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Establishing the Primacy of Human Rights in Security Sector Reform in Lebanon

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Abstract

Foreign donors and security agencies are multiplying their efforts to reform the security sector in Lebanon. In such context, ALEF advocates for a security sector reform (SSR) approach that promotes human rights compliance in addition to state empowerment and the inclusion of civil society in the process. Based on interviews with security agencies, foreign donors, and civil society members, this paper maps some of the current SSR programs in Lebanon and assesses their impact on human rights. This paper also exposes the various challenges to the success of a human rights framework in SSR in Lebanon. ALEF hopes that this analysis will increase Lebanon's civil society's understanding of SSR and will promote further collaboration between local NGOs and SSR actors. It is only through such partnership that SSR actors will be able to improve the compliance of security agencies with human rights obligations.

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Acronyms

SSR	Security Sector Reform
LAF	Lebanese Armed Forces
ISF	Internal Security Forces
DGGS	Directorate General Security
MOI	Ministry of Interior
MOJ	Ministry of Justice
CSO	Civil Society Organisation
CoC	Code of Conduct
IHRL	International Human Rights Law
IHL	International Humanitarian Law
IBM	Integrated Border Management
CIMIC	Civil Military Cooperation
SOP	Standard Operating Procedures
CAT	Committee Against Torture
NPM	National Preventive Mechanism
OPCAT	Optional Protocol to the Convention Against Torture
NPM	National Preventive Mechanism
UNSCOL	United Nations Special Coordinator for Lebanon
UNHCR	United Nations High Commissioner for Refugees
UNDP	United Nations Development programme
OHCHR	Office of the United Nations High Commissioner for Human Rights
INL	International Narcotics and Law Enforcement
ICRC	International Committee of the Red Cross
IWSAW	Institute for Women Studies in the Arab World

Introduction

After the Second World War, Security Sector Reform (SSR) enabled armed forces¹ to ensure modern states' security and monopoly over the use of force. At the start of the 21st century, human rights discourse broadened the concept of SSR, asserting that a state's legitimacy resides in its ability to respect, protect and ensure its human rights obligations². It became obvious that security systems success could not be limited to military performances but should include their transparency, accountability and ability to protect peoples' rights. The UN developed the following definition of SSR programs, which will be used for this paper:

"[SSR is] a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law".³

As a result, SSR is no longer restricted to the police, the army or other traditional elements of the security sector. It also concerns the oversight mechanisms of these forces, such as courts, correctional services and civil society, which are in charge of ensuring the centrality of people in SSR processes.

Traditionally, the Government of Lebanon has encouraged both foreign military support and funding and the promotion of security assistance rather than security reform. Since the Syrian army's withdrawal from Lebanon in 2005, and the changing roles of security agencies in Lebanon, donors have increased their funding to the Lebanese security apparatus, focusing heavily on equipment, trainings and technical assistance. The concerns among Lebanese security agencies and foreign governments for contextual threats, specifically terrorism, have been conducive to military assistance rather than actual reform. However, this paper's findings reveal a progressive change in donors and Lebanese security agencies approach to SSR. Currently, donors vary in their desire and efforts to promote SSR programs addressing issues of accountability, institutional reform and human rights compliance. This variation is mainly due to differing priorities of donors

1 Nicholas Galletti and Michael Wodzicki, "Securing Human Rights: Shifting the Security Sector Reform Paradigm," in *The Evolution of the Security Sector Reform Agenda*, ed. Nicole Ball, 2010, 29–45.

2 Nicole Ball, "The Evolution of the Security Sector Reform Agenda". In *The Evolution of the Security Sector Reform Agenda*, ed. Nicole Ball, 2010, pp 15-29

3 UN department of Peacekeeping operations, *The United Nations SSR perspective, Office of Rule of law and security institutions*, Security Sector Reform United (New York, NY: United Nations, May 2012) pp1-3

and the nature of funding and leverage. While the United Nations and the European Union advocate, in their narratives, for a people-centered approach to SSR, several country donors still prefer a traditional state-to-state approach, in which people's concerns are secondary⁴.

Considering such tensions, this paper aims to encourage SSR actors to develop programs in Lebanon that assert the primacy of human rights in SSR. In other words, this paper hopes to contribute to SSR programs by promoting a “*state-obligation*” paradigm in addition to a “*state capacity*” paradigm⁵. SSR focuses on the relationship between the right holders - the population in Lebanon - and the duty bearers - the security agencies and state institutions. This paper seeks to inform the adjustment of the institutions' laws and processes in place in order to ensure that duty bearers fulfil their obligations towards rights' holders in Lebanon.

