

# **THE NATIONAL ACCORD DOCUMENT - THE TAEF AGREEMENT**

## **First - General Principles and Reforms:**

### **I. General Principles**

A. Lebanon is a free independent country and a final homeland for all its citizens, one country in terms of the land, the people and the institutions, within the borders set out by the Lebanese Constitution and internationally recognized.

B. Lebanon is Arab in identity and belonging. It is a founding and active member of the League of Arab States and is committed to the League's conventions. It is a founding and active member of the United Nations Organization and is committed to its Charter. 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 freedoms, notably the freedom of opinion 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 authorities. They are sovereign and they shall exercise their sovereignty through the constitutional institutions.

E. The system relies on the principle of separation between the powers and the balance and cooperation between them.

F. The economic system is a free system that guarantees individual initiative and private property.

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

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

I. Lebanon's soil is united and belongs to all the Lebanese. Every Lebanese is entitled to live in any part of the country and enjoy it 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 settlement.

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

## II. Political Reforms

### A. Chamber of Deputies:

The Chamber of Deputies is the legislative authority which exercises comprehensive control over the government's policy and actions.

1. The Speaker 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 signed 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 enacted unless it is included in the agenda of a public meeting and read during such a meeting, and unless the grace period stipulated by the Constitution passes without a decision about 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 confessions of each category.
  - c. Proportionately between the regions.
6. The number of members of the Chamber of Deputies shall be increased to 108, shared equally between Christians and Muslims. As for the seats created on the basis of this document and those which became vacant prior to the proclamation of this document, they shall be filled, exceptionally and for once only, 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's powers shall be confined to crucial issues.

### B. President of the Republic:

The President of the Republic is the head of the State and the symbol of the country's unity. He shall be keen on the Constitution and the preservation of 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 Council of Ministers. The President shall exercise the following prerogatives:

1. Heads the Cabinet meeting whenever he so wishes, but without voting.
2. Heads the Supreme Defense Council.
3. Issues decrees and demands their publication. He shall also be entitled to ask the Council of Ministers to reconsider any decision it takes within 15 days of the date of submission to the Presidency. Should the Cabinet insist on the adopted decision, or should the grace period pass without issuing or returning the decree, the decree of the decision shall be valid de jure and must be published.
4. Promulgates laws in accordance with the grace periods stipulated by the Constitution and demands their publication upon ratification by the Chamber of Deputies. After notifying the Cabinet, the President may also request a reconsideration of the laws within the grace periods set out by the Constitution, and in accordance with the provisions of the Constitution.

In case the laws are not issued or returned before the end of the grace periods, they shall be valid de jure and must be published.

5. Refers to the Chamber of Deputies the bills presented to him by the Council of Ministers.

6. Names the Prime Minister-designate in consultation with the Speaker of Parliament, on the basis of binding parliamentary consultations, the outcome of which the President shall officially familiarize the speaker on.

7. Issues the decree appointing the Prime Minister independently.

8. In agreement with the Prime Minister, issues the decree forming the Cabinet.

9. Issues decrees accepting the resignation of the Cabinet or Cabinet ministers and decrees relieving them of their duties.

10. Appoints ambassadors, accepts the accreditation of ambassadors, and awards State decorations by decree.

11. In agreement with the Prime Minister, negotiates the conclusion and signing of international treaties which shall become valid only upon approval by the Council of Ministers. The Cabinet shall familiarize the Chamber of Deputies with such treaties when the country's interest and State integrity 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 the approval of the Chamber of Deputies.

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

13. In agreement with the Prime Minister, summons the Chamber of Deputies to hold extraordinary sessions by decree.

14. The President of the Republic is entitled to present to the Cabinet any urgent issue from outside the agenda.

15. In agreement with the Prime Minister, calls the Cabinet to hold an extraordinary meeting whenever he deems it necessary.

16. Grants 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. Heads the Council of Ministers.

2. Holds parliamentary consultations to form the Cabinet and co-sign with the President the its formation decree. The Cabinet shall submit its Ministerial Declaration 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 resigned, except within the narrow sense of caretaking.

3. Presents the government's general policy to the Chamber of Deputies.

4. Signs all decrees, except those designating the Prime Minister, accepting the Cabinet's resignation or considering it resigned.

5. Signs the decree calling for an extraordinary session and decrees issuing laws and requesting their revision.

6. Summons the Cabinet to meet, drafts its agenda, familiarizes the President of the Republic in advance with the issues included in the agenda and with the urgent issues to be discussed, and signs the original session minutes.
7. Follows up the activities of the public administrations and institutions; coordinates between the ministers, and issues general instructions to ensure the smooth progress of work.
8. Holds working sessions with the State agencies concerned in the presence of the competent minister.
9. By law, acts as the deputy chairman of the Supreme Defense Council.

#### D. Council of Ministers:

The executive power shall be vested in the Council of Ministers.

