

THE TAEF AGREEMENT September 1989

Members of Parliament met in Taif, Saudi Arabia, in September 1989 and reached agreement on political reform, the ending of the war in Lebanon, the establishment of special relations between Lebanon and Syria, and a framework for the beginning of Syrian withdrawal from Lebanon. General Aoun, head of the government at the time, rejected the Agreement. His main objection to it was that Syria had not committed itself either to rapid or complete withdrawal from Lebanon. To the contrary, Syrian forces were to stay in place for a full two years, ostensibly "assisting the Lebanese government extend its authority." After that, Syrian forces were to be redeployed only as far as the Beqaa valley. The Agreement gave no timetable for any further Syrian withdrawal, merely stipulating that "such withdrawals would be negotiated at the appropriate time by the governments of Lebanon and Syria." Furthermore, Aoun charged that the political reforms were unacceptable because they simply shifted power from the office of the President to that of the Prime Minister without solving any fundamental political problems. General Aoun issued a Decree dissolving Parliament before the Parliament could meet, elect a new President, and enact the Agreement into law.

The Parliament, however, ignored him, passed the agreement on November 4, and went ahead to elect Deputy Rene Moawad to the Presidency on November 5.

THE TAEF AGREEMENT

First, General Principles and Reforms:

I. General Principles:

A. Lebanon is a sovereign, free, and independent country and a final homeland for all its citizens.

B. Lebanon is Arab in belonging and identity. It is an active and founding member of the Arab League and is committed to the league's charter. It is an active and founding member of the United Nations Organization and is committed to its charters. Lebanon is a member of the nonaligned movement. The state of Lebanon shall embody these principles in all areas and spheres, without exception.

C. Lebanon is a democratic parliamentary republic founded on respect for public liberties, especially the freedom of expression and belief, on social justice, and on equality in rights and duties among all citizens, without discrimination or preference.

D. The people are the source of authority. They are sovereign and they shall exercise their sovereignty through the constitutional institutions.

E. The economic system is a free system that guarantees individual initiative and private ownership.

F. Culturally, socially, and economically-balanced development is a mainstay of the state's unity and of the system's stability.

G. Efforts (will be made) to achieve comprehensive social justice through fiscal, economic, and social reform.

H. Lebanon's soil is united and it belongs to all the Lebanese. Every Lebanese is entitled to live in and enjoy any part of the country under the supremacy of the law. The people may not be categorized on the basis of any affiliation whatsoever and there shall be no fragmentation, no partition, and no repatriation [of Palestinians in Lebanon].

I. No authority violating the common co-existence charter shall be legitimate

II. Political Reforms

A. Chamber of Deputies: The Chamber of Deputies is the legislative authority which exercises full control over government policy and activities.

1. The Chamber spokesman and his deputy shall be elected for the duration of the chamber's term.

2. In the first session, two years after it elects its speaker and deputy speaker, the chamber may vote only once to withdraw confidence from its speaker or deputy speaker with a 2/3 majority of its members and in accordance with a petition submitted by at least 10 deputies. In case confidence is withdrawn, the chamber shall convene immediately to fill the vacant post.

3. No urgent bill presented to the Chamber of Deputies may be issued unless it is included in the agenda of a public session and read in such a session, and unless the grace period stipulated by the constitution passes without a resolution on such a bill with the approval of the cabinet.

4. The electoral district shall be the governorate.

5. Until the Chamber of Deputies passes an election law free of sectarian restriction, the parliamentary seats shall be divided according to the following bases:

a. Equally between Christians and Muslims.

b. Proportionately between the denominations of each sect.

c. Proportionately between the districts.

6. The number of members of the Chamber of Deputies shall be increased to 108, shared equally between Christians and Muslims. As for the districts created on the basis of this document and the districts whose seats became vacant prior to the proclamation of this document, their seats shall be filled only once on an emergency basis through appointment by the national accord government that is planned to be formed.

7. With the election of the first Chamber of Deputies on a national, not sectarian, basis, a senate shall be formed and all the spiritual families shall be represented in it. The senate powers shall be confined to crucial issues.

B. President of Republic: The president of republic is the head of the state and a symbol of the country's unity. He shall contribute to enhancing the constitution and to preserving Lebanon's independence, unity, and territorial integrity in accordance with the provisions of the constitution. He is the supreme commander of the armed forces which are subject to the power of the cabinet. The president shall exercise the following powers:

1. Head the cabinet [meeting] whenever he wishes, but without voting.

2. Head the Supreme Defense Council.

3. Issue decrees and demand their publication. He shall also be entitled to ask the cabinet to reconsider any resolution it makes within 15 days of the date of deposition of the resolution with the presidential office. Should the cabinet insist on the adopted resolution, or should the grace period pass without issuing and returning the decree, the decree of the resolution shall be valid and must be published.

