



Australian Government
Refugee Review Tribunal

Country Advice Lebanon

Lebanon – LBN36169 – Baha’i community
– State recognition – State protection –
Baha’i conversion – Internal relocation

23 February 2010

1 Please obtain as much information as possible about the Baha’i community in Lebanon.

Information on Lebanon’s Baha’i community is scarce – probably because Baha’ism is not officially recognised by the Lebanese government and because the community is very small. Lebanon’s last national census was conducted in 1932; consequently, it is difficult to determine exactly how many Baha’is live in Lebanon.¹ Sources indicate the figure is between 200–350², and the US Department of State notes the number is ‘very small’.³ In 2010, the CIA published information on Lebanon’s major religious groupings, indicating that Baha’is comprise less than 1.3 per cent of the population:

Muslim 59.7% (Shia, Sunni, Druze, Isma’ilite, Alawite or Nusayri), Christian 39% (Maronite Catholic, Greek Orthodox, Melkite Catholic, Armenian Orthodox, Syrian Catholic, Armenian Catholic, Syrian Orthodox, Roman Catholic, Chaldean, Assyrian, Copt, Protestant), other 1.3%.⁴

Baha’is have been living in Lebanon since 1870.⁵ They appear to live in and around Beirut, the Bekaa Valley and Lebanon Mountains. In Lebanon, the community ‘annually elects its National Spiritual Assembly and Local Spiritual Assemblies, of which there are five’, according to the Australian Baha’i Community.⁶ According to Aqeel – author of a newspaper article on the Baha’i faith in Lebanon – Baha’is also have a ‘centre’ used for celebrating events in the town of Bayt Miri, and two large cemeteries in Khilda and Mashghara.⁷ The

¹ US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, Section I, Religious Demography <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

² Aqeel, R. 2009, ‘The Baha’i Faith in Lebanon’, *al Nahar newspaper*, 12 September, cited on *The Muslim Network for Baha’i Rights* website www.bahairights.org/2009/09/12/the-bahai-faith-in-lebanon – Accessed 19 February 2010 – Attachment 2; Australian Baha’i Community, 2010, Email to RRT Country Advice ‘Re: Baha’is in Lebanon’, 22 February – Attachment 3

³ US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, Section I, Religious Demography <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

⁴ US Central Intelligence Agency, 2010. CIA World Fact Book: Lebanon, 16 February <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html> – Accessed 23 February 2010 – Attachment 4

⁵ Aqeel, R. 2009, ‘The Baha’i Faith in Lebanon’, *al Nahar newspaper*, 12 September, cited on *The Muslim Network for Baha’i Rights* website www.bahairights.org/2009/09/12/the-bahai-faith-in-lebanon – Accessed 19 February 2010 – Attachment 2

⁶ Australian Baha’i Community, 2010, Email to RRT Country Advice ‘Re: Baha’is in Lebanon’, 22 February – Attachment 3

⁷ Aqeel, R. 2009, ‘The Baha’i Faith in Lebanon’, *al Nahar newspaper*, 12 September, cited on *The Muslim Network for Baha’i Rights* website www.bahairights.org/2009/09/12/the-bahai-faith-in-lebanon – Accessed 19 February 2010 – Attachment 2

map at Figure 1. shows the locations referred to. The Australian Baha'i Community has also provided further information at question nine.



Figure 1. Map showing locations of Baha'i community in Lebanon

2 Please obtain information on the level of discrimination, if any, faced by Baha'is in Lebanon.

Under Lebanon's constitution, individuals are free to practice their faith provided they do not disrupt public order. According to the constitution:

Article 9

There shall be absolute freedom of conviction. While acknowledging the Most High, the State respects all creeds and religions. It guarantees and protects the free exercise of all forms of

worship, on condition that public order is not interfered with. It also guarantees that the personal status and religious interests of the entire population are respected.⁸

Sources indicate that in practice, the government appears to honour the constitution and, in 2009, improved religious freedom by removing the requirement to record religion on national identity cards. According to the October 2009 US Department of State report on International Religious Freedom in Lebanon:

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. At the same time, the Government took some steps to improve religious freedom, including the Ministry of Interior's February 11, 2009 circular, allowing citizens to remove their religious affiliations encoded on national identity cards.⁹

However, Baha'is face discrimination in other areas of life because the government does not accord Baha'ism official religious status. Lebanon's confessional society limits the legal rights of unrecognised religious groups, denying Baha'is the freedom to run for public office, hold high-level government positions, and apply their own religious codes to family matters. According to the October 2009 US Department of State report on International Religious Freedom in Lebanon:

Some religious groups do not enjoy official recognition, such as Baha'is, Buddhists, Hindus, and unregistered Protestant Christian groups. These groups are disadvantaged under the law in that their members do not qualify for certain government positions, but they are permitted to perform their religious rites freely. For example, a Baha'i cannot run for Parliament as a Baha'i candidate because there is no seat allocated for the confession, nor could such an individual hold senior positions in the Government, since these are also allocated on a confessional basis. ... Unrecognized groups may own property and assemble for worship without government interference; however, they are disadvantaged under the law because legally they may not marry, divorce, or inherit property in the country.¹⁰

The practical consequences of Baha'is unofficial status are addressed in question three.

