

The Security Sector in Lebanon: Jurisdiction and Organization

Brigadier General Dr. Amine Saliba

Across the world, the security sector has a direct effect on citizens' rights and freedoms. The legal regulation of these apparatus and the judicial oversight over their activities is the foundational measure of a country's level of democracy, a system meant to safeguard human rights and freedoms. The laws that regulate the functions of these apparatus in accordance with the Constitution must be subject to follow-up by political authorities and civil society alike. For when problems arise, they arise in the application of the law and not the content of its text.

It is true that Lebanon's social development and the resultant increase in crime is the main reason for the proliferation of the security apparatus in the country, just as it is in other nations. Before Lebanon's political foundation as a state, it was a forerunner in the entire region – all of it under Ottoman occupation – in its adoption of an internal security force.

As such, on July 9, 1861, "the first security agency was founded in the *Mutasarrifate*, known as the Judiciary Police, through the distinguished effort of the *mutassarif* Daoud Pasha, who poured his modernizing energy into this agency and commissioned an English officer named Mason with training this gendarmerie, whose personnel counted 150 officers and 740 privates, tasked with maintaining security in the *Mutasarrifate*." (Source: Asad Rustum, "Lebanon During the Mutasarrifate", *Dar an-Nahar*, p. 90)

Since the establishment of this security force, the sectarian make-up was taken into account from the very outset, with leadership roles assigned and recruitment of personnel considered along balanced sectarian lines. Lebanon, since its founding, has always taken sectarian balance into account in the distribution of roles and acceptance of recruits within the security forces. It should therefore come as no shock or surprise to the researcher, Lebanese or otherwise, when he or she encounters evidence of this sectarian distribution, still ongoing to this day.

Based on this brief historical overview, we can say that the Judiciary Police – the Lebanese gendarmerie – was the first security force founded not just in Lebanon (though its founding predates that of the Lebanese state), but in the entire Levant region. This gendarmerie, which subsequently became the Lebanese Internal Security Forces, upheld its unilateral grip over security without competition until the Ottoman Empire lost the First World War and withdrew from Lebanese territory in 1918. At which point Lebanon became part of the French Mandate, which quickly established Syrian-Lebanese army units in 1919, operating under the command of French officers. These units were tasked with helping the Lebanese ISF maintain order and security. They underwent several

adjustments in their organizational structures until the French withdrew from Lebanon and the country gained its independence, which was subsequently followed by the establishment of the Lebanese Armed Forces on August 1, 1945.

This introduction establishes that the modern Lebanese state, after achieving independence, had two security bodies in place: the Lebanese Armed Forces (LAF) and the Lebanese Internal Security Forces (ISF). From the beginning, these two bodies worked in tandem with one another to maintain both internal security and secured borders between Lebanon and its neighboring countries: Syria and Palestine. The Lebanese state then hastened to establish the Lebanese Customs Administration, which heretofore had been in the hands of the French government. Such was also the case with the Lebanese General Security, which had also been in the hands of the French. Thus the Lebanese state began the process of establishing its security apparatus in order to keep pace with the country's social development, fight crime, maintain public order and protect people from all violations. This culminated in the establishment of the country's security sector, divided into the following security agencies:

- I. Agencies Associated with the Ministry of Defense:
 - a) Lebanese Armed Forces and Intelligence Directorate
 - b) The Republican Guard Brigade

- II. Agencies Associated with the Ministry of Interior:
 - a) Internal Security Forces and Information Branch
 - i) Prime Ministerial Guards Brigade
 - ii) Parliamentary Speaker Guards Brigade
 - b) General Directorate of General Security
 - c) Airport Public Security Agency
 - d) Central Directorate for Drug Control (yet to be established).

(Date of establishment: General Directorate of the Internal Security Forces: the Internal Security Forces were established in 1953 by legislative decree no. 1953-59, then amended by legislative decree no. 1955-20. The General Directorate was established in 1959 during the presidency of Fouad Chehab by legislative decree no. 1959-138. Its name was fixed as it is currently known: the "General Directorate of the Internal Security Forces" by legislative decree no. 1967-54. Note that this decree was amended during the presidency of Amin Gemayel by legislative decree no. 183-103. This amendment, however, lasted only for a few months; it was subsequently canceled, returning to existing legislative decree no. 1967-54. The agency settled on its current legislation under Law no. 17 dated 09/06/1990. As for the structure of this Directorate, it will be referred to later under the specified subheading.

The Information Branch, Prime Ministerial Guards Brigade and the Parliamentary Speaker Guards Brigade were established in 1991 after the issuance of Law no. 17 and decree no. 1157 dated 05/02/1991, which regards the bureaucratic organization of the Internal Security Forces.

