Freedom of Religion & Belief

THE NATIONAL WORKING GROUP ON FoRB

Minority Rights Group

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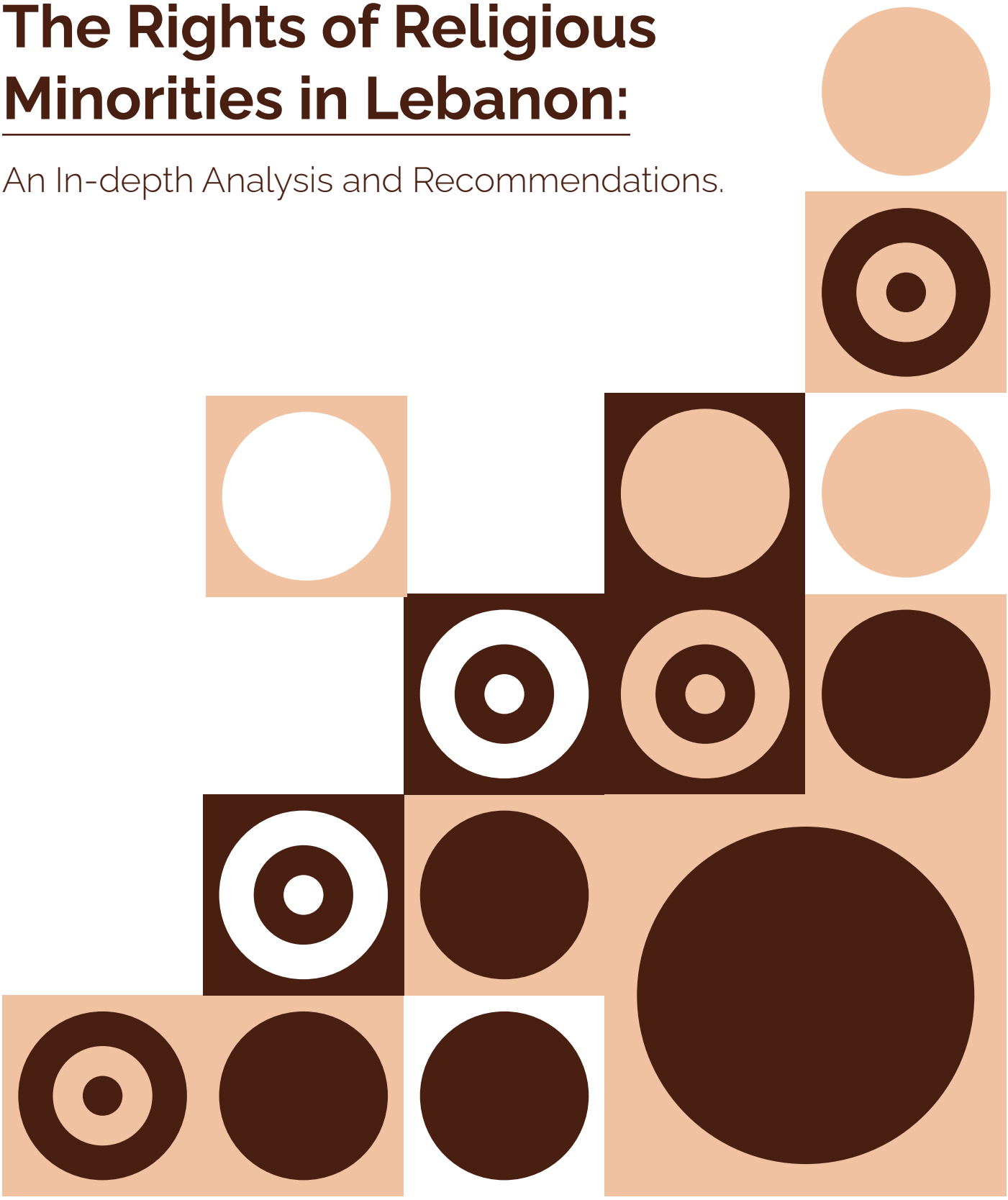
The Rights of Religious Minorities in Lebanon:

An In-depth Analysis and Recommendations.



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Disclaimer

This report has been reviewed by the members of the working group. However, it is important to note that the content, including the analysis, conclusions, and recommendations, represents the perspectives and interpretations of the author alone. While they assert their support, the views expressed herein do not necessarily reflect those of the working group members and should not be considered as binding or representative of their collective opinions or positions.

Executive Summary

This report aims to provide a comprehensive analysis of the status of religious minorities in Lebanon, focusing on their legal, social, economic, and political situations. It seeks to uncover the challenges these groups face in accessing their rights and representation within Lebanon's unique socio-political context. The ultimate goal is to inform policy development and advocacy efforts that will enhance the rights and representation of both recognized and unrecognized religious minorities in the country.

Key Findings

Lebanon's confessional system, designed to balance power among various religious groups, often exacerbates sectarian divisions rather than fostering true equality. This has led to a situation where certain numerically smaller groups wield significant political influence while others, particularly unrecognized minorities, remain marginalized. Furthermore, the political practice in the past decades has diverged significantly from the constitutional guidelines and has favored power and foreign support at the expense of the rule of law and consociationalism.

The legal framework in Lebanon heavily favors recognized religious groups, leaving unrecognized communities without formal recognition and short of the rights associated with it. This lack of recognition impedes these groups' ability to practice their faith openly, access state benefits, and participate fully in public life.

Many religious minorities in Lebanon face significant social and economic challenges, including limited access to education, employment, and social services. The influx of refugees has further complicated the demographic balance, intensifying fears and tensions among established communities.

Despite the legal and social challenges, many minority communities in Lebanon demonstrate a strong commitment to preserving their unique cultural and religious identities. However, the lack of formal recognition and support, along with several economic, political, and security factors, threatens the survival of these traditions.

Key Recommendations

- Reviewing the Lebanese constitution to identify articles that have been interpreted/ implemented in a way that discriminates between different citizens based on their confessional affiliation or restricts certain rights and privileges to certain confessional groups exclusively and to suggest suitable amendments that emphasize equal citizenry and equality before the law without any discriminations on any bases.
- Reviewing the Lebanese body of Laws to ensure the rights and guarantees granted in the constitution are translated into applicable practical laws and do not remain mere general principles. Examples: Issuing a law that defines and sets the legal framework for freedom of religion and belief or freedom of expression; clarifying the ambiguity around the law of associations, the media law, the blasphemy law, the criminal code, and the military tribunal law; reviewing the law and the procedures of recognizing religious minorities in a way that opens the door for new groups to be recognized; issuing a civil personal status law that applies to all those who do not belong or decide not to follow the laws of the existing confessional groups in matters of marriage, divorce, inheritance, custody, etc...
- Develop policies and mechanisms that promote better representation of all religious minorities in Lebanon's political and public spheres, ensuring their voices are heard in decision-making processes.

- Establish a transparent and inclusive process for the recognition of unrecognized religious minorities, enabling them to secure the rights and protections that recognized groups currently enjoy.
- Lebanese civil society should advocate for the recognition and protection of all religious minorities, provide legal and social support, and establish educational programs promoting tolerance. Additionally, efforts should focus on legal reforms, creating safe spaces, and empowering minority communities through leadership training.

1. Introduction

1.1 - Defining Minorities in the Lebanon Context

Although no universally accepted definition of the concept of 'minority' is available, "Minorities," as defined within the context of Lebanon and for the purpose of this report, are groups that, while distinct in their ethnic, religious, or linguistic characteristics, are numerically inferior to the rest of the population and hold a non-dominant position within the state.[1] However, in Lebanon, the traditional understanding of minorities as merely smaller groups is complicated by the country's unique socio-political structure, where no group represents a numerical majority on its own, and thus, all religious groups are practically minorities. Lebanon's confessional system, which allocates political power according to religious affiliation, means that some numerically smaller groups may still wield significant influence.[2]

First, it is important to note that the characteristics that distinguish religious groups in Lebanon are not only markers of identity but also serve as the foundation for the community's cultural and social life. For example, Lebanon's religious minorities, including various Christian sects like Maronites, Greek Orthodox, and Armenian Catholics, are recognized for their distinctive religious practices,[3] cultural traditions,[4] and linguistic heritage,[5] which set them apart from the broader population.

Second, a defining feature of minority groups in Lebanon is their strong sense of solidarity and the collective effort to preserve their unique cultural and religious identities. This solidarity manifests in maintaining religious institutions, cultural practices, and the intergenerational transmission of language and traditions. Preserving these characteristics is not merely a cultural preference but a critical aspect of the group's identity and continuity within a society constantly negotiating the balance between unity and diversity.[6]

Finally, historical presence plays a significant role in recognizing minorities in Lebanon. Many of these groups have been integral to the Lebanese social fabric for centuries, contributing to the country's diverse cultural landscape. Loyalty to the state, while a standard criterion in international definitions of minorities, is a nuanced issue in Lebanon. Minority groups often maintain dual identities, balancing their allegiance to Lebanon with connections to broader transnational communities. This dual loyalty has regularly led to tensions, especially in political contexts where issues of national sovereignty and external influences are at play.[7]

1- Definition adopted by the National Working Group on Freedom of Religion and Belief – Lebanon.
2- Elie Al Hindy, The Dreadful Task of Defining Minorities, PhD Thesis Chapter, Public archive of Sydney University (Unpublished). 2009.
3- For example, Maronites and Orthodox celebrate easter at different times and based on various calculations; other differences include the time in the life of a Christian when they receive the Eucharist Secret.
4- The inhabitants of the old town of Al Mina in Tripoli celebrate the Zambo Carnival on the last Sunday before the Orthodox Christian period of Lent. This carnival has been celebrated for over 100 years, and this tradition is passed down from generation to generation. See: https://www.iheritage.eu/featured_item/zambo-carnival/#:~:text=The%20inhabitants%20of%20the%20old,Its%20origins%20are%20highly%20controversial
5- Different denominations of Christians in Lebanon speak different languages, i.e., Armenian, Assyrian, Syriac, etc., reflecting their historical culture and religion.
6- Ibid.
7- Ibid.

Category	Groups
Recognized Religious Groups in Lebanon	*Alawite, Armenian Apostolic, Armenian Catholic, Assyrian Church of the East, Chaldean Catholic, Coptic Orthodox, Druze, Evangelical Protestant, Greek Orthodox, Isma'ili, Jewish Community, Latin Catholic, Maronite Catholic, Melkite Greek Catholic, Shia, Sunni, Syriac Catholic, Syriac Orthodox*
Government-Recognized Minorities	*Alawite, Armenian Apostolic, Armenian Catholic, Assyrian Church of the East, Chaldean Catholic, Coptic Orthodox, Evangelical Protestant, Isma'ili, Jewish Community, Syriac Catholic, Syriac Orthodox*
Unrecognized Minority Groups	*Agnostics, Ahmadis, Atheists, Baha'is, Buddhists, Hindus, Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Non-recognized Protestant Churches, Yazidis, Zoroastrians*

1.2 - Historical Context and Rights of Minorities in Lebanon

Lebanon's history of minorities is one of both coexistence and conflict, as the country's history is deeply intertwined with its diverse array of religious and ethnic minorities, each contributing to the country's unique social fabric. From the early days of its formation, Lebanon has been a mosaic of various communities, each with its distinct identity, beliefs, and traditions.[8] The country's modern history is marked by the Ottoman era, when various religious communities, including different Christian denominations, Druze, Shia, and Sunni Muslims, coexisted under a millet system that granted recognition and a degree of autonomy to religious communities. The Ottomans also modeled the Lebanese political local devolved authority to accommodate the different groups and tried different versions for that, the last of which, called "Mutasarifiya," included an Administrative Council representing the different religions and regions that assisted the Ottoman Governor in his tasks. The administrative council was the first form of elected representation in Lebanon, and its seats were distributed among the recognized sects (Maronites, Druzes, Sunni, Shi'a, Greek Orthodox, and Melkite Catholic). Initially (1861), each sect had two representatives, then it was adjusted (1864) to become more proportional as follows: 4 Maronites, 3 Druze, 2 Greek Orthodox, 1 Sunni, 1 Shi'a, and 1 Melkite Catholic.[9]

The fall of the Ottoman Empire and the subsequent French Mandate in the early 20th century further shaped the sectarian nature of Lebanon's society, and state institutions were accustomed to representing the different religious groups. The French colonial power had a particular historical multilayered relation with the Christian Maronite community, which empowered the latter and reinforced divisions between the various religious groups.[10] This laid the groundwork for Lebanon's eventual power-sharing system, known as the confessional system, which allocates political positions based on religious affiliation.[11] However, despite setting the goal of a secular Lebanon in the future, the Taif Agreement did not define the terms or timeline for achieving a secular state. Instead, it further deviated the practice and made it more sectarian at the institutional level, paving the way for today's status quo of Lebanon's political sectarianism.[12]

8- Castellino, Joshua, and Kathleen A. Cavanaugh. *Minority Rights in the Middle East*. Oxford University Press, 2013.
9- Hakim, Carol (2013) The Origins of the Lebanese National Idea, 1840–1920 University of California Press, p. 99; Dulkadir Sancaktar, Dilek & Özüçetin, Yaşar. (2022). Ottoman Administration in Mount Lebanon and the Sectarian Policy from Tanzimat to the Frist World War, *International Journal of Social and Humanities Sciences*, 6(2), pp.115138-; Lutsky, Vladimir Borisovich (1969)، "Modern History of the Arab Countries"، Progress Publishers;
10- Ibid.
11- Office of International Religious Freedom. *2022 Report on International Religious Freedom: Lebanon*, United States Department of State, 2022. https://www.state.gov/reports/2022-report-on-international-religious-freedom/lebanon/.
12- Rania Al Rajji. *The Leaves of One Tree: Religious Minorities in Lebanon*. Minority Rights Group International, December 2014. https://minorityrights.org/resources/the-leaves-of-one-tree-religious-minorities-in-lebanon/.