4. Promulgate laws in accordance with the grace period stipulated by the constitution and demand their publication upon ratification by the Chamber of Deputies. After notifying the cabinet, the president may also request reexamination of the laws within the grace periods provided by the constitution, and in accordance with the articles of the constitution. In case the laws are not issued or returned before the end of the grace periods, they shall be valid by law and they must be published.

5. Refer the bills presented to him by the Chamber of Deputies.

6. Name the prime minister-designate in consultation with the Chamber of Deputies speaker on the basis of binding parliamentary consultation, the outcome of which the president shall officially familiarize the speaker on.

7. Issue the decree appointing the prime minister independently.

8. On agreement with the prime minister, issue the decree forming the cabinet.

9. Issue decrees accepting the resignation of the cabinet or of cabinet ministers and decrees relieving them from their duties.

10. Appoint ambassadors, accept the accreditation of ambassadors, and award state medals by decree.

11. On agreement with the prime minister, negotiate on the conclusion and signing of international treaties which shall become valid only upon approval by the cabinet. The cabinet shall familiarize the Chamber of Deputies with such treaties when the country's interest and state safety make such familiarization possible. As for treaties involving conditions concerning state finances, trade treaties, and other treaties which may not be abrogated annually, they may not be concluded without Chamber of Deputies' approval.

12. When the need arises, address messages to the Chamber of Deputies.

13. On agreement with the prime minister, summon the Chamber of Deputies to hold special sessions by decree.

14. The president of the republic is entitled to present to the cabinet any urgent issue beyond the agenda.

15. On agreement with the prime minister, call the cabinet to hold a special session whenever he deems it necessary.

16. Grant special pardon by decree.

17. In the performance of his duty, the president shall not be liable unless he violates the constitution or commits high treason.

C. Prime Minister: The prime minister is the head of the government. He represents it and speaks in its name. He is responsible for implementing the general policy drafted by the cabinet. The prime minister shall exercise the following powers:

1. Head the cabinet.
2. Hold parliamentary consultations to form the cabinet and co-sign with the president the decree forming it. The cabinet shall submit its cabinet statement to the Chamber of Deputies for a vote of confidence within 30 days [of its formation]. The cabinet may not exercise its powers before gaining the confidence, after its resignation, or when it is considered retired, except within the narrow sense of disposing of affairs.
3. Present the government's general policy to the Chamber of Deputies.
4. Sign all decrees, except for decrees naming the prime minister and decrees accepting cabinet resignation or considering it retired.
5. Sign the decree calling for a special session and decrees issuing laws and requesting the reexamination of laws.
6. Summon the cabinet to meet, draft its agenda, familiarize the president of the republic in advance with the issues included in the agenda and with the urgent issues to be discussed, and sign the usual session minutes.
7. Observe the activities of the public departments and institutions, coordinate between the ministers, and issue general instructions to ensure the smooth progress of work.
8. Hold working sessions with the state agencies concerned in the presence of the minister concerned.
9. By law, act as the Supreme Defense Council's deputy chairman.

D. Cabinet:

The executive power shall be vested in the Cabinet.

The following are among the powers exercised by it:

- 1- Set the general policy of the State in all domains, draws up draft bills and decrees, and takes the necessary decisions for its implementation.
2. Watch over the implementation of laws and regulations and supervise the activities of all the state agencies without exception, including the civilian, military, and security departments and institutions.
3. The cabinet is the authority which controls the armed forces.
4. Appoint, dismiss, and accept the resignation of state employees in accordance with the law. 5. It has the right to dissolve the Chamber of Deputies at the request of the president of the republic if the chamber refuses to meet throughout an ordinary or a special session lasting no less than one month, even though it is summoned twice consecutively, or if the chamber sends back the budget in its entirety with the purpose of paralyzing the government. This right may not be

exercised again for the same reasons which called for dissolving the chamber in the first instance.

6. When the president of the republic is present, he heads cabinet sessions. The cabinet shall meet periodically at special headquarters. The legal quorum for a cabinet meeting is 2/3 the cabinet members. The cabinet shall adopt its resolutions by consent. If impossible, then by vote. The resolutions shall be adopted by a majority of the members present. As for major issues, they require the approval of 2/3 the cabinet members. The following shall be considered major issues: The state of emergency and its abolition, war and peace, general mobilization, international agreements and treaties, the state's general budget, comprehensive and long-term development plans, the appointment of top-level civil servants or their equivalent, reexamination of the administrative division, dissolving the Chamber of Deputies, the election law, the citizenship law, the personal status laws, and the dismissal of cabinet ministers.

E. Minister: The minister's powers shall be reinforced in a manner compatible with the government's general policy and with the principle of collective responsibility. A minister shall not be relieved from his position unless by cabinet decree or unless the Chamber of Deputies withdraws its confidence from him individually.