3 What are the practical consequences of the lack of official recognition by the government for the Baha'i faith?

In Lebanon, Baha'is are excluded from the political system because they do not belong to one of the 18 officially recognised religious sects.¹¹ Each sect is allotted a quota of parliamentary seats, proportional to its representation of the population.¹² Senior government positions are also organised on this basis, excluding members of the Baha'i faith.¹³

⁸Freedom House 2005, *Women's Rights in the Middle East and North Africa: Lebanon*, Special Reports Section <http://www.freedomhouse.org/template.cfm?page=176> – Accessed 23 February 2010 – Attachment 5

⁹US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

¹⁰*ibid*

¹¹*ibid*

¹²Freedom House 2005, *Women's Rights in the Middle East and North Africa: Lebanon*, Special Reports Section <http://www.freedomhouse.org/template.cfm?page=176> – Accessed 23 February 2010 – Attachment 5

¹³US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, Section II, Status of Government Respect for Religious Freedom <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

Like other unrecognised sects, Baha'is cannot legally apply their own religious codes to personal matters. As a result, they cannot legally marry, divorce or inherit property.¹⁴ As a group, they are also denied tax exemption¹⁵ and an official place of worship.¹⁶ However, in practice, unrecognised sects can circumvent these restrictions by registering through a recognised sect – enabling them to engage in practices such as marriage. For example, according to the US Department of State, most Baha'is register as Shi'as:

Formal recognition by the Government is a legal requirement for religious groups to conduct most religious activities. A group that seeks official recognition must submit a statement of its doctrine and moral principles for government review to ensure that such principles do not contradict popular values or the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity. **Alternatively, religious groups may apply for recognition through recognized religious groups.** Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the religion's codes to personal status matters. ... **a number of members of unregistered religious groups are recorded in government records under recognized religions. For example, most Baha'is are registered under the Shi'a sect. A member of the Baha'i community can therefore run for office and fill a seat allocated to the Shi'a sect.**¹⁷

As a result, although free to practise their religion, Lebanon's confessional society discriminates against members of unrecognised sects, such as Baha'is, forcing them to conform to different religious codes if they wish to legally participate in all facets of public and private life. Freedom House 2009 Report summarises the situation:

All Lebanese citizens are assigned to the religious sect of their father upon birth, which they can change at a later age if they so wish. While groups are permitted to practice religions other than the 18 officially recognized religions, they must officially be in accordance with the rules of one of the 15 personal status codes in order to engage in such procedures as marriage, divorce, inheritance, or burial. Therefore, individuals and religious groups may face restrictions on their right to practice their religion freely; religious groups who believe in equal status between men and women, for example, may be forced to conform to a court's gender-discriminatory laws. Civil marriage is not allowed in Lebanon. However, Lebanon does recognize civil marriages that have taken place outside the country; in the case of disputes relating to such marriages, the laws of the particular country in which the ceremony took place will be applied to resolve the marriage, divorce, and/or custody details.¹⁸

¹⁴*ibid*; Aqeel, R. 2009, 'The Baha'i Faith in Lebanon', *al Nahar newspaper*, 12 September, cited on *The Muslim Network for Baha'i Rights* website www.bahairights.org/2009/09/12/the-bahai-faith-in-lebanon – Accessed 19 February 2010 – Attachment 2

¹⁵US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, Section II, Status of Government Respect for Religious Freedom <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

¹⁶Immigration and Refugee Board of Canada, 2004. Lebanon: Situation of Baha'is; in particular, whether they encounter problems in practising their religion; the attitude of the government; the protection offered to them when they are mistreated, 16 April, LBN42539.FE <http://www.unhcr.org/refworld/docid/41501c2b1c.html> – Accessed 23 February 2010 – Attachment 6

¹⁷US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, Section II, Status of Government Respect for Religious Freedom <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

¹⁸Freedom House 2005, *Women's Rights in the Middle East and North Africa: Lebanon*, Special Reports Section <http://www.freedomhouse.org/template.cfm?page=176> – Accessed 23 February 2010 – Attachment 5

4 What could a Refworld report mean when it states that Baha'is cannot call themselves Lebanese?

In 2004, a professor of sociology at the Lebanese University of Beirut, provided some information to the Immigration and Refugee Board of Canada on Baha'is in Lebanon. The information in question appears below:

...He did say, however, that they [Baha'is] cannot **officially** call themselves Lebanese and that being a member of the Baha'i faith can cause problems.¹⁹

This information was reported in the third person and did not quote the Professor verbatim. Considering that Baha'is are not denied citizenship for being a member of an unrecognised sect, the Professor's statement appears false and was possibly misinterpreted. What the professor could have meant was that because Baha'ism is not an officially recognised religion, Lebanese cannot officially call themselves Baha'is.

