

# **Memorandum of Understanding between Hezbollah and the Free Patriotic Movement**

6 February 2006

## **1 – Dialogue**

National dialogue is the only avenue to find solutions for Lebanon's crises on stable and firm bases that are a reflection of a unifying consensual will. The following conditions must obtain to ensure its success:

- A. The participation of the parties that have a political, popular and national standing with a round table as a venue.
- B. Transparency, openness, and placing the interests of the nation above any other interest, through the reliance on self-driven will, and a free and committed Lebanese decision-making.
- C. Include all issues of a national character and requiring general concordance.

## **2 – Consensual Democracy**

Consensual democracy remains the fundamental basis for governance in Lebanon, because it is the effective embodiment of the spirit of the Constitution and of the essence of the pact of shared coexistence. From this standpoint, any approach for resolving national issues according to a majority- minority formula remains dependent on historic and social conditions for practicing effective democracy in which the citizen becomes a self-standing value.

## **3 – The Electoral Law**

The reform and systematization of political life in Lebanon require the adoption of a modern electoral law (in which proportional representation may be one of its effective variations) that guarantees the accuracy and equity of popular representation and contributes in accomplishing the following items:

- A. Actuate and develop the role of the political parties in achieving civil society.
- B. Limit the influence of political money and sectarian fanaticisms.
- C. Make available equal opportunities for using the various media channels.
- D. Secure the required means for enabling the expatriate Lebanese to exercise their voting rights. We demand the Government and Parliament to commit to the shortest possible deadline to enact the required electoral law.

## **4– Building the State**

Building a modern State that enjoys the trust of its citizens and is able to meet their needs and aspirations, and provide them with the sense of security and safety as to their present and future, requires that State to be erected on strong and solid foundations that make it impervious to destabilization and periodic crises whenever it is threatened by difficult circumstances or changes. This requires adhering to the following:

- A. Adopt the standards of justice, equality, parity, merit and integrity.
- B. An equitable and impartial judiciary is the essential condition for creating a State of rights, laws and institutions, which is based on:
  - a. The complete independence of the judiciary as an institution and the selection of judges with recognized competence in order to activate the work of all courts
  - b. Respect for the actions of the constitutional institutions; shelter them from political polarization; ensure the continuity of their work; and prevent their breakdown (the Judicial Council and the Constitutional Council). What happened in the Constitutional Council is an example of such a breakdown, particularly with respect to the issue of parliamentary challenges submitted to it and which have not yet been decided.
  - c. Address corruption at the root, because temporary and pacifying solutions are no longer sufficient. They have in fact become a simple exercise in deception that the beneficiaries of corruption at all levels carry out to perpetuate the theft of the resources of the State and the citizen. This requires:
    - i. Activate the financial and administrative control and inspection institutions and boards, with the mandate to separate them from the executive power in order to guarantee that their work is not politicized.
    - ii. Conduct a complete survey of the pockets of corruption, in preparation for opening judicial investigations that ensure the prosecution of those responsible for corruption, and return the embezzled public funds.
    - iii. Legislate the required laws that contribute to combating corruption in all its aspects and demand of the government that Lebanon signs on the United Nations Treaty for Combating Corruption.
    - iv. Act toward a global administrative reform that ensures that the right person is assigned to the right position, particularly those whose merit, competence and integrity are recognized. This can be accomplished by empowering the Civil Service Council to assume its full prerogatives. Timeframes and deadlines need to be set for actions on these issues because the factor of time has become critical. The matter requires solutions that are simultaneously judicious and rapid and that use the time factor to their advantage instead of the corrupt using it to theirs.

## **5– The Missing During the War**

To turn the page of the past and have global national reconciliation, all the outstanding files of the war must be closed. The file of the missing in the war requires a stance of responsibility to end this anomalous situation and put the parents' minds at ease. The parents cannot be expected to forgive without respecting their rights to know the fate of their children. Which is why we ask all the forces and parties that participated in the war for their full cooperation to uncover the fate of the missing and the locations of the mass graves.

## **6– The Lebanese in Israel**

Whereas both sides are convinced that the presence of Lebanese citizens in their homeland is better than their presence in enemy territory, a resolution of the question of the Lebanese residing in Israel

requires a speedy action to ensure their return to their country while taking in consideration all the political, security and livelihood circumstances surrounding the matter. On this basis, we issue a call to them to promptly return to their country at the basis of the call by His Eminence Sayyed Hassan Nasrallah following the Israeli withdrawal from south Lebanon and the speech delivered by General Michel Aoun at the first assembly of Parliament.

## **7– The Security Question**

First- political assassinations: Any form of political assassination is condemned and rejected because of its violation of basic human rights, the most important foundations of the existence of Lebanon represented by difference and diversity, and the essence of democracy and its practice. Therefore, to the extent that we condemn the assassination of His Excellency the martyr President Rafik Hariri and all assassinations and assassination attempts that preceded and followed it leading to the assassination of MP Gibran Tuani, we emphasize the importance of proceeding forward with the investigation according to the officially-approved mechanisms in order to uncover the truth, which is an issue that cannot be subjected to any compromise because it is a required condition to achieve justice and serve it against the criminals, as well as to bring an end to the cycle of murder and bombings. For this reason, it is an obligation to distance these issues from any attempts at politically exploiting them, which would harm their essence and the essence of justice that must remain above any political conflicts or disagreements.