The General Directorate of General Security was established by legislative decree no. 139 dated 06/12/1959 under the presidency of Fouad Chehab. It was subsequently amended by legislative decree no. 104 dated 09/16/1983, and then canceled by decree no. 27 dated 03/23/1985, with work resuming according to the content of existing decree no. 139.

The organizational structure of the General Directorate of General Security was established by decree no. 2873 dated 12/16/1959 and is made up of the following departments:

1. The Central Administration, headed by the Director of General Security and overseeing the following sub-departments:

- The Secretariat**
- Administrative Department**
- Department of Investigations**
- Department of Foreigners' Affairs**
- Department of Residency (permit) Regulations**

2. The General Security Department Pertaining to Areas "Including the Airport, Port and Land Borders"

That the entirety of the General Security is in accordance with decree no. 2571, dated 08/08/1992, with its amendments that affect 7,000 officers, NCOs and privates.)

III: Agencies (Indirectly) Related to the Presidency of the Republic.

a) General Directorate of State Security

The operational activities on the ground and their implications for the freedom and security of citizens will be the subject of this research, which will focus on the negative impact on the rights and freedoms of the citizen. It will not address the regulations of these apparatus from a legal standpoint because this will be the subject of another research. **(As far as this point is concerned, I believe that the profile included above, about the General Security, and the organizational structure of the Internal Security Forces in the coming pages, should suffice. Should there be a need for more details, I can arrange for a copy of the laws and decrees that serve to regulate the activities of these security agencies and include it as an appendix that can be consulted for more information on their operations.)**

Our goal in this research is to shed light on the adverse effects arising from the legal regulations and the loopholes contained therein, for if we do not attempt to close these legal loopholes and emerge with a new understanding of how to strengthen the performance of these security agencies, then all attempts to improve their work and to elevate the standards of human rights

and freedoms to the level aspired to by the international community and civil society will have been in vain.

To that end, this first part will present a breakdown of the operational activities of each of these agencies forming the security apparatus from the perspective of their legal regulation. This is in order to point to the overlap in duties and lack of on-the-ground coordination that sometimes occurs, resulting in poor performance and lack of concrete result. It is also in order to reveal the obstacles and their resulting negative impacts, particularly how they affect human rights in Lebanon. This will allow us, in the second part of this research, to enumerate the recommendations necessary to improve the performance of the security sector in Lebanon and to advance the performance of these agencies – or what will remain of them after overhaul – to a level in line with what is envisioned by civil society in Lebanon, and supported by the democratic nations of the free world.

Before getting into the details, it is helpful here to pause and think on the content of the Carnegie research paper from 10/17/2009, produced by senior associate Yezid Sayegh and entitled: “Restoring Broken Windows,” in the Security Sector in [...] and Lebanon [...]. The study focuses on a structural comparison of the various agencies of the security sector in Lebanon and the sector’s successes in repairing its most obvious gaps. But we must set aside this study, along with similar studies, carried out by other experts and specialists, in order to visualize a possibility beyond a framework that uses the metaphor of a broken window in need of repair to describe the security sector in Lebanon. Our goal must be to overhaul the entire sector, transforming it into a window made of solid steel, able to withstand any shock without breaking and able to control the security situation in accord with the higher good of the state while taking into account the issues of human rights and freedoms.

The Current Operations Ongoing in the Security Sector

I. The Agencies Related to the Ministry of Defense

1. The Lebanese Armed Forces

There is no doubt that the Lebanese Army, like all the armies in the countries of the world, is considered the most important line of defense when it comes to safeguarding civil and general peace, especially when the security situation poses challenges that overstep the abilities and energies of all branches of the internal security forces.

(There is no clear constitutional provision delegating the task of maintaining security and order to the army specifically, but this can be concluded from articles 49 and 65 of the Constitution, the former of which names the president – head of state, guardian of the Constitution and national unity – as chairman of the Higher Defense Council and thus the chief commander of the armed forces, which are subject to the authority of

the cabinet. Article 65 of the Constitution placed executive authority in the hands of the cabinet, whereas section 2 of the article in question grants the cabinet the authority to ensure the implementation and execution of the law and to oversee the operations of all state agencies, which include military and security institutions without exception – therefore also the army – as well as the authority to declare a state of emergency and to announce its end.)

Constitutional authorities must sometimes resort to provisional laws in order to call upon the army to restore security within the territory of the country concerned. All democratic nations have their own laws in place concerning the declaration of a state of emergency, calling martial law into effect or delineating a military zone. For this reason we will not go into this issue and its application in Lebanese law, given that exceptional situations are tied to provisional laws and often, desperate times call for desperate measures.

