ensure the withdrawal of Israel and to allow for the return of law and order to the border zone.

FOURTH: THE LEBANESE-SYRIAN RELATIONS

Lebanon, a country of Arab affiliation and identity, is tied to all Arab States with true fraternal relations; and there exist between Lebanon and Syria distinguished relationships which draw their strength from the roots of kinship, history and common fraternal interests, which is the concept on which the coordination and cooperation between both countries are founded and will be manifested in agreements between them, in various domains, and in the manner which serves the interests of both countries within the framework of sovereignty and independence of each of them. Based on that, and because strengthening the bases of security provides the needed atmosphere for the development of these distinguished ties, Lebanon shall under no circumstances be made a source of threat to the security of Syria, nor Syria to the security of Lebanon. Therefore, Lebanon shall not permit itself to become a passageway or a dwelling to any force, state or organization which aims to undermine its security or the security of Syria. And Syria, which is keen on preserving the security, independence and unity of Lebanon and concurrence among its people, shall not permit of any act which may threaten Lebanon's security, sovereignty and independence.