This paper assesses the impact of SSR programs on human rights and highlights the associated challenges with a particular focus on the absence of effective communication and collaboration between local organisations and SSR actors in Lebanon. Indeed, this paper argues that security agencies and donors can only develop efficient and human rights driven SSR programs if they engage with Lebanese civil society proactively and reinforce the role of local organisations in the oversight mechanisms⁶. Building on previous research by Lebanese academics on ‘civil society's role and efforts in security sector reform in Lebanon’⁷, this paper provides an avenue for increased participation of local organisations in current programs. It has been used to develop a human rights framework in SSR programs for security agencies and SSR actors. ALEF recommends SSR practitioners and actors to consult this framework in order to develop their SSR programs coherently.

4 Interview at the French, Dutch and British Embassies, 03-04-05/10/2016, Beirut, Lebanon

5 Nicholas Galletti and Michael Wodzicki, “Securing Human Rights: Shifting the Security Sector Reform Paradigm.”

6 Ibid

7 Mufi, “Civil Society's Role in Security Sector Reform in Lebanon, An Aymmetric Partnership despite a Growing Working Relationship with Security Services.”

Methodology and limitations

This paper engages a wide range of research methodologies from semi-structured interviews to content analysis in order to both map and assess SSR programs in Lebanon. Interviews were done over a period of three weeks with forty informants from donor countries, international organisations, private firms, local organisations, academics and Lebanese security agencies (Lebanese Armed Forces, Internal Security Forces and DGGS). Questions focused on the content of SSR programs, their human rights mechanism and their impact, as well as the willingness to involve Lebanese civil society and human rights NGOs in monitoring such programs insuring the respect of human rights obligations.

ALEF is aware that such research examines a sensitive topic and as a result encounters many limitations such as the absence of actors involved in security in Lebanon, such as non-state armed groups⁸. Moreover, the time limits set by the project did not allow follow-up interviews, especially with security agencies. This research is particularly limited by the absence of data (mostly baseline and M&E generated data) as well as the reluctance of certain donors and other assessed agencies to share information about their programs, including the description of limitations and shortcomings of their own programs.

⁸ Eg: Hezbollah, Palestinian armed groups and other militias in Lebanon

Mapping of security sector reform programs and assessment of their impact on Human Rights

The mapping of SSR programs exposes the human rights mechanisms implemented within the Lebanese Armed Forces (LAF), the Internal Security Forces (ISF), the General Security (DGGS) and the municipality police. The focus is on two main aspects of SSR current strategy in Lebanon: the promotion of human rights in security agencies and the strengthening of accountability processes.

Lebanese Armed Forces (LAF)



The promotion of Human Rights in the LAF

LAF human rights Directorate

The Lebanese Armed Forces (LAF) established its human rights office in 2009, which later became a directorate in September 2016. The office ensures the army's ability to comply with International Humanitarian Law. However, the army's mandate to handle internal security and its increasing interactions with civilians and prisoners pushed the office to expand its scope of work in order to include Human Rights Law. The human rights directorate applies International Humanitarian Law (IHL) and Human Rights Law (HRL) ratified by the Lebanese parliament in the LAF. The directorate's current priorities are the prevention of torture and the due process of law. Based on interviews with the officials in charge of the directorate, current human rights activities include among other things, the integration of IHL and HRL in the army's academic training. Officers in the LAF academy have received training from the ICRC and the UNHCR on refugee protection and IHL during investigations, as well as workshops on the roles and responsibilities of medics, prison guards and wardens. Currently, the directorate is looking to develop training modules on domestic violence, human trafficking and drug abuse, which would be integrated into the curriculum.

When dealing with prisons and detention centers, the directorate acknowledges and tries to follow the ICRC's recommendations by improving detention conditions for prisoners, especially when they concern their jurisdictions. The directorate regularly visits detention centres and issues reports to the army commander, leading to changes in the Lebanese prison system such as

the construction of a new detention centre. The detention centre was built in order to deal with overcrowding and to provide more humane detention conditions. It is the first LAF detention centre created specifically for the purpose of detention rather than disciplinary deprivation of liberty. The current detention facilities are initially designed for short disciplinary sanctions of LAF members who engage in malpractice. The facilities, since the early 1990s, have accommodated civilians for criminal sanctions alongside members of the LAF. The disciplinary period of detention is often short and does not require the infrastructure required to accommodate civilian prisoners such as visits by relatives and members of the family, confidential meetings with lawyers and other. Another recommendation made by the directorate enabled the development of a standard operation procedure (SOP) to deal with civilian prisoners on hunger strikes. This paper highlights the command's commitment to act seriously upon such incidents.