Second- Security Reforms: A reform of the Security Services is an inseparable part of the broader reform process of the basic State institutions, and to rebuild them on sound and solid bases. Given the delicate position that the Security Services occupy in protecting and defending a stable security environment in the country against any breaches or threats, the process of building those Services must be given special attention. As such, the government is hereby urged to assume its full responsibilities as follows:

- A. Put in place an integrated security plan based on the centralization of decision in security matters and a clear definition of enemy versus friend, the foci of security threats, including the question of terrorism and security breaches that must be addressed.
- B. Neutralize the Security Services against any political considerations and patronages, such that their full loyalty is to the nation alone.
- C. Assign the responsibility of the Services to personalities with recognized competence and integrity.
- D. Security measures must not be in conflict with the basic freedoms guaranteed by the Constitution, with first the freedom of expression and political action that do not threaten security and public stability.
- E. Constitute a joint Parliamentary-Security Services committee that would oversee and control the reform and building processes of the Security Services.

## **8– Lebanese-Syrian Relations**

The establishment of mutual and sound Lebanese-Syrian relations requires a review of the past experience and drawing the necessary conclusions and lessons in order to avoid the accumulated mistakes, blemishes and breaches. This is in order to pave the way to re-cast these relations on clear

bases on parity and the full and mutual respect for the sovereignty and independence of both States, and on the grounds of a rejection of a return to any form of foreign tutelage.

Therefore, it is required:

- A. That the Lebanese government take all legal measures and procedures pertaining to the assertion of the Lebanese identity of the Shebaa Farms and present these to the United Nations, after the Syrian State has declared the Shebaa Farms to be fully Lebanese in identity.
- B. Delineate the borders between Lebanon and Syria, while eliminating the tensions that could break down the process, as both Lebanon and Syria have a long-standing need to complete this process as part of an agreement by the two countries.
- C. Demand the Syrian State to fully cooperate with the Lebanese State in order to uncover the fate of the Lebanese detainees in Syrian prisons in the absence of provocation, tension and negativity that would hinder a positive resolution to this file.
- D. Establish diplomatic relations between the two countries and provide appropriate conditions for them, which would move the relation from one between individuals and groups to one between institutions in order to secure their permanence and constancy.

## **9– Lebanese-Palestinian Relations**

Addressing the Palestinian file requires a global approach that asserts, on one hand, the respect by the Palestinians of the authority of the Lebanese State and their compliance with its laws, and on the other hand, the reaffirmation of solidarity with their cause and their recovery of their rights, in accordance with the following rules:

- A. The social condition of the Palestinians requires a strong attention to improving their living conditions and securing a decent standard for the bases of a dignified human life according to the mandates of bilateral cooperation and the human rights charter, in addition to giving them the required facilitations to move inside and outside of Lebanese territory.
- B. The Right of Return of the Palestinians is a fundamental and permanent right, and the rejection of the settling of Palestinian refugees in Lebanon is an issue that has the consensus of the Lebanese people and cannot be conceded under any circumstance.
- C. Define the relationship between the Lebanese State and the Palestinians in a single institutional Palestinian framework that would be a legitimate representative of the Palestinian people in Lebanon in a manner conducive to proper coordination and cooperation.
- D. Address the issue of bringing the practice of weapons outside the camps to an end, and make arrangements for the security situation inside the camps. This must be done as part of a serious, responsible and close dialogue between the Lebanese government and the Palestinians, leading to the exercise of the State's authority and laws over all Lebanese territory.

## **10– The Protection of Lebanon and Preserving its Independence and Sovereignty**

The protection of Lebanon and the preservation of its independence and sovereignty are a national public responsibility and duty, guaranteed by international treaties and the Human Rights Charter, particularly in confronting any threats or dangers from any source that could harm them.

Therefore, carrying arms is not an objective in itself. Rather it is an honorable and sacred means that is exercised by any group whose land is occupied, in a manner identical to the methods of political resistance. In this context, Hezbollah's weapons should be addressed as part of a global approach that falls within two bounds:

The first bound is the reliance on justifications that meet a national consensus for keeping the weapons, which would constitute a source of strength for Lebanon and the Lebanese people, and the other bound is the definition of objective conditions that would lead to a cessation of the reasons and justifications for keeping those weapons. Since Israel occupies the Shebaa Farms, imprisons Lebanese resistance members and threatens Lebanon, the Lebanese people should assume their responsibilities and share the burden of protecting Lebanon, safeguarding its existence and security and protecting its independence and sovereignty by:

- A. Liberating the Shebaa Farms from the Israeli occupation.
- B. Liberating the Lebanese prisoners from Israeli prisons.
- C. Protecting Lebanon from Israeli threats through a national dialogue leading to the formulation of a national defense strategy over which the Lebanese agree to and subscribe to by assuming its burdens and benefiting from its outcomes.

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