F. Cabinet Resignation, Considering Cabinet Retired, and Dismissal of Ministers:

1. The cabinet shall be considered retired in the following cases:
 - a. If its chairman resigns.
 - b. If it loses more than 1/3 of its members as determined by the decree forming it.
 - c. If its chairman dies.
 - d. At the beginning of a president's term.
 - e. At the beginning of the Chamber of Deputies' term.
 - f. When the Chamber of Deputies withdraws its confidence from it on an initiative by the chamber itself and on the basis of a vote of confidence.
2. A minister shall be relieved by a decree signed by the president of the republic and the prime minister, with cabinet approval.
3. When the cabinet resigns or is considered retired, the Chamber of Deputies shall, by law, be considered to be convened in a special session until a new cabinet is formed. A vote-of-confidence session shall follow.

G. Abolition of Political Secterianism: Abolishing political secterianism is a fundamental national objective. To achieve it, it is required that efforts be made in accordance with a phased plan. The Chamber of Deputies elected on the basis of equal sharing by Christians and Muslims shall adopt the proper measures to achieve this objective and to form a national council which is headed by the president of the republic and which includes, in addition to the prime minister and the Chamber of Deputies speaker, political, intellectual, and social notables. The council's task will be to examine and propose the means capable of abolishing sectarianism, to present them to the Chamber of Deputies and the cabinet, and to observe implementation of the phased plan. The following shall be done in the interim period:

- a. Abolish the sectarian representation base and rely on capability and specialization in public jobs, the judiciary, the military, security, public, and joint institutions, and in the independent

agencies in accordance with the dictates of national accord, excluding the top-level jobs and equivalent jobs which shall be shared equally by Christians and Muslims without allocating any particular job to any sect.

b. Abolish the mention of sect and denomination on the identity card.

III. Other Reforms:

A. Administrative Decentralism:

1. The State of Lebanon shall be a single and united state with a strong central authority.
2. The powers of the governors and district administrative officers shall be expanded and all state administrations shall be represented in the administrative provinces at the highest level possible so as to facilitate serving the citizens and meeting their needs locally.
3. The administrative division shall be recognized in a manner that emphasizes national fusion within the framework of preserving common coexistence and unity of the soil, people, and institutions.
4. Expanded administrative decentralization shall be adopted at the level of the smaller administrative units [district and smaller units] through the election of a council, headed by the district officer, in every district, to ensure local participation.
5. A comprehensive and unified development plan capable of developing the provinces economically and socially shall be adopted and the resources of the municipalities, unified municipalities, and municipal unions shall be reinforced with the necessary financial resources.

B. Courts:

[1] To guarantee that all officials and citizens are subject to the supremacy of the law and to insure harmony between the action of the legislative and executive authorities on the one hand, and the givens of common coexistence and the basic rights of the Lebanese as stipulated in the constitution on the other hand:

1. The higher council which is stipulated by the constitution and whose task it is to try presidents and ministers shall be formed. A special law on the rules of trial before this council shall be promulgated.
2. A constitutional council shall be created to interpret the constitution, to observe the constitutionality of the laws, and to settle disputes and contests emanating from presidential and parliamentary elections.
3. The following authorities shall be entitled to revise the constitutional council in matters pertaining to interpreting the constitution and observing the constitutionality of the laws:
 - a. The president of the republic.
 - b. The Chamber of Deputies speaker.
 - c. The prime minister.
 - d. A certain percentage of members of the Chamber of Deputies.

[2] To ensure the principle of harmony between religion and state, the heads of the Lebanese sects may revise the constitutional council in matters pertaining to:

1. Personal status affairs.
2. Freedom of religion and the practice of religious rites.
3. Freedom of religious education.

[3]. To ensure the judiciary's independence, a certain number of the the Higher Judiciary Council shall be elected by the judiciary body.

D. Parliamentary Election Law: Parliamentary elections shall be held in accordance with a new law on the basis of provinces and in the light of rules that guarantee common coexistence between the Lebanese, and that ensure the sound and efficient political representation of all the people's factions and generations. This shall be done after reviewing the administrative division within the context of unity of the people, the land, and the institutions.

E. Creation of a socioeconomic council for development: A socioeconomic council shall be created to insure that representatives of the various sectors participate in drafting the state's socioeconomic policy and providing advice and proposals.

F. Education:

1. Education shall be provided to all and shall be made obligatory for the elementary stage at least.
2. The freedom of education shall be emphasized in accordance with general laws and regulations.
3. Private education shall be protected and state control over private schools and textbooks shall be strengthened.
4. Official, vocational, and technological education shall be reformed, strengthened, and developed in a manner that meets the country's development and reconstruction needs. The conditions of the Lebanese University shall be reformed and aid shall be provided to the university, especially to its technical colleges.
5. The curricula shall be reviewed and developed in a manner that strengthens national belonging, fusion, spiritual and cultural openness, and that unifies textbooks on the subjects of history and national education.