Human Rights Trainings

The LAF is currently collaborating with the Polish, Danish, Dutch, US, Australians, British and Canadian governments to increase its capacities in border security⁹. Most border management programs are coordinated by the Integrated Border Management (IBM) project. The main objective of the program is to increase national and international coordination between the different agencies and authorities involved in border security. IBM is funded by the European Union and the Dutch government, implemented by the International Centre for Migration Policy Development (ICMPD). IBM targets not only the army, but also the Internal Security Forces (ISF), General Security (DGGS) and the Lebanese customs. The project was launched in October 2012, and will end in December 2018¹⁰. The European Union provides funds to the Polish border emergency services, the Danish land border security project and the Dutch Civil Military Cooperation (CIMIC) program within the scope of IBM. Apart from the border management programs mentioned above, the British and Canadian governments working with the LAF, recently finished the Land Border Assistance project through which series of capacity building for the LAF border regiment was given¹¹. The Office of the United Nations Special Coordinator for Lebanon (UNSCOL) also organises coordination meetings chaired by the Special Coordinator and the army commander for embassy officials in order to prevent overlap between different border security programs.

The IBM promotes human rights through workshops, study visits by LAF officials, seminars and training courses. The training programs mentioned on the IBM website¹² focus on 'integrity and best practices' and the creation of a 'Code of Conduct'¹³. However, training programs on human rights are not at the forefront of IBM's strategy as shown by the 2014 IBM report. While human rights trainings might be included in 'border controls, search, risk analysis, investigation, drugs/enforcement'¹⁴, the lack of clarity in regards to the human rights component content and objectives reveals that this component is a very minimal part of IBM activities and services. Other SSR actors working on border management have mentioned similar trainings and workshops on human rights. The British government, for instance, developed modules on

9 For an overall presentation of border security programs, objectives, funding and actors, please refer to the table in appendix.

10 The International and Centre for Migration Policy Development (ICMPD), "Integrated Border Management in Lebanon," 2014, <http://www.eu-ibmlebanon.com/en/programme>.

11 Interview at the British embassy, 03/10/2016, Beirut, Lebanon

12 <http://www.icmpd-lebanon.org/en/>

13 The International and Centre for Migration Policy Development (ICMPD), Model Code of Ethics and Conduct, "Integrated Border Management in Lebanon," 2014, <http://www.eu-ibmlebanon.com/en/programme>.

14 IBM Lebanon report 2014, available on the IBM Lebanon website at: [file:///C:/Users/Emma/Documents/ALEF/ibm%20lebanon%20summary%20july%202014%20\(1\).pdf](file:///C:/Users/Emma/Documents/ALEF/ibm%20lebanon%20summary%20july%202014%20(1).pdf)

house searches and the treatment of vulnerable populations such as women and refugees¹⁵. The International Committee for the Red Cross (ICRC) oversees these trainings and evaluates their efficiency and impact. However, in most border management programs, there is not any explicit external evaluation of such trainings and therefore no guarantee of their impact and integration into the army's work.

Conventional peer-to-peer or state-to-state approaches to border managements have been complemented by the Civil Military Cooperation (CIMIC) directorate funded by the European Union and the Dutch government. The overall aim of CIMIC is to increase the LAF's capacity by bridging the gap between the army and the Lebanese community. To do so, the British private security firm Aktis supports the directorate in implementing community engagement projects in areas where civilians have a negative perception of the army. These projects range from the construction of a football field, food distribution in Arsaal and water irrigation in Akkar. CIMIC aims to prevent human rights violations by deconstructing misconceptions and stereotypes of the army. CIMIC also developed a doctrine and a handbook in which LAF members define their understanding of civil military cooperation. Both documents promote respectful behaviours and new ways of communicating to ensure that the army interacts positively with the Lebanese community and vulnerable populations.

Accountability processes

Military tribunal

The LAF has a military supervised accountability system: the military tribunal.¹⁶ However, the army's internal bylaws do not allow for civilian oversight. The human rights directorate does not share cases or the outcomes that are brought in front of the military court. Theoretically, case sentences and outcomes can be accessed via the Ministry of Justice. In practice, however, it is nearly impossible to access those cases as the court lacks proper mechanisms to transmit such information. Yet there can be very little guarantee of human rights adherence without external monitoring and transparency.