Such dynamics challenge Lebanon's identity as a sanctuary for diverse religious groups, pushing the nation towards a tipping point where the rights and security of minority groups are in jeopardy, necessitating urgent and inclusive policy interventions.

On the other hand, although the Lebanese Constitution does not explicitly address the rights of religious minorities, it offers a comprehensive framework that ensures their protection and equal treatment under various provisions. Article 7, for instance, guarantees equality before the law for all citizens, meaning that individuals from religious minority groups are entitled to the same civil and political rights as any other Lebanese citizen. This includes access to public services, participation in political life, and equal protection under the law without any discrimination based on religion.[13]

Further, article 9 is particularly significant for religious minorities, as it upholds freedom of conscience and religious practice. It obliges the state to respect all religions and creeds, allowing religious communities, including minorities, to exercise their religious rites freely, provided that public order is not disturbed. Moreover, the state respects the personal status laws of different religious groups, allowing minorities to follow their own religious legal systems in matters such as marriage, divorce, and inheritance, thus ensuring their religious autonomy.[14]

Further, The Constitution also protects the rights of religious communities to establish and run their own educational institutions (Article 10), provided these schools adhere to the national educational framework.[15] This allows minority groups to preserve their religious and cultural identity through education. Article 13 also ensures the fundamental rights to freedom of expression, assembly, and the inviolability of private dwellings, offering all citizens, including religious minorities, the right to voice their opinions, organize gatherings, and protect their homes from unlawful interference.[16]

1.3 Lebanon Demographic Composition Highlights

Lebanon's religious composition is far more intricate than often perceived, extending well beyond the 18 officially recognized faiths. Lebanon has long served as a refuge for a myriad of oppressed religious groups; however, more recently and after the official recognition of the 18 confessions in 1926, small, often unrecognized religious groups remain largely invisible, even to its own inhabitants. These include the Ahmadis, an Islamic messianic movement not well accepted by Sunni and Shia Muslims; the Bahá'í, who practice a faith emphasizing the spiritual unity of all humankind; Hindus and Buddhists, whose presence marks the cultural diffusion resulting from Lebanon's historical trade connections; Jehovah's Witnesses; and members of the Church of Jesus Christ of Latter-day Saints, locally known as Mormons, who engage in community service and religious outreach within Lebanese society. Additionally, various Protestant evangelical groups actively participate in Lebanon's religious community, contributing to its rich theological and cultural tapestry. Furthermore, the wars in Iraq and Syria have further contributed to Lebanon's religious landscape, leading to the arrival of even smaller minorities seeking safety. Among them are Zoroastrians, adherents of one of the world's oldest monotheistic religions, and displaced Yezidis, whose ancient faith has been severely persecuted in their native regions. Jehovah's Witnesses; and members of the Church of Jesus Christ of Latter-day Saints, locally known as Mormons, who engage in community service and religious outreach within Lebanese society.

13- Lebanese Constitution, 1926, Article 7: "All Lebanese are equal before the law. They equally enjoy civil and political rights, and assume obligations and public duties without any distinction among them."

14- Ibid, Article 9: "Freedom of conscience is absolute. In assuming the obligations of glorifying God, the Most High, the State respects all religions and creeds and safeguards the freedom of exercising the religious rites under its protection, without disturbing the public order. It also guarantees the respect of the system of personal status and religious interests of the people, regardless of their different creeds."09.

15- Ibid, Article 10: "Education is free so long as it does not disturb the public order, does not violate the morals, and does not touch the dignity ofany religion or creed. The rights of communities to establish their own private schools cannot be violated, provided that they comply with the general requirements laid down by the State with respect to public education."

16- Ibid, Article 13: "The freedom of opinion, expression through speech and writing, the freedom of the press, the freedom of assembly, and the freedom of association, are all guaranteed within the scope of the law."

Additionally, various Protestant evangelical groups actively participate in Lebanon′s religious community, contributing to its rich theological and cultural tapestry.[17] Furthermore, the wars in Iraq and Syria have further contributed to Lebanon's religious landscape, leading to the arrival of even smaller minorities seeking safety. Among them are Zoroastrians, adherents of one of the world's oldest monotheistic religions, and displaced Yezidis, whose ancient faith has been severely persecuted in their native regions.[18]

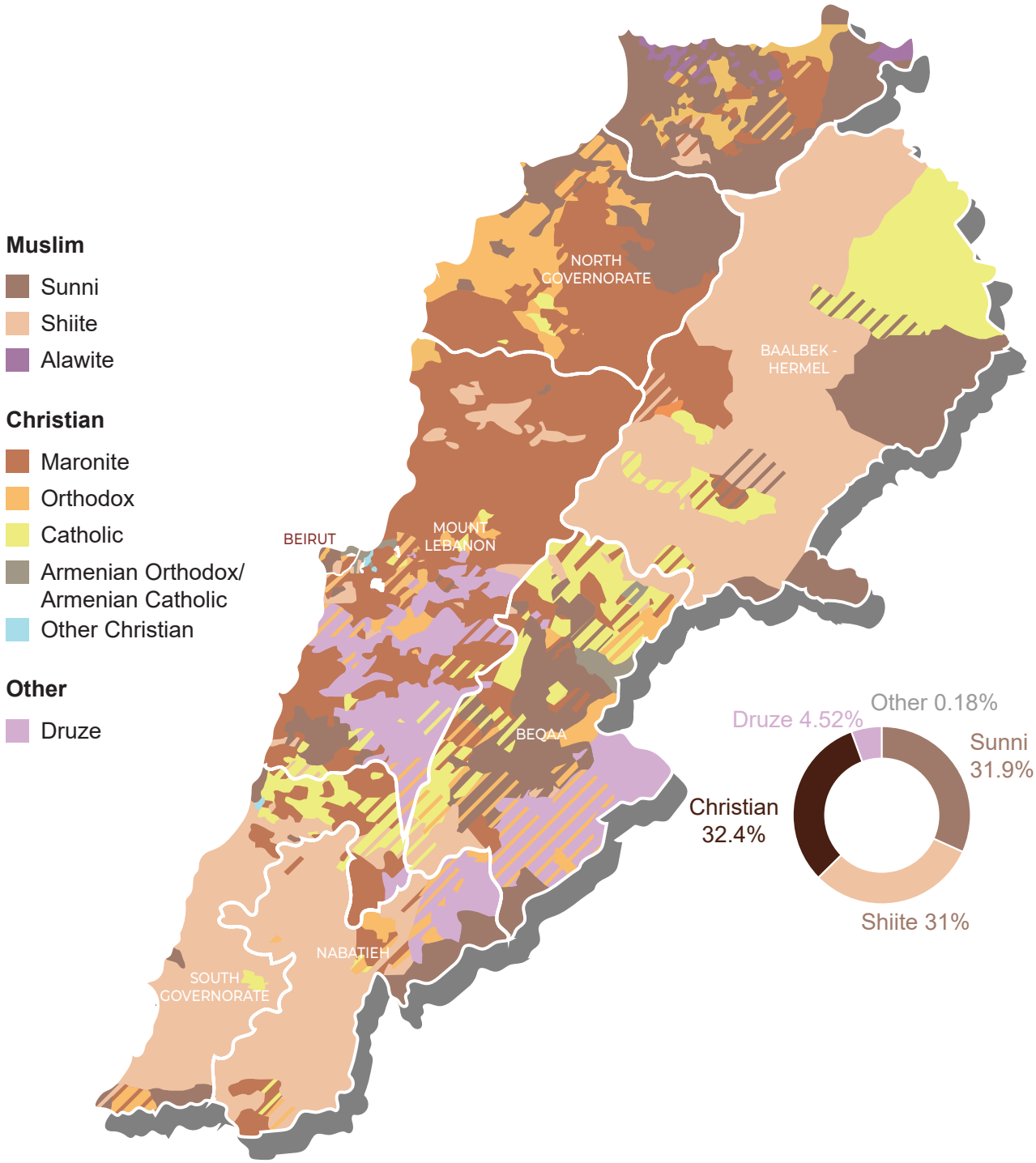
Indeed, Lebanon′s demographic profile is characterized by a high religious diversity and significant diaspora, yet precise data on its population remains elusive due to the absence of a national census since 1932, before the establishment of the modern state.[19] This lack of data stems from the politically sensitive nature of religious balance, with approximately 95% of the population identified as either Muslim or Christian (at least on paper), spread across various sects and denominations.[20]

The country has not conducted a national census since 1932, making it challenging to obtain precise data on the religious composition of the population.[21] However, estimates by private organizations like Statistics Lebanon in 2020 suggested that Muslim 67.8% (31.9% Sunni, 31.2% Shia, smaller percentages of Alawites and Ismailis), Christian 32.4% (Maronite Catholics are the largest Christian group), Druze 4.5%, minimal numbers of Jews, Baha′is, Buddhists, and Hindus. The CIA World Factbook in 2020 offered similar estimates, but these needed to account for the refugee populations, which is the case in every demographic statistic done for the country.[22] More recent analysis by Pew Research in 2022 reflects a demographic landscape with a Christian population of 38.4% and Muslims comprising 61.2%.[23] [24]

17- Ibid.
18- Ibid.
19- Office of International Religious Freedom. *2001 Report on International Religious Freedom: Lebanon*, United States Department of State, 2001. https://20092017-.state.gov/j/drl/rls/irf/20015615/.htm.
20- Ibid.
21- Office of International Religious Freedom. *2017 Report on International Religious Freedom: Lebanon*, United States Department of State, 2017. https://20092017-.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2017&dlid=280994.
22- The World Factbook, Lebanon. https://www.cia.gov/the-world-factbook/countries/lebanon/#people-and-society. Assessed on 152024/07/.
23- Religious Composition by Country, 20102050-. Pew Research Center. https://www.pewresearch.org/religion/feature/religious-composition-by-country-20102050-/. Assessed on 162024/07/.
24- New Lines Institute. *Middle East Minorities and the Case of Lebanon*. Accessed August 18, 2024. https://newlinesinstitute.org/rules-based-international-order/human-rights/middle-east-minorities-and-the-case-of-lebanon/.

2. About the Report

Lebanon's Religious Demographics



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State.gov (from Statistics Lebanon)

Objective of the Report

The primary objective of this report is to assess the current situation of religious minorities in Lebanon, focusing on their legal, social, economic, and political rights. This research is intended to provide a comprehensive understanding of the status of both recognized and non-recognized religious minorities, with the ultimate goal of informing policy development and advocacy efforts. By examining the challenges and needs of these groups, the report aims to generate actionable recommendations to advocate for reforms and enhance the rights and representation of religious minorities in Lebanon.

Research Question

The central research question guiding this report is:

What is the current situation of religious minorities in Lebanon, and how does their legal, social, economic, and political status influence their rights and representation?