5 Might this lack of recognition mean that state protection against religiously motivated violence could be refused to a Baha'i?

There is no information to indicate that Baha'is have been victims of religiously motivated violence in Lebanon. Nor is there any information to indicate that authorities would withhold protection to members of an unrecognised sect. Moreover, information provided by the Australian Baha'i Community makes the point that, in Lebanon:

Baha'is have the same recourse to protection as any other citizen of the country. Baha'is in Lebanon could not legitimately claim refugee status on account of religious persecution.²⁰

The constitution guarantees freedom of conviction and freedom of worship, and government policy continues to 'contribute to the generally free practice of religion' according to the US Department of State.²¹ Therefore, it does not hold that the state would deny protection to Baha'is because they are unrecognised.

6 Would the situation (re discrimination/protection etc) be different for a convert from Islam than for a person who had always been a Baha'i (or converted from another religion, not Islam)?

There is no information to indicate that the state discriminates between (a) converts to Baha'ism from Islam (b) converts to Baha'ism from other religions or (c) individuals who have always been Baha'is. Information sighted on discrimination against Baha'is was general information – it did not address individual cases or circumstances of conversion. Converts from Islam are likely to maintain their official status as Sunni Muslims, enabling them to circumvent the restrictions placed on the Baha'i community.

¹⁹ Immigration and Refugee Board of Canada, 2004. Lebanon: Situation of Baha'is; in particular, whether they encounter problems in practising their religion; the attitude of the government; the protection offered to them when they are mistreated, 16 April, LBN42539.FE <http://www.unhcr.org/refworld/docid/41501c2b1c.html> – Accessed 23 February 2010 – Attachment 6

²⁰ Australian Baha'i Community, 2010, Email to RRT Country Advice 'Re: Baha'is in Lebanon', 22 February – Attachment 3

²¹ US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October, <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010 – Attachment 1

As pseudo members of the Islamic faith, converts could face harm from family or members of the Sunni Muslim community in the event they discover the conversion. In light of this situation, of particular interest is a recent RRT Country Advice response (LBN35803, 16 December 2009), which considers whether a young Muslim male could access state protection if harmed by his family due to his relationship with a Christian. The research response refers to DFAT advice dated April 2002, which states that converts fearing harm might wish to seek refuge in areas dominated by their new confessional group. However, it also notes that Lebanese authorities would not provide protection for a convert in this situation, 'except through normal police protection against behaviour which might be deemed to be criminal':

Lebanese citizens are not prevented, under Lebanese civil or criminal law, from converting between religions, including from Islam to Christianity. The contact officer advised us that converts are, in fact, required to declare and register their change of religious status with the civil registration office, affirming that the choice to convert is not proscribed in civil or criminal law.

Against the above, we confirm that conversion does not attract official prosecution, or persecution, and is protected (through registration) under civil law. Moreover, we are not aware of any articles in the Lebanese criminal code which apply criminal sanction against a convert but we would not discard the strong likelihood that, against the norms of Lebanon's highly-confessionalised society, a convert would be subjected to personal persecution from family members or other members of the sectarian community to which he/she formerly belonged.

In these circumstances, the contact officer said that the convert would probably wish to seek refuge in suburbs occupied by the community of the newly-adopted confessional group (Lebanon is segregated unofficially along confessional lines). The individual might also obtain assistance from local religious authorities or others. However, the contact officer confirmed that the **Lebanese authorities would not provide assistance or protection for converts seeking refuge in the newly-adopted community, except through normal police protection against behaviour which might be deemed to be criminal.**

For background, you might wish to consider that conversion from Islam to any other religion, according to Sharia (or Koranic) law, is regarded as apostasy and punishable – according to a strict application of Sharia law – by death. While this might be practiced in more conservative Islamic communities elsewhere in the Arab world (such as Saudi Arabia), we are not aware of this ever having taken place in Lebanon. In any event, while Sharia courts are influential – especially on personal status issues – the execution of apostates would not be permitted by a Lebanese criminal court.