Forensic training

The Dutch government's partnership with Aktis, the Dutch Forensic Institute and The Hague Centre for Transitional Justice, has strengthened the forensic capacity of most security agencies in Lebanon. The partnership also provides training to military and judicial prosecutors to ensure they are able to hold cases with forensic evidence. Therefore, the SSR program is a clear step forward, towards better accountability, safer judicial process, and ultimately, a contribution to human rights protection. However, there is still a strong need for the integration of such reforms into the daily routine of security agencies in order to expect a real impact.

¹⁵ Interview at the British Embassy the 03/10/2016, Beirut, Lebanon.

¹⁶ See ALEF, Fair Trial in Lebanon and Position Paper on Exceptional Courts, 2016 <https://alefliban.org/publications/exceptional-courts/>

Internal Security forces (ISF)



The promotion of Human Rights in the ISF

ISF human rights department

The Internal Security Forces' (ISF) human rights office was created in 2008 by internal decree. Its main task is to raise awareness and promote human rights in the ISF. It does so through publications, such as the periodic journal for security studies and monthly magazines, and through training programs for ISF members. The department also contributes to future amendments of human rights laws by providing feedback and technical assistance to the commandship and legislators. The trainings provided by the human rights department are incorporated in the curriculum of the ISF academy and inform ISF members about general human rights topics. Additionally, the ISF, in partnership with the British and the U.S. governments, has led a senior leader course training over 700 police officers on human rights and the ISF's Code of Conduct (CoC). Previously, the human rights department trained police officers at the Ras Beirut police station as part of the Community Policing project. The human rights department currently receives support from the British and U.S. governments to recruit new staff and increase the office's capacity.

The code of conduct

The ISF code of conduct (CoC) was written over a period of two and half years in collaboration with the OHCHR and the British government. It has recently been amended to include significant changes regarding torture, unlawful orders, domestic violence and human trafficking laws. The CoC was entirely written and organized by the ISF human rights department. It is now used as a model for the Lebanese General Security's own CoC. Its integration into the ISF Academy has enabled the training of all members of the ISF by the OHCHR.

Ras Beirut Police station

The Ras Beirut police station, situated below the Hbeish police station is a pilot for the application of policing reforms. These reforms include, amongst other things, the integration of the CoC, community policing, human rights training and accountability mechanisms. The project started in 2008, with the support of the British and U.S. governments and has now been replicated in three other police stations in Beirut. The pilot program focuses on three pillars: strategic planning, coordination of donors and implementers and the embedding of these policing reforms in the culture and daily work of the ISF. The project emphasises the importance of local ownership and impact of policing actions over short-term results.

Reforms included the police station's refurbishment with modern equipment and the integration of accountability mechanisms with new technology (CCTV cameras), recordings and automated procedures. Ras Beirut police officers collaborated with Search For Common Ground, an international conflict management organization, on community engagement projects and were trained by the Professional Centre for Mediation (CPM), to promote community policing. The Ras Beirut police station also has a space to host public and monthly meetings with Lebanese civil society. Finally, Ras Beirut has an analysis unit collecting data on crime hotspots, and human rights violations to develop evidence-based and proactive policing.

Human rights training

The ISF receives support from the British and U.S. governments in order to enhance its strategic planning. The British government has undertaken a strategic review of the ISF to assess the gaps and needs of the ISF institution. The strategic review will lead to a series of recommendations by the experts conducting the assessment and strategic planning.

The ISF organizes various training programs run by international experts and SSR experts that promote human rights (This is a non-exhaustive list of the trainings received by the ISF):

Training	SSR actors	Objectives
Integrated border Management (IBM)	European Union, Polish, Danish, Dutch governments	Increase capacities to protect borders
Community policing	British and US governments. Implementers: Siren associates and previously Search For Common Ground, Professional Centre for Mediation (CPM)	Shift from military to citizens focused policing, building trust and a working relationship between the ISF and the population in Lebanon.
Public order	British and French governments	Mobile forces capacity building and development of a new doctrine to minimize the use of force when dealing with public order
Forensic	Dutch government with the Dutch Forensic Institute and The Hague Centre for Transitional Justice	Train and encourage police officers to make use of forensic evidence rather than allegations.
Human rights	KAFA, UNHCR, ICRC, IWSAW	Trainings on human rights trafficking, refugee protection, Human rights law and IHL etc.
Peer to Peer ¹⁷	French government	Transmission of expertise of the French Police. Trainings on investigation, counterterrorism, public order, car accidents, French and so forth. Yearly education opportunity for Lebanese police officers in France at 'L'école des commissaires'
Peer to Peer	US government through the international Narcotics and Law Enforcement Affairs (INL) department	Modernize the ISF through capacity building, community policing, development of an education curriculum and support to their human rights department