This question aims to uncover the extent to which religious minorities in Lebanon face challenges in accessing their rights and how these challenges manifest in various aspects of life. The research also seeks to explore the intersection of religious and ethnic identities where relevant, though the primary focus remains on religious minorities.

Methodology

To achieve the research objectives and answer the central question, the report employs a mixed-methods approach combining a desk review and Key Informant Interviews (KIIs) with members of different minority groups.

- Desk Review: The desk review involves a comprehensive analysis of existing literature, legal frameworks, policy documents, and previous research related to religious minorities in Lebanon. This review helps to establish a baseline understanding of the context and identifies gaps in knowledge that the primary research can address.
- Key Informant Interviews (KIIs): The qualitative component of the research consists of interviews with key informants from various religious minority groups. These interviews are designed to gather in-depth insights into these groups' lived experiences, particularly concerning their legal, social, economic, and political situations. Interviewees include members of both recognized and non-recognized religious minorities, as well as individuals from majority religious groups, to capture a diverse range of perspectives.

The combination of these methods allows for a thorough exploration of the issues facing religious minorities in Lebanon, providing both a broad overview and detailed, nuanced insights. The findings from this research will be used to develop targeted recommendations for stakeholders, including policymakers, educators, and civil society organizations, with the aim of improving the conditions and rights of religious minorities in Lebanon.

3. Lebanon's Commitments to International Conventions

The Lebanese Constitution's preamble clearly states that Lebanon is committed to international standards, including the United Nations Charter and the Universal Declaration of Human Rights, which emphasize equality, non-discrimination, and freedom of belief. Article B of the preamble adds a very assertive sentence: "The Government shall embody these principles in all fields and areas without exception." This clear commitment binds Lebanon to uphold rights that benefit religious minorities, ensuring their freedom of conscience and protection from discrimination. ***Lebanon's obligations under international law regarding the rights of religious minorities are framed primarily by its commitments under various United Nations human rights treaties and conventions***. While Lebanon is a party to several international instruments, its specific commitments concerning religious minorities are implicitly encompassed within broader human rights frameworks, which commit to freedom of religion and belief, non-discrimination, and the rights of minority groups.

Lebanon's international commitments to protecting religious minorities are further reinforced by its adherence to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (UNDM), adopted by the General Assembly in 1992.[25] Although the Declaration is not a binding treaty, it is a significant instrument in international law that elaborates on the rights of minorities and provides guiding principles for states in their treatment of minority groups.

The UNDM emphasizes the duty of states to protect the existence and identity of minorities within their territories and to create conditions for the promotion of that identity. Specifically, Article 1 of the Declaration asserts the right of persons belonging to religious minorities to profess and practice their religion freely, both in public and private.[26] Article 2 further protects the rights of these individuals to participate in cultural, religious, social, economic, and public life without discrimination.[27] Importantly, the Declaration also encourages states to adopt measures to ensure that minorities can effectively exercise their rights, including through affirmative action and the promotion of understanding and tolerance.

To align with the principles set out in the UNDM, Lebanon is expected to take proactive steps to protect the rights of religious minorities, ensuring that they can maintain and develop their religious identities and participate fully in the country's social, cultural, and economic life. This includes

25- United Nations General Assembly. *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities.* 18 December 1992. General Assembly Resolution 47135/.

26- Ibid, Article 1: (1) States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity. (2) States shall adopt appropriate legislative and other measures to achieve those ends.

27- Ibid., Article 2: (1) Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination. (2) Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life. (3) Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation. (4) Persons belonging to minorities have the right to establish and maintain their own associations. (5) Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

preventing discrimination, addressing societal prejudices, and fostering an environment where diversity is respected and protected. Indeed, the Declaration′s emphasis on the intersectionality of religious, ethnic, and linguistic identities is particularly relevant to Lebanon, where religious identity often intersects with ethnic, national, and cultural factors.

On the other hand, under the International Covenant on Civil and Political Rights (ICCPR)[28] , to which Lebanon is a party, the country must ensure the right to freedom of thought, conscience, and religion, as enshrined in Article 18. This right includes the freedom to have or adopt a religion or belief of one's choice and the freedom to manifest that religion or belief in worship, observance, practice, and teaching, either individually or in community with others, and in public or private.[29] Moreover, article 27 of the ICCPR also specifically protects the rights of religious minorities to practice their religion in community with other members of their group.[30] Lebanon′s ratification of the ICCPR places binding legal obligations on the state to protect these rights without discrimination and to ensure that religious minorities can freely practice their faith without fear of coercion or reprisal.

Additionally, Lebanon is a signatory to the International Covenant on Economic, Social, and Cultural Rights (ICESCR),[31] which, while not explicitly focused on religious minorities, mandates the protection of rights that are crucial for religious communities. This includes the right to education, where states must respect the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions. The ICESCR also underscores the importance of non-discrimination in the enjoyment of economic, social, and cultural rights, which inherently includes protection against discrimination based on religion.

Lebanon′s commitments under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) also have implications for religious minorities, particularly where religious and ethnic identities intersect.[32] The CERD mandates Lebanon to eliminate all forms of racial discrimination and to guarantee equality before the law for everyone, regardless of religion, among other characteristics. While the focus of CERD is on racial and ethnic discrimination, its provisions are relevant when religious minorities are also part of ethnic or racial groups, necessitating protections against intersecting forms of discrimination.

Lebanon′s international legal commitment to international human rights principles is clearly stated in the preamble of the constitution (art b.), which goes further to say, "the Government shall embody these principles in all fields and areas without exception."[33] Other human rights principles and freedoms are explicitly included in Chapter 2 of the constitution (articles 6 to 15) and are applicable to all Lebanese without any discrimination.

Despite these clear constitutional provisions and international commitments, the situation of religious minorities in Lebanon is shaped by complex socio-political factors that often challenge the full realization of these rights. The intersection of religious and ethnic identities further complicates the landscape, where legal protections might be undermined by social and political dynamics that

28- United Nations General Assembly. *International Covenant on Civil and Political Rights*. 16 December 1966.

29- ICCPR, Article 18 (1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. (2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. (3) Freedom to manifest one′s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. (4) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

30- ICCPR, Article 27: In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

31- United Nations General Assembly. *International Covenant on Economic, Social and Cultural Rights*. 16 December 1966.

32- United Nations General Assembly. *International Convention on the Elimination of All Forms of Racial Discrimination*.21 December 1965.

33- Lebanese Constitution, 1926, art. B) Lebanon is Arab in its identity and in its affiliation. It is a founding and active member of the League of Arab States and abides by its pacts and covenants. Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception.

marginalize certain groups. The ongoing need for Lebanon to align its national laws and practices with its international commitments remains crucial for the protection and promotion of the rights of religious minorities within the country.[34]

Further, Lebanon's legal framework and its impact on religious minorities are inconsistent with international human rights standards. The Committee on the Elimination of Racial Discrimination has repeatedly expressed concern over Lebanon's failure to fully implement the principles of equality and non-discrimination in its legal system. It has highlighted the need for Lebanon to amend its laws to ensure that all individuals, regardless of their religious affiliation, have equal access to justice and protection under the law.[35] The non-implementation of the national human rights plan and underfunding institutions like the National Human Rights Commission further impede efforts to protect minority rights and ensure access to justice for all citizens.[36]

34- Fadi Hachem. *Limitations on Freedom of Religion and Belief*. National Report on Freedom of Religion and Belief, National Working Group on Freedom of Religion and Belief – Lebanon. 2022. pp. 41.

35- United Nations Committee on the Elimination of Racial Discrimination. *Concluding Observations on the Combined Twenty-Third and Twenty-Fourth Periodic Reports of Lebanon*. CERD/C/LBN/CO/2324-. Geneva: United Nations, September 1, 2021. https://undocs.org/en/CERD/C/LBN/CO/2324-.

36- Ibid.

Story 1: Sheikh Mohammad Haidar

Sheikh Mohammad Haidar

A Beacon of Peace and Coexistence in Tripoli

Sheikh Haidar's philosophy is rooted in a deep belief in the common humanity that binds all people, regardless of religious or sectarian differences. "*It's our vocation as a sect and mine personally to be forgiving and accepting of everyone*," he asserts, emphasizing that the differences among the communities in Tripoli are minor compared to the shared values that unite them.

"It's our vocation as a sect and mine personally to be forgiving and accepting of everyone"

The Alawite[37] community in Lebanon has a rich history and a strong presence in regions like Tripoli, Akkar, and Beirut. Sheikh Haidar speaks candidly about the challenges his community faces, particularly in terms of representation. Despite being the second-largest group in Tripoli, Alawites have struggled to secure fair representation in municipal government and the judiciary. "*We have nobody to ensure our voices are heard*," Haidar laments.

In the absence of Alawite religious courts, the community often relies on the Jaafari Court for major legal issues. However, Sheikh Haidar and other religious leaders work to mediate disputes before they reach the courts, ensuring that conflicts are resolved amicably and efficiently.

However, Sheikh Haidar is acutely aware of the dangers posed by extremism, which he attributes to a misinterpretation of religious teachings. He distances the Sunni community from extremist groups like ISIS, emphasizing that such ideologies do not represent the true essence of Islam. Instead, he advocates for a future where all religious groups can pray together, united by their common values and shared commitment to peace.

Sheikh Mohammad Haidar's efforts in Tripoli and beyond reflect a deep commitment to the principles of forgiveness, peace, and moral values, making him a beacon of hope in a region that has long been in need of such leadership.

37- The Alawite community, primarily located in the mountainous regions of northwestern Syria, has preserved its distinct syncretic religion for over a thousand years, despite historical persecution by Sunni rulers. Originally called "Nusayris," the French colonial powers rebranded them as "Alawites" in 1920 to highlight their links to Shia Islam. In Lebanon, Alawites form a small religious minority, largely residing in the northern city of Tripoli and facing ongoing marginalization and limited political representation. For further information: https://shorturl.at/VC7M9 and https://shorturl.at/3VyGM.

4. Recognition of Minorities

4.1 Overview of Legal Recognition

Throughout history, Lebanon has been characterized by its diverse religious communities, many of which sought refuge in the country to escape persecution or pursue freedom. Consequently, the Lebanese Republic was shaped by these religious and ethnic minorities, who settled in Lebanon at different historical points. One of the primary reasons these groups chose to remain in Lebanon was the nation's commitment to freedom, particularly the protection and preservation of their religious and social practices.[38] During the Ottoman rule of Lebanon (16th – 19th centuries), the Millet system recognized the presence of the different religious groups in Lebanon and gave them certain privileges, namely the political representation rights mentioned above.

During the French Mandate and according to Resolution No. 336/1920, the "Administrative Committee for Greater Lebanon" was established as a council initially composed of fifteen members, later expanded to seventeen. This committee was seen as the precursor to the Representative Council, with its members appointed by the High Commissioner and distributed among the various religious sects.

Today, the legal framework governing the recognition of religious sects in Lebanon is rooted in and still based on Law No. 60/1936 L.R., established during the French Mandate. This law, issued by the French High Commissioner on March 13, 1936, officially recognized and listed the historical religious sects in Lebanon, granting them the right to establish and regulate their internal bylaws to organize institutions and manage endowments and their personal status systems.[39] According to this law, these sects' personal status laws and regulations and a statement of doctrine and moral principles must be submitted to the governmental authority for scrutiny and approval, ensuring they align with public security requirements. Once approved, these regulations are ratified by a legislative decision, granting them the force of law.[40]

Article 2 of Law No. 60/L.R. further clarifies that the legal recognition of a sect confers legal status to its system, placing it under the protection and control of public authority. However, the law does not prevent the recognition of new sects, provided they are considered "old" or "historical"[41] and submit their internal regulations to the government, similar to the recognized sects listed in Appendix No. (1) of Resolution No. 60/L.R. Although these regulations are often published in the judicial bulletin by the Ministry of Justice, formal recognition as required by Article 2 of Resolution No. 60/1936 has not always been strictly followed.[42]

Practically, the followers of unrecognized religious communities often register under one of the eighteen recognized sects to secure equal access to rights. Despite the challenges faced by un-

38- Rabih Kays. Religion in the Legal Context. National Report on Freedom of Religion and Belief, National Working Group on Freedom of Religion and Belief – Lebanon. 2022. pp. 27.
39- Law No. 601936/. L.R. Lebanon.
40- Ibid.
41- In 1996 the law recognizing the Copt Orthodox (5531996/) considered 100 years of existence as a proof that the group under consideration is "historical" and thus fulfill that requirement for recognition.
42- Rabih Kays, Op. Cit. 39.

recognized minorities, Lebanon's legal framework, particularly Article 9 of the Constitution, upholds the "absolute freedom of conscience" and the "free exercise of all religious rites," provided public order is not disturbed to all Lebanese citizens without any discrimination. Moreover, Article 7 of the Constitution guarantees that "all Lebanese shall be equal before the law" and enjoy the same civil and political rights, further reinforcing the rights of individuals belonging to both recognized and unrecognized religious sects to practice their beliefs freely in Lebanon.