The following are among the powers exercised by it:

- 1- Sets the general policy of the State in all domains, draws up draft laws and decrees, and takes the necessary decisions for their implementation.
2. Watches over the implementation of laws and regulations and supervises the activities of all the State agencies without exception, including the civilian, military, and security administrations and institutions.
3. The Council of Ministers is the authority which controls the armed forces.
4. Appoints, dismisses, and accepts the resignation of civil servants 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 an extraordinary session lasting no less than one month, even though it is summoned twice consecutively, or if the Chamber returns the entire 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 Council of Ministers shall meet periodically at special headquarters. The legal quorum for a Cabinet meeting is 2/3 the Cabinet members. The Cabinet shall adopt its decisions by consensus, and if impossible, then by vote. The decisions shall be adopted by a majority of the members present. As for major issues, they require the approval of 2/3 of the Cabinet members. The following topics shall be considered major issues: The state of emergency and its abolition, war and peace, general mobilization, international agreements and treaties, the State's public budget, comprehensive and long-term development plans, the appointment of top-level civil servants or their equivalent, the revision of the administrative division, the dissolution of 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 prerogatives 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 of his position unless by a decision of the Council of Ministers, or unless the Chamber of Deputies withdraws its confidence from him individually

#### F. Cabinet Resignation, Considering Cabinet resigned, and Dismissal of Ministers:

1. The Cabinet shall be considered resigned in the following cases:
  - a. If its head resigns.
  - b. If it loses more than 1/3 of its members as determined by its formation decree.
  - c. If its head 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 by its own initiative or 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 the approval of the Council of Ministers.
3. When the Cabinet resigns or is considered resigned, the Chamber of Deputies shall, de jure, be considered to be convened in an extraordinary session until a new Cabinet is formed and gains confidence.

#### G. Abolition of Political confessionalism:

Abolishing political confessionalism 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 the basis of equal sharing by Christians and Muslims shall adopt the proper measures to achieve this objective and to form a national council headed by the President of the Republic and which includes, in addition to the Speaker of Parliament and Prime Minister, political, intellectual, and social figures. 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 follow up the implementation of the phased plan.

The following shall be done during the interim period:

- a. Abolish the sectarian representation base and rely on competence and specialization in public jobs, the judiciary, the military, security, public, and mixed institutions, and in the independent agencies, in accordance with the dictates of national accord, excluding the top-level and equivalent posts which shall be shared equally by Christians and Muslims without allocating any particular post to any confession.
- b. Abolish the mention of confession and sect and denomination on the identity card.

### **III. Other Reforms**

#### A. Administrative Decentralization:

1. The State of Lebanon shall be a single and united State with a strong central authority.
2. The prerogatives 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 reconsidered in a manner that emphasizes national fusion while preserving 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 for every district, headed by the district officer to ensure local participation.
5. A comprehensive and unified development plan capable of developing the Lebanese 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 ensure harmony between the action of the legislative and executive branches on the one hand, the constants 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 President s 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 arising from Presidential and parliamentary elections.
3. The following authorities shall be entitled to refer to the constitutional council in matters pertaining to interpreting the Constitution and observing the constitutionality of laws:
  - a. The President of the Republic.
  - b. The Speaker of Parliament.
  - 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 confessions may refer to the constitutional council in matters pertaining to:

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

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

#### C. 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 coexistence between the Lebanese, and 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 land, the people, and the institutions.

#### D. 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 by providing advice and proposals.

#### E. Education:

1. Education shall be provided to all and shall be made mandatory 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 technical education shall be reformed, promoted, and developed in a manner that meets the country's development and reconstruction needs. The conditions of the Lebanese University shall be reformed and support shall be provided to the university, especially to its applied faculties.

5. The curricula shall be reviewed and developed in a manner that strengthens national belonging and fusion, spiritual and cultural openness, and that unifies textbooks on the subjects of history and national education.

F. Information:

All the media shall be reorganized under the canopy of the law and within the framework of responsible freedoms that serves the consensual 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 parties have agreed to the establishment of a strong powerful 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:

I. 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 document, the election of a President of the Republic, the formation of a National Accord Cabinet and the constitutional approval of the political reforms.

II. The Internal Security Forces shall be strengthened through:

A. Opening the door of recruitment to all the Lebanese without exception, beginning the central training of the enlisted, distributing them over the units in the governorates, and subjecting them to organized periodic training sessions.

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

III. Strengthening the Armed Forces:

A. 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.

B. The Armed Forces shall be used to support the Internal Security Forces in preserving security under conditions determined by the Council of Ministers.

C. The Armed Forces shall be unified, prepared, and trained in order to be able to shoulder their national responsibilities in confronting Israeli aggression.

D. When the Internal Security Forces become ready to assume their security tasks, the Armed Forces shall return to their barracks.

E. The Armed Forces intelligence shall be reorganized to serve military objectives exclusively.

IV. The problem of the Lebanese displaced shall be solved radically, and the right of every Lebanese displaced since 1975 to return to the place from which he was evicted shall be acknowledged. Legislation to guarantee this right and 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 Lebanese legitimacy to spread the authority of the State of Lebanon within a set period of no more than 2 years, beginning with the ratification of the National Accord document, the election of a President of the Republic, the formation of the national Accord Cabinet, and the constitutional approval of the political reforms. 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 The Bekaa region and the West-Bekaa entrance from Dahr al-Baydar to the Hammana-Mdairej-Ain Dara 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 extent and duration of the presence of Syrian forces in the above-mentioned areas and to define the relation of these forces with the Lebanese State authorities in the places of their deployment. The Higher Arab Tripartite Committee is prepared to assist the two States in developing this agreement, if they so wish.

### **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 other UN Security Council Resolutions calling for a full elimination of the Israeli occupation.

B. Adherence to the truce agreement concluded on March 23, 1949 A.D.

C. Taking all the necessary measures 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 internationally recognized border area; and exerting efforts to reinforce the presence of the UN forces in South Lebanon to ensure 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 affiliation and identity, is tied to all the Arab States by true fraternal relations. Between Lebanon and Syria there is a special relationship that derives its strength from the roots of blood ties, history, and joint brotherly interests. This is the concept on which the two countries' coordination and cooperation are founded, and which will be embodied by the agreements between them in all areas, in a manner that accomplishes the interests of the two brotherly countries 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 privileged 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 keen on Lebanon's security, independence, unity and accord among its citizens, should not permit any act that poses a threat to Lebanon's security, independence, and sovereignty.