¹⁷ Peer to peer refers to direct training and mentoring from a foreign governments' police forces

Accountability processes

Inspectorate general

The Inspectorate General of the ISF is in charge of internal inspection and monitors human rights violations. The inspectorate receives support from the UNDP and other SSR actors. The British government in partnership with its implementation agency, Siren Associates, is working to professionalize and digitalize the inspectorate. The inspectorate tries to streamline the inspection process and shift the inspections from a punitive approach to a remedial approach; the inspector should not only assess the compliance of ISF members but their performance¹⁸ as well. Such shift in paradigm should encourage security agencies to take responsibility for their own performance and broaden their indicators of success, including human rights compliance.

The Committee against torture

The ISF committee against torture receives and investigates complaints of torture against ISF officers made by victims, their representatives and NGOs. The ISF collaborates with the UNDP and the Dutch embassy to apply the recommendations made by the UN Committee Against Torture (UNCAT). The UNDP provides trainings on torture prevention and awareness as well as capacity building workshops to enhance police officers' technical knowledge. The UNDP is currently identifying the internal factors that limit the ISF's ability to document and respond to torture allegations. As a response to their findings, the UNDP tries to increase the collaboration between the judiciary and medical field. They also support the development of the ISF's inspectorate and encourage the development of internal accountability processes.

Unfortunately, the committee's working methodologies and degree of oversight are not clear. For example, the General Director of the ISF is mandated to follow up on recommendations made by the committee, but it is not clear what measures can be taken when recommendations are not put in place. Or, how the committee will follow up with the general director on the recommendations they receive. Some judicial investigations have been conducted, but the process or outcomes has been transparent. The lack of transparency is a major challenge to the committee's ability to respond to pervasive torture.

Complaint system

There are many ways to denounce violations against members of the ISF: the hotline, the ISF website, the inspectorate general and the human rights department. However, there are still major drawbacks to the establishment of a strong accountability framework in the ISF despite strategic and infrastructural improvements at the inspectorate. For instance, there is no joint database for different sections of the ISF to access simultaneously often creating duplication of work or ambiguity in follow up. The website's complaint forms are not user friendly because users must create an account and share a large amount of personal information prior to filing a complaint. The process required to fill a complaint online is often discouraging and found to be invasive for a user only interested in complaining about an ill-practice. Ras Beirut's CCTV cameras are monitored by internal staff rather than an external entity, which leads to a lack of oversight from judicial entities. Generally, the ISF lacks the funds and logistics to respond to their hotline and monitor complaints. As a result, none of these avenues have enabled efficient accountability up until this point. Beyond funding and logistical obstacles, the ISF also has to take into consideration citizens' reluctance to file complaints against the police due to confidence issues and fear of retribution.

¹⁸ Interview with Siren Associates, 29/09/2016 and 04/10/2016, Beirut, Lebanon

Municipal police

Security sector reforms programs have increased their focus on municipal police since the Syrian refugee influx. The crisis heightened municipalities' role as security agents. Yet, municipality police have become symbolic as one of the main pitfalls of the Lebanese security system: the lack of a clear definition of the roles and responsibilities of different Lebanese security agencies has led to many disputes between the ISF and municipal police on the scope of their respective mandate.



The promotion of human rights in the Municipal Police

Driven by the Syrian refugee crisis, several SRR programs have been set up ways to improve municipal police dealings with local security. They also aim to define their role within the Lebanese security system. The municipal police capacity development program is headed by the Ministry of Interior (MOI) and the ISF academy, and coordinated by the UNDP and the UNHCR. The program aims to develop the capacity of municipality police through a new Standard Operating Procedures (SOP) and CoC. The SOP will offer clear guidelines for municipality police operations and recruitments, which will clarify the scope of their mandate by taking into account Lebanese legislation and highlighting the limits of the municipal police's judiciary power. The CoC establishes guiding principles aimed at increasing municipal police collaboration with local communities by respecting their human rights. MOI, ISF academy, the director of the municipalities wrote the CoC and the SOP. They should be finalised by early 2017 after their endorsement by the MOI. The program will be implemented in 8 pilot sites in Lebanon. The objective is for UN agencies to ensure more effective protection of Syrian refugees and prevent human rights violations by the municipal police. The "Lebanese Host Community Support"¹⁹ program as well as the newly established "crisis cells", will bring together various members of the army, the ISF and municipal police in hopes of fostering collaboration between different security agencies.