4.2 Recognition Criteria for Minorities

In Lebanon and internationally, there is generally no consensus on defining a "minority." As no special law explicitly mentions minorities, and they are not mentioned in the Lebanese Constitution, the only remaining document, the only reference for criteria of minorities in Lebanon, would be the electoral law and the seats' repartition in the Lebanese parliament and public offices. Especially since the primary religious law in Lebanon, Law 60 L.R., recognizes minorities without naming them as such.

Therefore, there are no criteria for who is a minority and who is not. However, reflecting on international definitions, specific criteria are popular enough to qualify as standards. In contrast, others are more controversial, but it also shows that all criteria have debatable meanings and interpretations.[43] While one might consider that the inferiority in number is the main criterion in Lebanon, numbers do not prove or validate that conclusion. Indeed, recent numbers show that there were 4,500 Jews registered on election rolls, but the majority had died or had left the country. Only 27 people were registered as "Israelites," the designation for Jews in official registers. Despite their modest number, Jews are a recognized minority. However, Baha'is, who are also around 4,000 in Lebanon, are not granted the minority title and, therefore, are not recognized as a minority.

While it is not the only criterion, it is a criterion among many others that are both objective and subjective.[44] These criteria include differing characteristics, especially in terms of religious practices, absence of political dominance, and long presence in the country as objective criteria, but also solidarity among the people of the same religious group, the wish to preserve their identity, and a "somehow sufficient" number to be able to sustain as subjective criteria.

For the purposes of this report, *a religious minority* in Lebanon shall be defined *as a religious group that has a smaller population than other recognized religious denominations within the country. This religious minority maintains distinct rites, practices, and traditions that differentiate it from other religious groups and may face particular challenges related to representation, recognition, and access to resources due to its demographic size.*

This definition recognizes population size and the unique cultural and religious characteristics that distinguish minorities from the majority. It also subtly hints at their socio-political challenges, which is especially relevant in Lebanon's confessional system.

4.3 Challenges of Recognition for Minorities

The Lebanese legal system, shaped by the country's confessional political structure, only grants official recognition to a select number of religious groups, leaving others marginalized and unable

43- Dr. Elie Al Hindy, Op. Cit. 2.
44- Ibid.

to participate in public and political life fully.[45] The distinction between recognized and unrecognized groups is significant, as it directly affects the ability of these communities to practice their faith, access state benefits, and participate in legal and political processes.

In Lebanon, engaging in certain[46] religious activities without state recognition is illegal, forcing unrecognized groups to conduct their religious practices in secrecy. This has led to significant challenges for different communities. Jehovah's Witnesses, for example, are banned in Lebanon, primarily due to opposition from dominant Christian religious institutions, which label the group as heretical. Similarly, the Baha'i and the Ahmadi faith, despite their presence in Lebanon since the late 19th century, remain unrecognized by the state due to the objection of the dominant Muslim groups.[47]

Indeed, political considerations heavily influence the process of recognizing a new group. Despite the seemingly flexible conditions, only one group – the Orthodox Copts – has successfully gained recognition since the law was enacted in 1936. The low success rate can be attributed to the political restrictions and the resistance from dominant religious groups, who often view the recognition of new religious entities as a threat to their established power, as the recognition of a new religious group could disrupt the delicate balance of Lebanon's confessional system.

The current legal framework, which heavily favors recognized religious groups, continues to perpetuate inequality and marginalization. The absence of a more inclusive recognition process for religious groups undermines Lebanon's potential for a truly representative and equitable society. Without significant legal reforms that allow for the recognition and protection of all religious groups, the current system will continue to reinforce existing power structures and exclude a substantial portion of the population from full participation in public life.

45- Rania Al Rajji, Op. Cit. 12.

46- The situation referred to here is the situation of religious that are considered "blasphemous" towards others, i.e., Jehova's Witnesses v. Christians, meaning that blasphemy laws in Lebanon are used at the discretion of major religious groups in Lebanon. Further, the situation also highlights the need for laws that protect religious groups from violence and threats, i.e., protection of Baha'is from major Shiite groups.44- Ibid.

47- Ibid.

Story 2: Sheikh Jomaa Khashman Abdo

"We were taught not to make enemies of anyone. Our faith does not teach hate"

Sheikh Jomaa Khashman Abdo

The Struggle for Recognition of Lebanon's Yazidi Community

Sheikh Jomaa, a leading Yazidi[48] Sheikh in Lebanon, embodies the quiet yet unwavering determination of a community striving for recognition in a land where their existence is often overlooked. As the spiritual guide for Lebanon's 200+ Yazidi families, he shoulders the responsibility of preserving their faith and traditions in a country that offers them neither citizenship nor formal acknowledgment.

The Yazidis, originally from Iraq, have endured a history of persecution that has scattered them across the globe. In Lebanon, their small community of around 100 families, lives on the margins, practicing their faith in secrecy and struggling to assert their identity. "*We are not Lebanese Nationals. That means we cannot apply to be recognized,*" Sheikh Jomaa explains, his voice tinged with both resignation and resolve.

The lack of recognition is not just a bureaucratic inconvenience—it is a threat to the very survival of their community. "*We were taught not to make enemies of anyone. Our faith does not teach hate,*" says Sheikh Jomaa, highlighting the pacifistic nature of Yazidism. Many Yazidis, unable to publicly identify with their faith, have converted to other religions over the centuries, a trend that continues in Lebanon today. "*Many of our children, because they are not taught enough about the faith, end up converting,*" he adds, underscoring the cultural erosion that comes with a lack of formal recognition.

For Sheikh Jomaa, the issue of recognition is crucial. Despite being the appointed religious authority for the Yazidis in Lebanon, he operates without any official standing. Without formal recognition, the Yazidis are unable to establish places of worship, hold public ceremonies, or even bury their dead with dignity according to the rituals of their faith. Sheikh Jomaa recounts a particularly painful experience when the community was refused burial space in Chtaura because of their faith. "*When they found out that we were of the Yazidi faith, they said to us to be gone and take our worthless roadkill and throw them in the dumpster,*" he recalls, a stark reminder of the indignities they endure due to their unrecognized status.

He dreams of a day when they can wear their traditional dress, establish places of worship, and speak freely about their beliefs without fear of reprisal. "*In the future, I hope that people speak up for us, so that we can access our basic right to speak for ourselves: about our religion, our faith, and our communities,*" he says, his voice filled with quiet determination. For Sheikh Jomaa, this fight is far from over, but he remains committed to leading his community through it, holding onto the hope that one day, they will no longer be invisible.

48- Yazidism is the monotheistic religion of the Yazidi people, rooted in ancient Iranic faith traditions, with distinct beliefs that predate Zoroastrianism. The commonly used term "Yazidi" is controversial, as it is often wrongly linked to Yazid ibn Muʿāwiya, a ruler associated with the killing of Imam Hussein, which gives the name a negative connotation, especially among Shia Muslims. The Yazidis themselves refer to their faith as Êzidî or Ezdayî, meaning "servants of the Creator" or "God-created me," reflecting their deep spiritual connection to the divine. Their religious practices emphasize the worship of one God and reverence for seven holy beings, including the Peacock Angel, Melek Taus. For further information: https://shorturl.at/C229F.

5. Social Integration and Status

The social integration and status of religious minorities in Lebanon are deeply influenced by the country's unique legal, cultural, and political context. While the Lebanese Constitution provides certain inclusion guarantees for religious communities, social integration, and acceptance remain evasive in the absence of any laws guaranteeing non-discrimination or specifying the detailed legal translation of freedom of belief. The reality for many religious minorities, particularly those that are unrecognized, is one of marginalization and exclusion.

This section explores various dimensions of social integration, including education and language rights, employment and economic participation, social access, cultural heritage, social acceptance and discrimination, and inclusivity in public events.

5.1 Education and Language Rights

Article 10 of the Lebanese Constitution guarantees the right of religious communities to establish their own schools, provided they adhere to the general rules issued by the state regulating public instruction.[49] This provision ensures that religious minorities can maintain and transmit their cultural and religious identities through education. However, the practical implementation of these rights often varies, and for groups whose religious identity is closely connected to their language and culture, the issue becomes existential.

For example, the Syriac community faces challenges in preserving their language. Elie Charabachi, a Syriac Catholic lawyer and political activist, lamented that "there are no real initiatives by the Syriac Church to teach the language. It's a shame to lose such beautiful language. The initiative has to start in the church and spread out to the community, but the church does not have the means nor the capacity."[50]

Indeed, the Syriac language has experienced a significant decline since the seventeenth century, despite numerous efforts by activists in associations and schools to preserve its heritage. These efforts have included teaching, lecturing, publishing pamphlets, and printing books. To support the preservation of the language, the "Society of Friends of the Syriac Language" was established, offering language courses to members of the community in Lebanon who are interested in learning the language of their ancestors.[51] Regarding the Kurdish language, it is essential to note that only a small percentage of Kurds in Lebanon, approximately 19%, are fluent in Kurdish. The Kurdish language is primarily divided into two main dialects: Kurmanji, spoken by most Kurds in Lebanon, and Sorani, and both are fading away with new generations, mainly due to the lack of funding to include them in education.[52]

49- Lebanese Constitution, 1926, Article 10: "Education is free so long as it does not disturb the public order, does not violate the morals, and does not touch the dignity of any religion or creed. The rights of communities to establish their own private schools cannot be violated, provided that they comply with the general requirements laid down by the State with respect to public education."
50- Interview with Me. Elie Charbachi, 16/05/2024
51- Ibid.
52- Newroz Association. *The Situation of the National, Cultural, and Ethnic Components in Lebanon (Kurds, Syriac, Assyrians)*. National Report on Freedom of Religion and Belief, National Working Group on Freedom of Religion and Belief – Lebanon. 2022. pp. 107.

In addition, it's important to recognize that when prayers and religious rituals are conducted in a language that the younger generation is no longer learning—such as Syriac, Assyrian, Kurdish, or even Armenian—this can create a sense of disconnection from their faith. The inability to understand or participate in these religious practices in a meaningful way contributes to a growing detachment from religion itself, further weakening cultural and linguistic ties. Therefore, promoting language education is not only vital for cultural preservation but also for maintaining the spiritual connection within these communities.

Similarly, the Assyrian community relies heavily on church-affiliated schools and youth centers for language education. Jacques Jendo, an Assyrian activist, highlighted the limited educational resources available, noting that "the language is taught in only one school in Lebanon, located in Sadd el-Bouchrieh, and in some youth centers or through church choirs."[53] This situation demonstrates the broader challenges faced by religious minorities in maintaining their linguistic heritage amidst limited governmental support and societal indifference.

In public schools, religious education, in its current state, is tailored to the dominant religion of the student population, often leading to the segregation of students based on their religious affiliation. This system not only marginalizes students from smaller or unrecognized religious communities but also potentially perpetuates sectarianism by embedding it in the educational framework. Moreover, the content of religious education is overseen by religious institutions rather than the state, further entrenching the influence of religious authorities.[54] Thus, while religious education should be reserved for private religious schools, public and private schools should instead incorporate a subject on "religious education" that provides information about all world religions, emphasizing those present in Lebanon. Such an approach would foster inclusivity and mutual understanding among students of different backgrounds, helping to bridge the gaps created by sectarian divisions.