However, the contact officer noted that, should an apostate be murdered by a Muslim implementing Sharia-style justice, the authorities would be faced with practical difficulties in bringing the murderer to trial. The contact officer said the religious sensitivities would probably preclude individuals of that sect from giving evidence in court.²²

7 Could a convert to the Baha'i faith relocate to the Baha'i community in the Bekaa Valley to avoid harm from individuals in their original place of residence?

Lebanese law provides for freedom of movement within the country. As a result a Baha'i convert could relocate to the Baha'i community in the Bekaa Valley. However, no information on Baha'is in the Bekaa was sighted. As a result, it is unknown whether this

²²DIMA Country Information Service 2002, Country Information Report No.108/02 – *Treatment of Sunni Muslims converting to Christianity*, (sourced from DFAT advice of 3 April 2002), 2 May – Attachment 7

community would welcome an individual fearing harm from individuals in their original place of residence, or if this community would be in a position to provide him with protection. However, sources indicate people have full recourse to police protection against criminal behaviour.²³

8 Please contact the Baha’i temple or administration here and find out what is the formal process (if any) for conversion to the Baha’i faith.

The Australian Baha’i Community provided the following information on the conversion process:

In relation to the process of becoming a Baha’i in Australia, the general guideline is that the individual must have a sincere belief in Baha’u’llah, the Prophet-Founder of the Faith; recognise the station of the other central figures in the Faith; be informed of the existence of Baha’i laws that would affect their personal conduct; and be informed of the existence and role of the Baha’i administrative institutions.

When an individual signs a declaration card, the relevant Local Spiritual Assembly is responsible for checking that he or she is sincere in the declaration of faith and has a proper grasp of the fundamentals of the Baha’i Faith, as outlined above. Arrangements are made for the individual to meet either with the full institution, or with representatives of it, in order to complete this process and to enable the individual to ask any questions they may have.

If, after meeting with the individual, the Assembly is satisfied that their declaration should be accepted, it forwards the card with its recommendation to the National Spiritual Assembly.

The signing of the declaration card is an administrative matter enabling the individual to become a member of the Baha’i community, conditional upon approval by the National Assembly. The spiritual implications of a declaration of faith are between the individual and God.²⁴

9 Please also ask if they know anything about the situation of Baha’is in Lebanon.

The Australian Baha’i Community provided the following information on the situation of Baha’is in Lebanon:

...the precise number of Baha’is in Lebanon is difficult to determine, but it is estimated that there are approximately 200, who are fairly evenly dispersed in three areas: Beirut, Sidon [Sayda] and Tripoli. The Baha’i community annually elects its National Spiritual Assembly and Local Spiritual Assemblies, of which there are five. Baha’is have the same recourse to protection as any other citizen of the country. Baha’is in Lebanon could not legitimately claim refugee status on account of religious persecution.²⁵

²³*ibid*; Australian Baha’i Community, 2010, Email to RRT Country Advice ‘Re: Baha’is in Lebanon’, 22 February – Attachment 3

²⁴Australian Baha’i Community, 2010, Email to RRT Country Advice ‘Re: Baha’is in Lebanon’, 22 February – Attachment 3

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List of attachments:

1. US Department of State 2009, *International Religious Freedom Report for 2009 – Lebanon*, 26 October <http://www.state.gov/g/drl/rls/irf/2009/127352.htm> – Accessed 19 February 2010
2. Aqeel, R. 2009, 'The Baha'i Faith in Lebanon', *al-Nahar newspaper*, 12 September, cited on *The Muslim Network for Baha'i Rights* website www.bahairights.org/2009/09/12/the-bahai-faith-in-lebanon – Accessed 19 February 2010.
3. Australian Baha'i Community, 2010, Email to RRT Country Advice 'Re: Baha'is in Lebanon', 22 February.
4. US Central Intelligence Agency, 2010. CIA World Fact Book: Lebanon, 16 February <https://www.cia.gov/library/publications/the-world-factbook/geos/le.html> – Accessed 23 February 2010.
5. Freedom House 2005, *Women's Rights in the Middle East and North Africa: Lebanon*, Special Reports Section <http://www.freedomhouse.org/template.cfm?page=176> – Accessed 23 February 2010.
6. Immigration and Refugee Board of Canada, 2004. *Lebanon: Situation of Baha'is; in particular, whether they encounter problems in practising their religion; the attitude of the government; the protection offered to them when they are mistreated*, 16 April, LBN42539.FE <http://www.unhcr.org/refworld/docid/41501c2b1c.html> – Accessed 23 February 2010.
7. DIMA Country Information Service 2002, Country Information Report No.108/02 – *Treatment of Sunni Muslims converting to Christianity*, (sourced from DFAT advice of 3 April 2002), 2 May. (CX64194)