Technically, elected municipality councils by registered, but not necessarily resident, voters hold municipality police accountable. However, this rarely happens in practice. The discrepancy between the registered and resident voters challenge elections accountability. Moreover, municipalities are reluctant to disclose information and voters or residents have not advocated for better policing²⁰.

19 UNDP, Lebanese Host Community Support Project, http://www.lb.undp.org/content/dam/lebanon/docs/Poverty/Publications/LHSP_web_en.pdf

20 Attalah Sami, *Boosting Municipal capacity in the light of the refugee crisis*, The Peacebuilding in Lebanon, issue n12, June 2016.

The Directorate General of General Security



The Promotion of Human Rights in the DGGS

The Human Rights Department

The Directorate General of General Security (DGGS) established a human rights department in October 2016, as part of an on going reform plan with the aim of ensuring its compliance with human rights standards. These reforms have led to the creation of mechanisms against child labour, human trafficking, as well as the development of processes respectful of people with disabilities. The DGGS also finalized its new CoC in early 2017.

Human Rights Trainings

The DGGS is benefiting from the IBM, forensic and peer-to-peer trainings. They are receiving training from the UNHCR on refugee law, human trafficking and child protection. The UNHCR also works closely with the DGGS to improve its response to the Syrian crisis. The DGGS also receives support from foreign governments, including the French embassy, which organises yearly visits to French administrative centres for DGGS staff. The DGGS is now preparing capacity building programs for its personnel using the newly developed CoC.

The Code of Conduct

The Code of Conduct was drafted over 18 months with the support of the OHCHR. The CoC seeks to improve the relationship between Lebanese citizens, residents and General Security. It states that DGGS's mission is to "provide safety security and service to all citizens and residents of Lebanon". The CoC offers significant advancements on the modernization of the DGGS by extending the scope of their work to Lebanese residents. The CoC acknowledges the existence of detention centres in an official document and addresses thoroughly the on going issues related to migrant workers. However, there are also visible limitations to the CoC, such as the lack of mention of an oversight mechanism and accountability structures, as well as efficient remedies to human rights violations. Its human rights approach is not fully inclusive, as the DGGS's mission does not encompass refugees and Palestinians living in Lebanon. The CoC is also not always precise in its terminology, for instance when referring to "nightclub artists²¹" coming to Lebanon, allowing ill-interpretations and manipulations. Finally, the CoC does not specify which provisions ensure the respect of its principles. In general, The DGGS operates an online and offline complaint system operational from what the DGGS coins as "complaint room". However it is not entirely clear how this process is linked to a wider accountability and oversight mechanism especially from judicial authorities. Promulgating and clarifying these mechanisms could be an area where SSR programs would address it.

21 Euphemism used to designate non-Lebanese sex workers

Challenges to the Promotion of Human Rights in Security Agencies

The Absence of Political Will

Despite significant progress in Lebanese legislation, Lebanon lacks the political will to promote human rights in security agencies. Yet, SSR programs have fought to instil sustainable change, even without a strong constitutional framework and allocated resources. In the ISF for instance, policing reforms still encounter resistance from high ranked officials, threatening the projects in place and challenging their legitimacy. The absence of political will prevents SSR programs from including all members of security agencies in a comprehensive strategy and addressing the underlying causes of human rights violations. Hence, trainings on human rights and the CoC are not incorporated in the daily life of army or police officers. The absence of political will also leads to structural limitations, such as the regular turn over in security agencies leading to recurrent knowledge drain. Human rights trainings provided by the directorate and foreign agencies have limited impact because new trainees regularly change positions and do not put their knowledge into practice. Finally, the professionalization and modernization of the security sector requires significant investment, from trainings to improving salaries and material resources. Security reforms will not succeed unless the state starts providing more financial support. However other impediments are also at stake further limiting the progress towards a comprehensive SSR strategy in Lebanon. As part of its functions Parliament's role in that regard is to create constitutional and legislative conditions for the reform of security sector, particularly armed forces. It should also acquire instruments and procedures for the effective control of the security sector and armed forces, as well as its civilian commanders such as ministers or local municipal actors. Additionally parliamentary commissions such as the defence and security commission should play a larger role in determining and facilitating the planning such programs. Unfortunately the Lebanese legislative branch is largely inefficient and crippled by political and constitutional constraints. The latter resulted in at least 4 years of legislative inactivity due to the failure of the parliament to elect a new president or to bypass partisan filibuster.