5.2 Employment and Economic Participation

The economic participation of religious minorities in Lebanon is closely tied to their recognized status. ***Members of unrecognized religious groups often face significant obstacles in accessing employment, particularly in public sector jobs that are allocated based on religious affiliation and reserved for members of recognized sects.***[55]

In private-sector employment, discrimination can also be subtle yet pervasive. For instance, in the Raseef22 article, a Baha'i woman described her experience of being rejected for a position at a hotel in Beirut because her religion did not fit into the established quota system. She was told, "As a Baha'i, they did not know what to do with me," illustrating the systemic barriers that religious minorities face in the labor market, limiting their economic participation and exacerbating social inequalities.[56]

This phenomenon is not limited to specific religious minorities or isolated incidents but reflects a broader issue prevalent across Lebanon due to the country's unique demographic distribution. Lebanon's sectarian system and geographic demographics often result in a majority of one religious group dominating certain areas, fostering environments where individuals from other sects or religious affiliations may feel excluded or face overt discrimination. For example, a Muslim woman

53- Interview with Mr. Jack Jendo, 02/05/2024.
54- Fadi Hachem. *Citizenship and Diversity: A Selective Teaching of Notions*. ALEF – Act for Human Rights. 2021. https://alefliban.org/publications/diversity-citizenship-a-selective-teaching-of-notions/.
55- Dr. Elie Al Hindy. *Secularism vs. Sectarianism: Where Does Lebanon Fall?*, National Report on Freedom of Religion and Belief, National Working Group on Freedom of Religion and Belief – Lebanon. 2022. pp. 55.
56- Mahmoud Hemadi. *Lebanon no longer the country of religious freedoms... The reality of unrecognized sects*. Raseef 2022. 2022. https://raseef22.net/english/article/1088592-lebanon-no-longer-the-country-of-religioous-freedoms-the-reality-of-unrecognized.

wearing a veil was denied a position at ABC Ashrafieh, a shopping center situated in a predominantly Christian area of Beirut.[57] Similarly, Christians seeking employment in predominantly Muslim areas or vice versa often encounter similar barriers, reflecting a systemic pattern where sectarian biases influence hiring practices. This, therefore, highlights the issue of Sectarianism versus the issue of minority recognition as a ground for discrimination, quoting all of our interviewees: “Everyone is a minority somewhere in Lebanon.”

5.3 Cultural Heritage

The preservation of cultural heritage is a significant concern for religious minorities in Lebanon. For many communities, cultural practices and religious traditions are inextricably linked, and the erosion of one often leads to the decline of the other.

For instance, the Assyrian community, which has a rich cultural heritage that includes language, dance, and religious rituals, needs help maintaining these traditions in the face of societal pressures and limited institutional support. The Assyrian community in Lebanon has faced significant challenges in preserving its cultural heritage. The Assyrians began arriving in Lebanon in the early twentieth century, fleeing massacres in the Ottoman Empire and later persecution in Iraq. They have established several institutions to preserve their heritage, including churches and schools, providing support to their community and striving to preserve their cultural heritage. However, their efforts are often overshadowed by the broader challenges of living as a marginalized minority in Lebanon.[58]

However, the difficult social, cultural, and living conditions faced by the Assyrians have led to significant emigration, with many leaving Lebanon in search of better opportunities. This emigration threatens the long-term survival of the Assyrian community in Lebanon and the preservation of their cultural heritage. Without greater protection and active support from the state, the cultural heritage of the Assyrians, like that of the Syriacs and other minorities, remains vulnerable to erosion.

The destruction or neglect of cultural sites further threatens the preservation of minority heritage. For example, a Raseef22 article mentions the desecration of a Buddha statue in Baskinta, a Christian village.[59] Such acts of vandalism are troubling indicators of the limits of religious tolerance in the country. Additionally, Jendo pointed out that cultural events like the Assyrian New Year are celebrated within the community. Still, these events lack broader national recognition, embrace, and celebration, making it difficult for minorities to maintain their cultural identity meaningfully.[60]

5.4 Social Acceptance and Discrimination

Social acceptance of religious minorities in Lebanon is inconsistent, with many communities facing varying degrees of discrimination. Unrecognized religious groups, in particular, often experience social exclusion and prejudice. Members of the Jehovah’s Witnesses, for example, reported being discriminated against, frequently subjected to verbal and physical abuse, and seen as heretical by the broader Christian community in Lebanon. A Jehovah’s Witness in Beirut noted, “We are seen as the Anti-Christ. People think that we do not believe in Jesus or Mary.” [61]

58- Newroz Association, Op. Cit. 52.50- Interview with Me. Elie Charbachi, 162024/05/
59- Mahmoud Hemadi, Op. Cit. 56.
60- Interview with Mr. Jack Jendo, 022024/05/.
61- Mahmoud Hemadi, Op. Cit. 56.

Similarly, Baha'i individuals have described instances where social interactions became strained once their religious identity was known. In the Raseef22 article, Baha'i respondents noted that people initially showed curiosity about their faith. Still, over time, "they would start avoiding us," reflecting the social stigma attached to unrecognized religious groups.[62] This sentiment of exclusion is echoed by Jendo, who described how Assyrians are often viewed with suspicion or as outsiders due to their distinct language and customs. He recounted an incident where he was told to "return to your (his) country" by a fellow Lebanese simply because he spoke Assyrian.[63]

62- Ibid.
63- Interview with Mr. Jack Jendo, 022024/05/.

Story 3: Mr. Jack Jendo

The Journey of Jack Jendo

Advocating for Assyrian Recognition in Lebanon

Jack Jendo's life has been one of relentless pursuit of justice and recognition for his people. As an Assyrian[64] activist and advocate, his journey began with questions that many in his community had long asked: Why is there so much discrimination? Why must they endure such suffering? These questions fueled his mission to bring attention to the plight of the Assyrian community in Lebanon and beyond.

Jendo's early years were shaped by his involvement in scouting and his connection to the church in his neighborhood. These experiences taught him the values and principles that would guide his future work. "I gained my knowledge and values in life through participation in scouting from a young age, and by attending the church in our neighborhood," he reflects.

"I gained my knowledge and values in life through participation in scouting from a young age, and by attending the church in our neighborhood"

One of Jendo's significant achievements was during the COVID-19 pandemic when he recognized the importance of empowering youth through technology to defend human rights more effectively and was able to lobby the OHCHR in Geneva to support youth in his initiative. "During the COVID period, it became evident that what I had been proposing was correct, as young people began using platforms like Zoom and other online tools," Jendo recalls. This initiative led to creating a global network of youth belonging to religious minorities.

Jendo reached numerous international arenas to advocate for these issues. "I started by questioning why Assyrians face marginalization, but over time, especially when we went to the United Nations, I realized that many other religious groups also suffer from marginalization," he says. His advocacy thus extended beyond the Assyrian community as he strived to bring attention to the challenges faced by all marginalized religious groups.

In Lebanon, the Assyrian community includes about 50,000 individuals who have a rich cultural heritage dating back 4,000 years. However, this heritage is often misunderstood or ignored by the wider society. "Many people don't know anything about Assyrians or were unaware that it still exists. They say they've only heard about it in history books," Jendo notes.

Jendo faced discrimination firsthand, including during his bid for political office in Lebanon. "When I ran for elections, I had no choice but to run for the only seat reserved for minorities in the 1st district of Beirut, even though a lot of potential voters, especially from the Assyrians, are registered outside of Beirut 1," he says. This experience highlighted the limitations and challenges of political representation for minorities in Lebanon, as a single seat in Beirut represents six Christian minority sects.

Despite these obstacles, Jendo believes that true representation goes beyond simply having a seat at the table; it requires a commitment to listening to the needs of all communities. "We are

not represented in the state, municipalities, or mukhtars (mayors), but representation doesn't necessarily mean someone from our group, but a representative who listens to everyone's needs," he asserts. Jendo advocates for concrete steps to ensure equal government acknowledgment for all and calls for greater awareness and education about minority rights for all marginalized groups. "When we talk about minority rights, we don't just mean Assyrians, but all minorities. Demanding rights for Assyrians alone would be considered narrow-minded," he concludes.

64- Assyrians are an indigenous ethnic group from Mesopotamia, tracing their roots to the ancient Assyrian Empire. Predominantly Christi¬an, they belong to denominations like the Assyrian Church of the East and Syriac Orthodox Church, believing in Jesus Christ and the teachings of the early Church. They preserve their distinct language, culture, and traditions despite historical persecution.

6. Political Representation and Participation in Political and Civil Life for Minorities in Lebanon

The representation[65] of minorities and indigenous peoples is crucial for ensuring their meaningful involvement in public affairs. To have the voice of these groups heard in legislatures and the consideration of their interests are key indicators of their participation in national decision-making, notably on matters that concern their existence. Such inclusion has the potential to benefit society as a whole by strengthening democracy, enhancing the quality of political life, promoting social integration, and helping to prevent conflict.[66]

The Lebanese Constitution, particularly Article 24, mandates the proportional distribution of parliamentary seats on a confessional basis, within a guaranteed equal representation between Christians and Muslims.[67] However, this system, designed to maintain balance between the two main religions, has inadvertently marginalized smaller religious communities and unrecognized sects, significantly restricting their political influence and participation.

6.1 Overview of Current Representation

Lebanon officially recognizes 18 religious sects. However, the smaller among these sects, such as the Syriac and Assyrian communities, find themselves underrepresented or entirely excluded from significant political roles.[68] For instance, article 2 of Law 44/2017 mentions:

A	*The number of seats and their confessional distribution are allocated to each district as per the table attached (Appendix I) and shall be the basis for the nomination of candidates. The attached table is an integral part of the present law.*
B	*All the voters from the different confessional groups in a certain constituency shall choose candidates for all the seats in that district.*

65- Representation in this section does not only reflect parliamentary representation; political representation extends to participation in political life, political parties, and political events.

66- Oleh Protsyk. *A Global Overview: The Representation of Minorities and Indigenous Peoples in Parliament.* Accessed August 18, 2024. International IDEA. https://www.agora-parl.org/sites/default/files/agora-documents/A%20global%20Overview_The%20representation%20of%20minorities%20and%20indigenous%20peoples%20in%20parliament-1.original.pdf.

67- Lebanese Constitution, 1926, Article 24: The Chamber of Deputies consists of elected representatives whose number and the manner of the election are determined by the electoral laws in effect. Until the Chamber of Deputies issues an Electoral Law, outside the sectarian record, representative seats are distributed according to the following rules:
1. Equally between Christians and Moslems.
2. Proportional between the sects of both sides.
3. Proportional among districts.

68- Rania Al Rajji, Op. Cit. 12.

In the absence of “travaux preparatoires” for the law, the only mention of minorities is indeed in Appendix 1, providing the former one seat in Beirut 1 (Ashrafieh Rmeil, Saifi, Medawar), after the second seat assigned in Beirut 2 according to the 2008 law, got reassigned to Evangelists exclusively in the 2017 law.

For example, the Syriac community, which has deep historical roots in Lebanon dating back to the late Middle Ages, has struggled to maintain its political presence. The most significant comparison would be the situation of the Syriacs, who do not have dedicated parliamentary seats, unlike the Alawite community, which, though small (approximately 50,000 compared to the approximately 40,000 Syriacs[69]), managed to secure a two-seat representation through strategic lobbying, highlighting the disparities in political influence among minority groups in Lebanon, especially due to political favoritism between one sect and the other.[70] Indeed, Elie Charbachi, a Syriac Catholic lawyer and political activist, emphasizes that the Syriacs, despite their significant contributions to Lebanon's history, have failed to secure their political rights due to a lack of a unified political organization.

6.2 Barriers to and Impact of Political Participation

The most significant barrier to political participation for minorities in Lebanon is the confessional system itself, which inherently favors the larger six sects—Maronites, Sunnis, Shiites, Orthodox, Druze, and Melkite Catholics—over smaller religious communities. As Habib Afram, Head of the Syriac Cultural Association in Lebanon, pointed out, “The major sects are the ones who get everything... the other sects are considered second class.”[71] This systemic bias limits the opportunities for smaller groups to secure political representation and influence.

Additionally, the Constitution, while providing for confessional representation, does not adequately address the needs of smaller sects. It proposes a temporary solution since 1990 (following the Taef Agreement), mentioned in article 95 of the Constitution as the following:

> *“The Chamber of Deputies, elected on the basis of half Muslims and half Christians, must take the appropriate measures to eliminate political sectarianism, according to an interim plan, and the formation of a National Council under the presidency of the President of the Republic consisting, in addition to the President of the Chamber of Deputies and the Prime Minister, political, intellectual and social notables.*
>
> *The mission of the Council is to study and suggest the means capable of eliminating the sectarianism, and introducing them to the Chamber of Deputies and the Council of Ministers, and to follow up on the interim plan.*
>
> *In the transitory period:*
>
> 1. *The sects are fairly represented in the formation of the Cabinet.*
> 2. *The rule of sectarian representation is abrogated. Jurisdiction and efficiency are adopted in public employment, the Judiciary, the military and security establishments, the public and mixed organizations, according to the exigencies of national harmony, with the exception of the jobs of the first rank and the equivalence of the first rank therein. These jobs are equally divided between Christians and Muslims without specifying any job to a specific sect, taking into consideration the two principles of jurisdiction and efficiency.*

69- Kamal Feghali, *Numbers Study 2022: A reconsideration of the distribution of parliamentary seats among sects.* Accessed 17 November 2024. https://180post.com/archives/31570.
70- Rania Al Rajji, Op. Cit. 12.
71- Rania Al Rajji, Op. Cit. 12.