G. Information: All the information media shall be reorganized under the canopy of the law and within the framework of responsible liberties that serve the cautious tendencies and the objective of ending the state of war.

Second, spreading the sovereignty of the State of Lebanon over all Lebanese territories:

Considering that all Lebanese factions have agreed to the establishment of a strong state founded on the basis of national accord, the national accord government shall draft a detailed one-year plan whose objective is to spread the sovereignty of the State of Lebanon over all

Lebanese territories gradually with the state's own forces. The broad lines of the plan shall be as follows:

A. Disbanding of all Lebanese and non-Lebanese militias shall be announced. The militias' weapons shall be delivered to the State of Lebanon within a period of 6 months, beginning with the approval of the national accord charter. The president of the republic shall be elected. A national accord cabinet shall be formed, and the political reforms shall be approved constitutionally.

B. The internal security forces shall be strengthened through:

1. Opening the door of voluntarism to all the Lebanese without exception, beginning the training of volunteers centrally, distributing the volunteers to the units in the governorates, and subjecting them to organized periodic training courses.

2. Strengthening the security agency to insure control over the entry and departure of individuals into and out of the country by land, air, and sea.

C. Strengthening the armed forces:

1. The fundamental task of the armed forces is to defend the homeland, and if necessary, protect public order when the danger exceeds the capability of the internal security forces to deal with such a danger on their own.

2. The armed forces shall be used to support the internal security forces in preserving security under conditions determined by the cabinet.

3. The armed forces shall be unified, prepared, and trained in order that they may be able to shoulder their national responsibilities in confronting Israeli aggression.

4. When the internal security forces become ready to assume their security tasks, the armed forces shall return to their barracks.

5. The armed forces intelligence shall be reorganized to serve military objectives exclusively.

D. The problem of the Lebanese evacuees shall be solved fundamentally, and the right of every Lebanese evicted since 1975 to return to the place from which he was evicted shall be established. Legislation to guarantee this right and to insure the means of reconstruction shall be issued. Considering that the objective of the State of Lebanon is to spread its authority over all the Lebanese territories through its own forces, represented primarily by the internal security forces, and in view of the fraternal relations binding Syria to Lebanon, the Syrian forces shall thankfully assist the forces of the legitimate Lebanese government to spread the authority of the State of Lebanon within a set period of no more than 2 years, beginning with ratification of the national accord charter, election of the president of the republic, formation of the national accord cabinet, and approval of the political reforms constitutionally. At the end of this period, the two governments -- the Syrian Government and the Lebanese National Accord Government -- shall decide to redeploy the Syrian forces in Al-Biq'a area from Dahr al-Baydar to the Hammana-al-Mudayrij-'Ayn Darah line, and if necessary, at other points to be determined by a joint Lebanese-Syrian military committee. An agreement shall also be concluded by the two governments to determine the strength and duration of the presence of Syrian forces in the above-mentioned area and to define these forces' relationship with the Lebanese state authorities where the forces exist. The Arab Tripartite Committee is prepared to assist the two states, if they so wish, to develop this agreement.

Third, liberating Lebanon from the Israeli occupation:

Regaining state authority over the territories extending to the internationally-recognized Lebanese borders requires the following:

- A. Efforts to implement resolution 425 and the other UN Security Council resolutions calling for fully eliminating the Israeli occupation.
- B. Adherence to the truce agreement concluded on 23 March 1949.
- C. Taking all the steps necessary to liberate all Lebanese territories from the Israeli occupation, to spread state sovereignty over all the territories, and to deploy the Lebanese army in the border area adjacent to Israel; and making efforts to reinforce the presence of the UN forces in South Lebanon to insure the Israeli withdrawal and to provide the opportunity for the return of security and stability to the border area.

Fourth, Lebanese-Syrian Relations:

Lebanon, with its Arab identity, is tied to all the Arab countries by true fraternal relations. Between Lebanon and Syria there is a special relationship that derives its strength from the roots of blood relationships, history, and joint fraternal interests. This is the concept on which the two countries' coordination and cooperation is founded, and which will be embodied by the agreements between the two countries in all areas, in a manner that accomplishes the two fraternal countries' interests within the framework of the sovereignty and independence of each of them. Therefore, and because strengthening the bases of security creates the climate needed to develop these bonds, Lebanon should not be allowed to constitute a source of threat to Syria's security, and Syria should not be allowed to constitute a source of threat to Lebanon's security under any circumstances. Consequently, Lebanon should not allow itself to become a pathway or a base for any force, state, or organization seeking to undermine its security or Syria's security. Syria, which is eager for Lebanon's security, independence, and unity and for harmony among its citizens, should not permit any act that poses a threat to Lebanon's security, independence, and sovereignty.