The Absence of Civilian Oversight

Security reforms can only be sustained if the state is governed by the rule of law, which requires civilian oversight of the defence and security sectors. The absence of civilian oversight in Lebanese security agencies prevents effective accountability and sustainability of security reform programs. The committee against torture in the ISF and the military court in the LAF are unable and often unwilling to transparently report on the cases they have followed up on. The General Security and army intelligence are left without a complaints and oversight mechanism, preventing civil society from knowing if security agents are truly held accountable for their actions. The security

agencies will not integrate human rights promotion as long as there are no efficient oversight mechanisms. The social paradigms among civilians who look at some misbehaviour by security personnel as normal are partly responsible for the absence of civilian oversight. Civilians and local communities do not have a common notion of what constitutes a just “moral economy: that is, what they consider as a fair balance between their rights and the obligations of the elites, state authorities and security agencies.” The reluctance of SSR foreign donors and Lebanese security agencies to engage local organisations in the process also thwarts effective civil oversight. While some interviewees mentioned the importance of protecting confidential information, others pointed to the recurrent adversarial approach of local organisations, which could hinder their own relationship with security agencies justifying the reluctance of these entities to involve NGOs. Yet it is only through civil acceptance within security agencies that security agencies can be fully effective²². Many local organisations have the soft power and cultural knowledge necessary to address the underlying causes of human rights violations. They can provide trainings that go beyond technical knowledge, and fortifies abstract concepts and ideas in the cultural context. Local organizations can embody and inform SSR actors and donors about the primary concerns of civil society, pointing at the most striking human rights violations.

Limited capacities

Security reforms require significant investment to be successful and sustainable. This can range from trainings, higher salaries, and material resources to expertise in a myriad of fields. As a result, limited capacities are a challenge to human rights compliance in security agencies. The ISF human rights directorate for instance, does not have the material resources or the technical knowledge to develop an efficient communication and training strategy to integrate the CoC throughout the agency. The ISF is also unable to respond to the hotline efficiently because of its limited human resources and organisational capacity. Similarly, the LAF human rights directorate lacks the material resources to expand and provide human rights trainings. On the other hand, the DGGS struggles with basic equipment and infrastructure, therefore limiting its willingness to engage with other reforms. Such limited capacities are further constrained by a lack of a strategic budget plan that incorporates security sector reform as an essential element of budgetary reform. The parliament for example has not been able to produce a new public budget since 2004, and all related expenses fail to identify specific technical, or financial reforms required.

Human rights are not a priority

As SSR actors and donors still look at SSR programs from a capacity building standpoint instead of a right based intervention standpoint, they privilege confidentiality over funds, programs, approach, target, impact, evaluation and their relationship with security agencies over transparency and accountability. As a result, most SSR actors and donors do not disclose their assessments, reviews and internal evaluations, which are useful in creating coherent and efficient international interventions that allow civil oversight. This holds particularly true for border management programs in which handling terrorist threats is usually considered a priority over human rights. Yet, countering terrorism and ensuring human rights protection should not be looked at as mutually exclusive. On the contrary, the protection of human rights is a condition for any positive relationship between citizens and security agencies. Such trust is the premise

22 Yezid Sayigh, “The Need for Arab Police Reform,” *Carnegie Endowment for International Peace*, December 7, 2015, <http://carnegie-mec.org/2015/12/07/failing-to-counter-terrorism-need-for-arab-police-reform/imrk> .

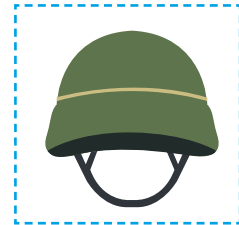
for efficient military and security operations in a given country²³. Moreover, security is ultimately meant to protect peoples 'right to live'. Considering such a perspective, SSR actors should complement their approach to "state-empowerment" with a "state-obligation" model that aims at a protection of people's human rights.

23 Alan McCrum, "Lebanon's Sensible Pilot Projects," Carnegie Endowment for International Peace, July 30, 2015, <http://carnegieendowment.org/2015/07/30/lebanon-s-sensible-pilot-projects/ie4q>.