Moreover, the non-recognition of certain religious communities, such as the Bahá'í and unregistered Protestant groups, further entrenches their exclusion from any political participation whatsoever. The Constitution's "transitory period" and the "interim solution" of Article 95 perpetuate this exclusion, which has been ongoing for 34 years. This confessional system also leads to political gridlock and hampers governance, as seen in the ongoing difficulties in forming a government and electing a president. The sectarian-based political system is often cited as a primary reason for Lebanon's political instability and economic challenges.[72]

While the Constitution, as mentioned above, states that no specific jobs should be reserved for any sectarian group and that merit and competence should guide public appointments, these principles are applied unevenly because in order for the first part of that article to be applied, the National Council for the elimination of sectarianism must be formed, which has not been activated yet. The result is a prolonged state of limbo, where smaller and unrecognized religious communities continue to be sidelined politically, awaiting the activation of the National Council for the elimination of sectarianism. This delay not only denies these communities fair representation but also entrenches their "second-class status" within Lebanese society. And the political representation also extends to ministers, ambassadors, judges, and all other government appointed positions. For instance, in the 10 cabinet of ministers formed from 2004 till today, which appointed nearly 256 ministers, only one was from a recognized religious minority.

72- Ibid.

Story 4: Me. Elie Charbachi

Elie Charbachi

A Syriac Catholic[73] Voice for Political Representation

As a member of a prominent political party in Lebanon, Charbachi has been involved in politics since his university days, driven by the values passed down through his family and ingrained in him through his Syriac heritage. For Charbachi, the fight for the Syriac community's place in Lebanon is not just a political cause but a personal mission to preserve the identity and contributions of Syriacs in Lebanon.

"Lebanon is a collection of minorities. It is offensive to call a group of people a minority in Lebanon," he asserts, pointing out the flawed logic in a country where no single sect is a majority. He argues that if Lebanon's Christians were to unite as a single group, the sub-sect segregation could be eliminated, and the Syriacs would no longer be deemed an underrepresented minority.[74]

"Lebanon is a collection of minorities. It is offensive to call a group of people a minority in Lebanon"

As a member of the Lebanese Forces, Charbachi supports the idea that Christian seats in parliament should be filled by the most competent candidates, regardless of sect. However, he acknowledges that the current political system does not function in a way that allows for this kind of merit-based representation. In response, Charbachi and other Syriac leaders have worked to reexamine the constitutional texts and advocate for assigning a minister and two parliamentary seats to the Syriac community. Despite their efforts, they have struggled to overcome the institutional inertia that keeps them marginalized. "We were working to rise above being referred to as a minority, and they dragged us back into it," he laments.

Charbachi's identity as a Syriac Catholic is integral to his political activism. "As a political activist and a lawyer, my vocations complement my religious identity. I am Syriac first, Lebanese second, and a member of the Lebanese Forces third," he declares. His deep connection to his Syriac roots drives his commitment to ensuring that his community's voice is heard in Lebanon's political arena. He believes that his community has paid a heavy price to be where they are today, citing historical events where Syriacs played a critical role in defending Lebanon.

Charbachi's campaign for Syriac representation is not limited to political office; he also advocates for greater inclusion in state institutions and the judiciary. He has proposed amending laws to ensure that Syriacs are employed in key positions within ministries, or alternatively, ending sub-sect segregation altogether and filling Christian seats with the most qualified individuals.

73- The Syriac Catholic Church, an Eastern Catholic jurisdiction, traces its roots to the early centuries of Christianity in the Levant and shares many rites with the Syriac Orthodox Church. Following the Chalcedonian Schism, it came into full communion with the Roman Catholic Church, distinguishing itself from the Syriac Orthodox Church. Despite historical persecution in Turkey, Iraq, and Syria, Syriac Catholics have found refuge in Lebanon, continuing their struggle to preserve their religious and cultural identity. For more information: https://shorturl.at/w0Ff4 and https://shorturl.at/IIFj9.

74- Approximately 7,000 Syriac Catholics are eligible to vote in Beirut I, 3,000 in Beirut II, and 5,000 each in Metn and Zahle. Yet, despite that distribution, the Syriacs share a single parliamentary seat with other minority groups.

“The truth is, even in the constitution, nothing clearly states that the president must be Maronite. It’s a tradition that we uphold. Our first president was Orthodox,” he points out, challenging the status quo. The way our representation is set up features 18 minorities, 6-7 of which are not represented. How is this not offensive?” he asks. “This is my cause. I either work towards having my right to representation, or I leave in pursuit of a state that respects my existence,” he concludes, encapsulating the essence of his lifelong mission.

7. Freedom of Religion

Lebanon's Constitution, established in 1926, enshrines the principle of public freedoms, including freedom of religion and belief. Article 9 of the Constitution guarantees "absolute freedom of conscience,"[75] respecting all religions and creeds and protecting the free exercise of religious rites under the protection of the state, provided public order is not disturbed. The same article forms the basis for the establishment of religious personal status laws, religious court systems, and internal autonomy. However, for many religious minorities in Lebanon, the reality of religious freedom is more complex and fraught with challenges, and the implementation of Article 9 seems partial at best and/or politicized.

7.1 Freedom of Religion and Belief in Lebanon: Challenges and Contradictions

While the Constitution theoretically guarantees freedom of thought and belief, in practice, religious freedom in Lebanon is often limited, particularly for unrecognized religious minorities. These groups, which include communities such as the Ahmadi, Bahá'í, Buddhists, Atheists, Agnostics, and Jehovah's Witnesses, do not enjoy the same legal protections as the 18 officially recognized sects. As a result, they face significant social and legal disadvantages.[76]

Freedom to Believe
While recognized religious groups are granted full protection to practice their beliefs in line with their sectarian doctrines, unrecognized groups often face significant challenges and insufficient safeguards. Although individuals can theoretically choose their beliefs, sometimes choosing beliefs that contradict those recognized in Lebanon might lead to discrimination, sometimes even safety threats, especially when vocal about their beliefs. This is precisely the situation of Yazidis, Ahmadis, and Jehova's Witnesses.

Jehova's Witnesses[77]

Despite their presence in Lebanon since the 1920s, and their number today reaching up to around 4,000 people according to a study conducted by Raseef22, and despite them being distributed over

75- Lebanese Constitution, 1926, Article 9: "There shall be absolute freedom of conscience. The state in rendering homage to the God Almighty shall respect all religions and creeds and shall guarantees, under its protection the free exercise of all religious rites provided that public order is not disturbed. It shall also guarantees that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected."

76- Office of International Religious Freedom. *2022 Report on International Religious Freedom: Lebanon*, United States Department of State, 2022. https://www.state.gov/reports/2022-report-on-international-religious-freedom/lebanon/.

77- Jehovah's Witnesses identify as Christians and base their beliefs on the Bible, though they interpret parts of it symbolically rather than literally. They hold that certain sections of the Bible are written in symbolic language, which should be understood figuratively. A central belief is that God's Kingdom is a real government in heaven, not just a spiritual state within believers. According to Jehovah's Witnesses, this heavenly kingdom will soon replace human governments, which they believe have failed to meet people's true needs, and will enforce God's will on earth, as they believe we are living in the "final days."

a large area of Lebanon — especially in areas with a Christian majority in Lebanon — and their activity in the field of preaching, Jehovah's Witnesses cannot legally convene for public assembly or worship without prior approval from the Ministry of Interior. Not only were magazines banned, but the group's activities were completely prohibited on January 27, 1971.[78]

Jehovah's Witnesses in Lebanon are prohibited from establishing official headquarters, forcing them to hold meetings and practice their rituals in private apartments. This restriction significantly impacts their ability to conduct regular gatherings. "Typically, there are two types of meetings—one midweek and another at the weekend," says M.A., a 30-year-old member who spoke to Raseef22 anonymously. They are cautious about inviting others to meetings, which are meant to welcome new attendees, due to fears of harassment or exposure.[79]

Ahmadis

Ahmadis are members of the Ahmadiyya Muslim Community, a movement founded in 1889 by Mirza Ghulam Ahmad in India. Ahmadis believe Ghulam Ahmad to be the awaited Mahdi and promised Messiah, which sets them apart from mainstream Islamic belief that prophethood ended with Muhammad. Their emphasis on peace and religious freedom, along with their distinctive beliefs,[80] has led to widespread persecution in various countries, including Lebanon.

On August 31, 2015, the then-Minister of Interior Nouhad el-Machnouk agreed to recognize the Lebanese Ahmadiyya Muslim Association with the number 1783, but only a few weeks passed before he withdrew it. Since then, Ahmadis only pray in their homes. Another issue that plagues Ahmadis is the accusation that they have connections with Israel. Like Jehova's Witnesses, they have faced the same accusations and the same type of judgments for what they believe in.

Freedom to Convert

Those who convert from one faith to another may face the reality that their new religious identity is not recognized in the eyes of the law. *For instance, a person who converts from Islam to the Bahá'í faith may still be registered as a Muslim on official documents, subjecting them to Islamic personal status laws that do not reflect their current beliefs. But that is the case for the ones who are able to convert. In some other cases, converting from one sect to another can lead to not only discrimination but also to threats and prohibition from inheritance or any other benefits, which is the case of individuals who have left Christianism to become Jehova's Witnesses. Additionally to economic punishment, these people have also been subjected to harassment and discrimination by their families, their close ones, and the communities they used to belong to.*

In other cases, conversion has not been a choice. For instance, the Yazidis, who have been present in Lebanon for long, were forced to change their religion and convert to Christianity or Islam to process their registration or to be able to process some acts like marriage, access to public office, voting, etc.

78- On May 12, 1964, the League of Arab States recommended banning Jehovah's Witnesses in all Arab countries due to accusations of their ties to Zionism.
79- Mahmoud Hemadi, Op. Cit. 55.
80- i.e., According to Ahmadiyya beliefs, there is no eternity in hell. Fire is a purification and a way to reach heaven, and it is the lowest level of heaven, while the highest is enjoying the highest degree of faith.

In conclusion, while Lebanon's constitutional guarantees suggest that everyone is free to believe as they wish, significant legal, social, and institutional barriers hinder many individuals—especially those in unrecognized or minority faiths—from fully exercising this right. The discrepancies between legal protections for recognized sects and the challenges faced by unrecognized groups underscore a broader issue: the need for systemic reforms that ensure genuine freedom of belief for all individuals, regardless of their religious affiliation or lack thereof.

7.2 Freedom Not To Believe

When it comes to non-believers, atheists, agnostics, and others, the societal context in Lebanon adds another layer of complexity to the question of religious freedom. The deeply entrenched sectarian divisions within the country often result in social stigmatization for those who identify as Atheists or Agnostics. In a predominantly religious society, expressing disbelief or rejecting religious affiliation can lead to ostracism, discrimination, or even harassment. ***This societal pressure can discourage individuals from openly discussing their beliefs or seeking to change their religious identity, reinforcing that freedom of belief is not uniformly accessible.***

The last official population census, conducted in 1932 during the French Mandate, did not account for atheists, assuming their population to be 0%. Since then, it is assumed that the number of atheists has increased, although no census has been done nor election rolls include them.[81] The more crucial problem is the most common interpretation of Article 9 that excludes atheists from freedom of belief, as the article says: "The state in rendering homage to the God Almighty shall respect all religions and creeds." The article has been interpreted that only "believers" in God can enjoy the respect and protection of the state. This interpretation has been regularly repeated by leaders from the main religious groups. For instance, in a show called Tawasol on Al Manar, it was stated: "In the old days, an atheist would not publicly reveal themselves. They would seek to disguise their disbelief. They would not even disclose their thoughts before others. Today, because of social media, we have pages (dedicated) for atheists to boldly speak their minds. This is clearly visible if we thoroughly inspect social media platforms."[82]

This constitutional framework, while appearing to protect religious freedom, simultaneously excludes those who do not adhere to a recognized religious belief. The state's recognition seems to be practically restricted to Abrahamic religions and does not extend to atheists or those who choose not to affiliate with any religion.[83]

Some secular groups in Lebanon, such as Freethought Lebanon, have called for the secularization of the state, arguing that equal rights should be guaranteed for all citizens regardless of religious affiliation. These groups oppose the idea of establishing a "19th sect" for atheists and instead advocate for the abolition of the sectarian quota system altogether. Their vision is for a Lebanon where citizenship and civil rights are based on individual identity rather than religious affiliation, ensuring that all citizens, including atheists, are treated equally under the law.[84]

The issue of the 19th sect in Lebanon is highly complex and contentious. While it appears to provide an alternative for individuals who wish to opt out of Lebanon's rigid sectarian system, it raises several concerns. First, it effectively requires people to leave their original sects—often tied deeply

81- Marc Bou Fadel et. al. Legal Report, Discrimination Against Atheists in Lebanon. Atheists in Lebanon. https://www.freethoughtlebanon.net/ atheists-in-lebanon-legal-report/. 2021
82- Moustapha Itani and others. Media Report, *Discrimination Against Atheists in Lebanese Media. Atheists in Lebanon.* https://www.freethoughtlebanon.net/atheists-in-lebanon-media-analysis/. 2021
83- Ibid.
84- Ibid.

to their identity and beliefs—in order to access certain rights, such as the ability to marry outside the jurisdiction of religious courts. This creates a paradox where individuals are forced to abandon their religious affiliation, even if they genuinely believe in their faith, to escape the restrictions imposed by sectarian laws. Second, the 19th sect itself is not cohesive, as it groups together individuals who share little beyond their desire to bypass the limitations of Lebanon's sectarian system. These individuals come from diverse backgrounds, beliefs, and practices, undermining the notion of forming a unified community or religion, which defeats the purpose of creating a distinct sect in the first place. Third, and most importantly, this solution does not address the root issue of sectarianism. By categorizing individuals under a new religious denomination, it continues to treat them as members of a religious group rather than as citizens or human beings with individual rights. This perpetuates the sectarian framework and further entrenches its role in Lebanese society rather than moving toward a system that respects individuals as equals regardless of their religious beliefs.

Thus, while the 19th sect offers a stopgap solution in the absence of meaningful alternatives, it is far from ideal. A more comprehensive and inclusive solution, such as the introduction of civil marriage as a legal choice for all citizens, would better address the structural issues of sectarianism by removing religion from the legal framework altogether. Until such measures are implemented, the 19th sect remains a necessary but fundamentally flawed compromise in a system that desperately needs reform.

Story 5: Ms. Wathsala Kumari

"Everyone is welcome to visit!"

Wathsala Kumari

A Journey of Faith and Community in Lebanon

Wathsala Kumari, a Sri Lankan Buddhist[85] migrant worker in Lebanon, has built a life of resilience, faith, and community in a foreign land. Twenty-five years ago, when Wathsala first arrived in Lebanon, the Sri Lankan community was small, scattered, and mostly invisible. Over the years, however, it has grown into a close-knit group of men and women from different faiths—Muslim, Christian, and Buddhist—who support one another in this new chapter of their lives.

Her pride in her community is evident as she speaks of the temple in Tabaris, a place that has become a beacon of togetherness for the Sri Lankan Buddhists in Lebanon. "Some Lebanese, they like us; they come to the temple in Tabaris. Everyone is welcome to visit!" she says. The temple has become a sanctuary where the community gathers to pray, celebrate, and share meals. What began as small, informal gatherings in people's homes has blossomed into a monthly tradition that strengthens their collective faith and connection to one another.

While the Buddhist community doesn't gather as frequently, they make it a point to celebrate Buddha's birthday every May. This celebration, along with their monthly meetings at the temple, is a time for reflection, prayer, and communal sharing. Wathsala takes great pride in these gatherings, especially the one held on May 28th with Over 1,500 people participating. "We spent all day preparing for the gathering," she proudly shares.

When asked if she feels safe practicing her religion in Lebanon, Wathsala's response is filled with gratitude. "Hamdellah, we feel safe and happy to share tradition," she says, noting that many Lebanese have visited the temple[86] with genuine curiosity and respect. This acceptance has allowed the community to thrive, fostering a sense of security and belonging in a country far from their homeland.

In terms of employment, Wathsala works as a cleaner, seamstress, and beautician. She shares that she hasn't faced discrimination at work that is based on her religious identity, attributing this to the global spread of Buddhism. This widespread acceptance, she believes, has contributed to the positive treatment she and her community have experienced in Lebanon. "People like Sri Lankans but don't know much about Buddhism. Until now, *Ihamdella* (thank God), we haven't had problems. I don't know about the future, but right now, no," she says with a calm assurance.

85- Buddhism is a spiritual tradition founded by Siddhartha Gautama (the Buddha) in ancient India, focusing on the path to enlightenment. Buddhists believe in the Four Noble Truths and the Eightfold Path, emphasizing compassion, mindfulness, and liberation from suffering. It is practiced worldwide, with diverse traditions such as Theravāda, Mahāyāna, and Vajrayāna. For further information: https://www.taadudiya.com///Calendar/Details?pageid=3187&lang=2; https://www.taadudiya.com///Calendar/Details?pageid=3244&lang=2; https://www.taadudiya.com///Calendar/Details?pageid=3357&lang=2; and https://tinyurl.com/38pmrnee.

86- The temple is not a location recognized by the government; it is an informal gathering space. So far, the authorities have allowed Buddhists to gather, pray and celebrate there.

8. Personal Status Laws

8.1 Overview of Lebanon's Personal Status Laws

Personal status laws govern critical aspects of life, such as marriage, divorce, inheritance, and child custody, and as per article 9 of the constitution and the overall customary practice, are administered by religious courts representing the country's recognized sects. However, the absence of a unified civil code and the reliance on religious laws create significant disparities in rights and defies equality before the law, particularly for religious minorities and/or unrecognized groups. This exclusion is particularly evident in areas such as marriage, where members of unrecognized religious groups or those from recognized groups who do not wish to abide by religious stipulations must often travel abroad to legally marry, as the Lebanese state does not recognize their civil marriages if it happens inside Lebanon but hypocritically recognizes them if they happen outside.

Further, personal legal matters such as marriage, custody, and inheritance are governed by personal status laws that vary according to religious affiliation. ***However, religious minorities whose respective faith are not recognized face significant legal challenges in navigating these matters. Members of recognized religious groups typically resolve personal issues in their respective religious courts, but those from unrecognized groups often struggle to find an appropriate legal forum. They are forced to use the courts of other recognized faiths, which do not align with their beliefs, or find themselves without any viable legal recourse, applying laws and principles of a religion that is not their own and that does not reflect their values or practices.***

This legal complexity not only hinders their ability to resolve personal matters but also reinforces their social marginalization. Without official recognition, their rights are limited, and they lack equal access to justice. The existence of different legal systems for different religious groups creates a fragmented and unequal legal landscape, where citizens are treated differently based on the religion they are registered under.

However, alternative options exist for the state to do things differently. Law No. 60/L.R., enacted in 1936, provides a framework for religious communities in Lebanon that do not follow recognized religious laws. These communities, termed "ordinary law denominations" (or "qanun 3adi"), can organize and manage their affairs freely within the limits of civil law. Article 14 of this law stipulates that sects falling under this category must comply with civil laws for personal status issues. This implies that individuals from non-recognized sects or those who prefer not to follow religious laws have the option to adhere to civil laws for personal status matters.

Moreover, Article 15 of the same law gives these sects the opportunity to seek official recognition, provided that their teachings do not conflict with public security, morals, or the Lebanese Constitution. Once recognized, these communities can acquire property for religious purposes. However, even if they do not gain recognition, they are still subject to civil laws in personal status matters, allowing for a legal structure outside the religious framework.

Under Law No. 60/L.R., Lebanon offers an alternative in the form of civil law for those who do not

follow religious laws. However, the application of this option remains limited, as Lebanon has not yet enacted a comprehensive civil personal status law that would allow all citizens to opt out of religious laws entirely.

8.2 Impact of Personal Status Laws on Religious Minorities

Marriage

As discussed, in Lebanon, there is no civil marriage. It is regulated by religion-based personal status laws. However, not all religious minorities can validly celebrate their marriage under their own religious law; only recognized religious minorities can do so. This framework excludes unrecognized religious groups, such as the Baha'is, Ahmadis, Jehovah's Witnesses, and others, compelling their members to seek alternative, often burdensome, routes to marry legally. For example, a Baha'i couple cannot legally marry within Lebanon and must, therefore, either marry abroad or register under a recognized sect to have their marriage acknowledged.[87]

This limits this option, unfortunately, to the ones that can afford it. The ones who cannot pay the fees of traveling abroad to marry under foreign jurisdictions they will not be able to marry in Lebanon. However, there are two exceptions, both discriminatory and violating their freedom of belief, but do offer options for non-recognized religious minorities to marry: the first is the conversion to another recognized sect, and the other is to perform their marriage (when allowed) under the laws and jurisdiction of another sect (the second option is not applicable for Jehova's Witnesses, as Christians consider them to be "enemies of the Church."

For the recognized religious minorities, like the Alawites and Syriac Christians, the situation is somewhat different. As recognized religious minorities, Alawite Muslims and Syriac Christians enjoy rights similar to other recognized religious groups, including the ability to have their personal status laws and religious courts that can perform marriages automatically validated by state authorities.[88] However, their issue is not without challenges; for instance, the Lebanese government still hasn't provided the Alawite community with funding and has assigned a budget to establish their own courts. Therefore, their personal status issues are still resolved and dealt with in the Shiite courts, which apply different laws than the ones of the Alawites.

A similar approach is taken in matters of dissolution and annulment of marriages. Members of unrecognized groups, such as Ahmadis and Jehovah's Witnesses, must either turn to the courts associated with the religious affiliation listed on their identification cards—if their marriage was conducted according to their original affiliation—or seek recourse in the state's civil courts when their marriage is celebrated in civil courts outside of the country.[89]

Child Custody and Religious Affiliation

Child custody decisions, like marriages, are predominantly governed by religious courts, with each recognized sect administering its own set of laws based on religious doctrines. This heavily influences the outcomes of custody disputes, often prioritizing religious affiliation and not always the best interests of the child. Such an approach can lead to significant disadvantages for religious minorities, especially in cases of interfaith marriages or where one parent belongs to an unrecognized sect.

87- Janet Hancock. *Lebanon: A Conflict of Minorities*. Asian Affairs 18, no. 1 (January 1987): 30–36. https://doi.org/10.1080/03068378708730249/.

88- United Nations Committee on the Elimination of Racial Discrimination. *Concluding Observations on the Combined Twenty-Third and Twenty-Fourth Periodic Reports of Lebanon.* CERD/C/LBN/CO/2324-. Geneva: United Nations, September 1, 2021. https://undocs.org/en/CERD/C/LBN/CO/2324-.

89- Ana Maria Daou, Joe Hammoura and Ishaq Ibrahim. Marriage and Family: *Legal and Sociological Analysis in Preventing discrimination and persecution. Models of inclusion of religious minorities in the Euro-mediterranean space (ReMinEm).* Center for Religious Studies Fondazione Bruno Kessler. September 2022.

In interfaith marriages, the religious identity of the child becomes a pivotal issue in custody decisions. Courts often favor the parent whose religion aligns with the child's given or declared faith. For instance, in cases where a Christian and Muslim parent are in dispute, Christian courts may grant custody to the Christian parent if the child has been baptized in the Christian faith. Conversely, Islamic courts might favor the Muslim parent, particularly if the child is recognized as Muslim by birth. This sectarian bias can marginalize one parent, especially when their religious practices are not recognized or are in conflict with the court's religious doctrines.[90]

Generally, courts tend to favor the father, especially when the court shares his religious background. While other factors such as socio-economic status, moral conduct, and ethical behavior are also considered, there is a noticeable bias in case law against members of non-recognized religious minorities, such as the Ahmadis, Baha'is, and Jehovah's Witnesses, and sometimes even against recognized minorities like the Alawites and Syriac Christians.[91]

In mixed marriages where the wife belongs to one of the unrecognized minorities, custody cases handled by the husband's religious court often result in rulings that emphasize two main points: first, that children should be raised in the religion of their father, and second, that it is preferable for children to be educated within a legally recognized religion.[92] Additionally, adoption is not permitted within Muslim communities. For Ahmadis, Baha'is, and Jehovah's Witnesses, the ability to adopt depends on the religion specified on their identification cards.[93] This can result in custody arrangements that fail to consider the unique cultural and religious needs of the child and the parents.