Recommendations

The LAF

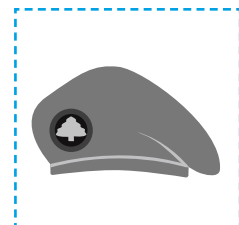
The LAF would benefit from greater involvement with the human rights directorate in CIMIC and IBM programs. Until recently, the LAF human rights directorate was not involved in the IBM component of the SSR programs. The directorate has only recently begun to collaborate with the CIMIC directorate, but is restricted to an advisory role hindering the directorate's ability to handle human rights components of their programs. Donors can also make greater use of the directorate in implementing and designing human rights strategies, therefore increasing local ownership of SSR programs and enhancing synergies between specialised bodies of the LAF. Moreover, the directorate would benefit from the forensic trainings currently provided to other units. Such expertise would help the directorate determine human rights violations and would give it legitimacy as monitoring body in the army²⁴.



Although the CIMIC directorate should not be restricted to solely an advisory role there are still many assumptions and misconceptions about their current role that should be addressed. International Alert currently collaborates with the LAF as an external evaluator of the CIMIC program challenging the direct connection between aid to a certain population and trust towards the army²⁵. Similarly, ALEF believes that additional research and evaluation is needed to tackle the assumption that community engagements automatically ensure better human rights practices by the army.

The ISF

The ISF's commitment to policing reforms requires the establishment of greater trust between the police and the community. Currently, their commitment is being addressed through community policing and the Ras Beirut pilot project, both aiming to transform the military nature of the ISF and bridge the gap between citizens and security agencies. However, Lebanese civil society is still not engaged nor aware of policing reforms, and public opinion about the ISF has not changed significantly. While it is undeniable that public opinion can only change



²⁴ Nicholas Galletti and Michael Wodzicki, "Securing Human Rights: Shifting the Security Sector Reform Paradigm."

²⁵ Interview with International Alert, 07/10/2016, Beirut, Lebanon

in a positive manner, the Ras Beirut project struggles to engage the community efficiently in policing reforms. Previous projects such as public meetings and discussions have not been successful²⁶. The lack of public support is a hindrance to policing reforms and to the replication of the Ras Beirut pilot, which has already faced political and internal resistance. SSR actors should prioritize communication and collaboration with local organisations and the Lebanese civil society to ensure the sustainability of their policing reforms.

Municipality Police

The current SSR program found that the municipality police has a greater role in Lebanese society than what is legislatively allowed. Unless the legislation changes, municipal police reforms will remain inconsistent and subject to negotiation. Municipal police will remain in a constant struggle for legitimacy. For example, municipal police can refuse to adopt the new SOP designed within the program if they wish to preserve their own SOP and assert their independence from the government. The gaps in legislation should be addressed before any further reform.



Civilian oversight is key in better policing of the Lebanese population and Syrian refugees in Lebanese municipalities. Municipality councils should be more transparent and open to civilians' suggestions.

The DGGS

The DGGS's new CoC is promising, but will not be implemented correctly without accountability processes and civilian oversight. These should be considered as a priority for future SSR programs with the DGGS.



²⁶ Interview with Siren Associates, 29/09/2016 and 04/10/2016, Beirut, Lebanon

Conclusion

Although there is an increased focus on human rights in the different SSR programs in Lebanon, the existing human rights mechanisms, supported or mainstreamed through SSR programs, have limited impact. The CIMIC project, the Ras Beirut pilot and the creation of human rights departments in the LAF, the ISF and the DGGS, demonstrate security agencies' willingness to bring about human rights reforms. However, for now, the absence of political will, civilian oversight and capacity are significant challenges to these reforms and must be addressed. ALEF calls for SSR actors to commit to current human rights mechanisms in security agencies and to allow Lebanese civil society to take part in the decisions that will affect their lives²⁷. Many SSR programs would benefit from such input, which would not only allow them to evaluate their own impact but would also increase their local ownership and legitimacy. To conclude, SSR donors and security agencies have to acknowledge the interdependency of technical support and 'soft' power in security reform. Both are complementary and essential in creating sustainable reform.

²⁷ van Weerelt, Patrick "A Human Rights-based Approach to Development Programming," UNDP: Adding the Missing Link. Geneva: UNDP HURIST. 2001 www.undp.org/governance/docs/HR_Pub_Missinglink.pdf

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