90- Janet Hancock, Op. Cit. 87.
91- Ana Maria Daou, Joe Hammoura and Ishaq Ibrahim, Op. Cit. 89.
92- Ibid.
93- Ibid.

Story 6: Pastor Dr. Rima Nasrallah

"I teach what I believe in"

Dr. Rima Nasrallah

A Women Religious Leader and Educator

Dr. Rima Nasrallah stands as a pioneering figure, balancing the roles of pastor, professor, and advocate. As one of the few female pastors in the Evangelical Church[94] in the country, Dr. Nasrallah's journey is a testament to her resilience, faith, and dedication to both her community and her beliefs.

Dr. Nasrallah's path to becoming a pastor was neither straightforward nor easy. It was a calling she felt deeply since her teenage years, a time when she was actively involved in her church's Sunday School and youth camps. Despite initially pursuing a degree in Electrical Engineering at the American University of Beirut (AUB), she found her true passion elsewhere.

In 2018, Her initiation followed that of Roula Sleiman, who became the first female pastor in Lebanon in 2017. As a Professor of Theology in the Global South Liturgy Department, she educates students on the fundamentals of theology, instilling in them the values she holds dear. "I teach what I believe in," she says, a statement that encapsulates her approach to both her roles. In the church, she is deeply involved in the daily lives of her congregation, while in the academic world, she imparts the practical applications of evangelical beliefs to her students.

Dr. Nasrallah is also a strong advocate for a secular state, believing that the current sectarian system does not adequately represent the Evangelical community. Rather than seeking more power within this system, she emphasizes the impact her community has through educational and social initiatives, such as universities, hospitals, and nursing homes. Despite being a minority, the Evangelical community does not see itself as needing protection but as a group with significant influence and a mission to contribute positively to society. "I am a citizen of Lebanon who happens to be Evangelical," she says.

94- The Evangelical Church in Lebanon is a Protestant Christian tradition established in the 19th century through missionary efforts. Officially recognized among Lebanon's 18 sects, Evangelicals emphasize personal faith, biblical authority, and community engagement, particularly in education and social services. Though small in number, they operate prominent schools and universities, contributing significantly to Lebanon's educational and social landscape.

Conclusion

The situation of religious minorities in Lebanon remains complex and multifaceted, shaped by the nation's intricate sectarian system, historical legacies, and ongoing regional dynamics. As the report illustrates, Lebanon′s confessional system, while intended to balance power among its diverse religious communities, often exacerbates divisions and creates challenges for both recognized and unrecognized minority groups.

Lebanon's unique socio-political structure complicates the traditional understanding of minorities as merely smaller groups. Sheikh Mohammad Haidar′s observation that minority status is fluid and not permanently tied to any one group highlights the dynamic nature of Lebanon's sectarian landscape. Similarly, Elie Charabachi's insight that Lebanon is a nation of minorities, where no single group holds an outright majority, underscores the necessity of coalition-building and inclusive governance to ensure equitable representation.

The challenges faced by Lebanon′s religious minorities are compounded by the lack of legal recognition for some groups, such as the Yazidis, who live on the margins without formal acknowledgment or citizenship. The experiences of these communities, as recounted by leaders like Sheikh Jomaa, reveal a deep struggle for identity preservation and the basic right to exist and practice their faith freely.

Moreover, the influx of refugees and the shifting demographics in Lebanon have intensified fears and tensions, threatening the delicate sectarian balance that has long been a cornerstone of Lebanese politics. These dynamics not only jeopardize the rights and security of minority groups but also challenge Lebanon′s identity as a sanctuary for diverse religious communities.

Moving forward, Lebanon must address these challenges through urgent and inclusive policy interventions that recognize and protect the rights of all religious minorities. This includes reforms to the legal framework governing religious recognition, ensuring equal access to state benefits and participation in public life, and fostering an environment where diversity is respected and valued.

In conclusion, while Lebanon's sectarian system has historically provided a degree of protection and autonomy for religious minorities, it is clear that the current model is inadequate in meeting the needs of all communities. Lebanon must reimagine its political community to build a more inclusive and equitable society, bringing together its many minorities to form a cohesive and representative national identity.

Policy Recommendations

For the Lebanese Government

On the Constitutional Level:

- Reviewing the Lebanese constitution and identifying articles that have been interpreted/ implemented in a way that discriminates between different citizens based on their confessional affiliation or restricts rights to certain confessional groups exclusively and suggesting suitable amendments.
- Implement the Constitutional stipulations of Article 22 and the related provisions of the Taef Accord to create a Senate (upper chamber) where all sects are represented fairly and adequately, and that deal with "major issues" related to the national pact, the preamble of the constitution and basic rights and freedoms guaranteed by the constitution.
- Implement the Constitutional stipulations of Article 22 and the related provisions of the Taef Accord to eliminate all sectarian representation in the parliament (lower chamber), opening the door for any Lebanese to run for any seat without any discriminatory allocations or restrictions.
- Implement the Constitutional stipulations of Article 95 and the related provisions of the Taef accord to form the "national committee" to address sectarianism that will "study and propose the means to ensure the abolition of confessionalism" according to a "long-term transitional plan" and "to follow up the execution of the transitional plan." Also, implement the stipulation of the article in terms of canceling all "confessional representation in public service jobs" except first-grade appointments. Also, according to the same article, implement the "just and equitable" representation of the sectarian groups in the formation of the Cabinet and in the first-grade appointment "without reserving any particular job for any sectarian group but rather applying the principles of expertise and competence."

On the legal level:

- Reviewing the Lebanese body of Laws to ensure the rights granted in the constitution are translated into applicable practical laws and not general principles.
- Issuing new laws that define and set the legal framework for freedom of religion and belief, or freedom of expression, and non-discrimination; introducing penalties for violations and ensuring robust enforcement.
- Reviewing and clarifying the ambiguity around the law of associations, the media law, the blasphemy law, the criminal code, and the military tribunal law to avoid their implementation in a way that lead to discrimination and limitations of rights freedoms;
- Reviewing the law and the procedure of recognizing religious minorities in a way that opens the door for new groups to be recognized;
- Issuing a civil personal status law that applies to all those who do not belong or decide not to follow the laws of the existing confessional groups in matters of marriage, divorce, inheritance, custody, etc... This would ensure that all citizens have equal access to legal rights without the need to adhere to a recognized sect.

- Support cultural and religious initiatives that celebrate the diversity of Lebanon's religious communities, ensuring that minority festivals and traditions receive national recognition and support.

For the International Community and Donors

- Provide technical assistance and funding to support the Lebanese government in reforming its legal and policy framework to protect the rights of religious minorities better. This could include developing a national action plan on minority rights.
- Advocate for including the rights of religious minorities in all bilateral and multilateral dialogues with the Lebanese government.
- Fund capacity-building initiatives aimed at empowering religious minority communities in Lebanon. This includes support for civil society organizations working on minority rights, legal aid services, and community leadership programs.
- Support educational and cultural initiatives that aim to preserve the languages, traditions, and heritage of Lebanon's religious minorities, including funding for schools, cultural centers, and media projects.
- Establish or support independent monitoring mechanisms to track the status of religious minorities in Lebanon, reporting regularly on violations of their rights and progress made in addressing these issues.
- Engage in international advocacy to raise awareness of the situation of religious minorities in Lebanon, ensuring that their rights are highlighted in international human rights forums and reports.

For Lebanese Civil Society

- Lead advocacy campaigns to promote the recognition and protection of all religious minorities in Lebanon. This includes raising awareness among the public and policymakers about the specific challenges these communities face.
- Work in coalition with other civil society organizations to push for legal reforms, including introducing a unified civil code and recognizing unrecognized religious groups.
- Provide legal aid and support services to members of religious minorities, particularly those facing discrimination or legal challenges due to their unrecognized status. This could include assistance with personal status matters, access to justice, and protection from harassment.
- Establish safe spaces and support networks for religious minorities where they can practice their faith, preserve their cultural traditions, and access necessary social services.
- Develop educational programs that promote understanding and tolerance of religious diversity in Lebanon. These programs should be integrated into schools, universities, and community centers to reach a broad audience.
- Empower minority communities through leadership and skills training, helping them to advocate for their rights, engage in civic life, and contribute to national dialogue on Lebanon's future.

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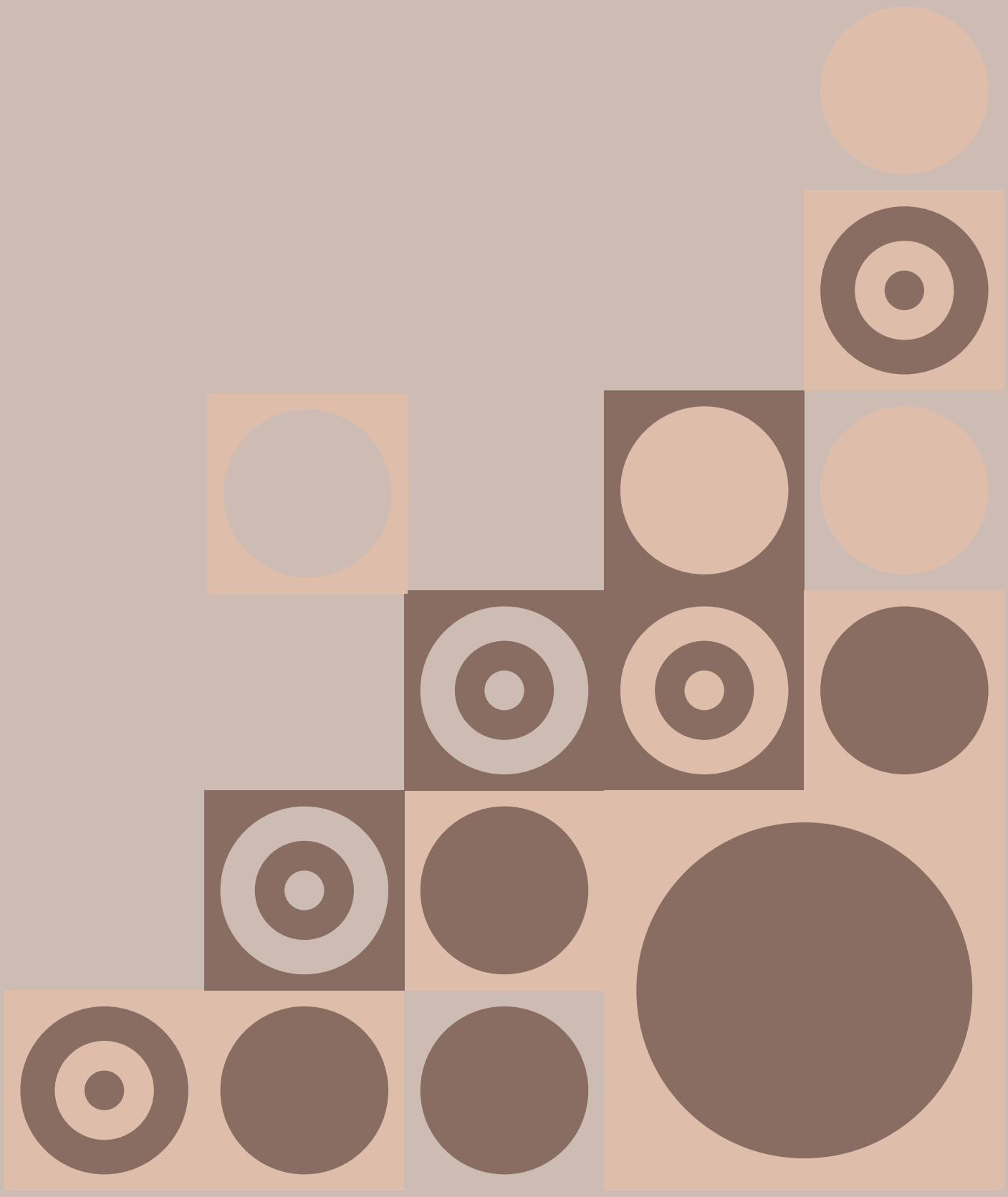
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