Therefore what we are concerned with in this research is a discussion of operations on the ground in normal circumstances, i.e., what the army habitually faces while going about its regular duties. All soldiers are aware of the fact that military hierarchy and right of command to the highest commanding officer form the cornerstone of what is known as military discipline, without which the military would be more akin to a militia or mercenary force, where there is no proper command, no discipline possible and no accountability to the law.

As such, the inadequacy in hierarchy and in the unified chain of command in the Lebanese army can be traced back to article 49 in the Constitution – discussed in the previous section – which stipulates that the president of the Republic is the chief commander of the armed forces (that is, the army), which is subject to the authority of the cabinet. This article, ratified as part of the Ta'if amendments, is the foundational defect in the army's unity of command, because it circumvents the original law (legislative decree 102 – Defense Act), article 5 of which stipulates that army command is at the disposal of the president of the republic, who shall exercise his authority in accordance with the provisions stipulated in the Constitution. Placing authority in the hands of the cabinet creates a structural defect in command, which has a negative effect on the army's capabilities in terms of how fast it is able to respond and deploy to take control of security. This is because the president no longer has constitutional authority to call a cabinet meeting without the approval of the prime minister, who might not be immediately available at any given moment. Therefore, the army must always wait for an order from the cabinet before it can intercede, and the president cannot issue the order himself out of respect for the constitutional text, which he has taken an oath to safeguard.

The second foundational flaw can be traced back to the aforementioned Defense Act, legislative decree 102, which applies to the organizational structure of the Ministry of Defense. Article 16 in fact oversteps the boundaries of the law (legislative decree 111, dated 06/12/1959, which pertains to the organization of the general administrations in the Lebanese government, and which enforces the presence of a general director in all government ministries as a liaison between

the minister and all the employees working in the Ministry). Article 16 makes no mention of the presence of a general director at the Ministry of Defense. This is considered acceptable because it is fundamentally impossible to have a general director whose authority might surpass the authority of the army commander and act as a liaison to the minister of Defense. In general, this structural difference between the Ministry of Defense and the rest of the ministries doesn't have any effect on the operational activities of the army, and so may be overlooked in any potential future reforms.

I won't go into the details of the divisions of the various military units in the Lebanese army, based on the fact that the mere reference to decree 102 and its amendments permits any researcher to determine these divisions and their respective authorities at the very least. Thus, I will be working to shed light on the loopholes in both the laws and their application from the practical perspective, those issues that require reconsideration with a view to enacting reform on the Lebanese security apparatus. First it must be noted that article 7 of decree 102 establishes the creation of a Higher Defense Council.

The Higher Defense Council

The Higher Defense Council is made up of: the chairman – the president of the republic; the vice-chairman, the prime minister; and the body of members – the ministers of Defense, Interior, Foreign Affairs, Finance, Economy and Trade. As per article 8 of the establishing decree, the council decides on the measures necessary for the implementation of the defense policy set out by the cabinet, and determines the framework for any defense mobilization. The council convenes at the request of the president or by request from at least three members, and the vice-chairman (the prime minister) is charged with ensuring the implementation of any decisions. So far, there are no issues with the establishment of the Higher Defense Council, as it provides measures intended to place the army increasingly under political jurisdiction. What is regrettable, however, is that the council has indirectly contributed to destabilizing the army's military hierarchy and chain of command after the addition, in article 22 of decree 102, of a final section pertaining to the authority of the Army chief of staff, as follows:

In the event of operations outlined in a decree and issued by the cabinet, the chief of staff has the right to refer to the Higher Council of Defense through the authority of the minister of Defense, should any disagreement arise between the chief of staff and the commander in chief.

It must be clarified here that the chief of staff is appointed by a decree issued in the cabinet based on the recommendation of the Minister of Defense, after the latter has consulted with the opinion of the Army's commander in chief (article 21).

Despite the fact that no such disagreements have arisen since the adoption of this clause in 1984, the case remains that the clause itself should not exist, to avoid threatening the army's military hierarchy, the commander in chief's

morale and the necessary chain of command between himself and the political authorities, especially the president of the republic, the prime minister and the minister of Defense – that is, almost half the members of the Higher Council of Defense.

As a researcher outside the framework of the defense establishment, the strangeness of this text doesn't surprise me. But when I put the matter before retired army officers (reserve command) or those high-ranking officers in active service (colonels and brigadier generals), they were entirely surprised at its existence and the fact that they had never heard of it. Some even supposed that I must be mistaken, because this strange text did not exist as far as they were concerned. But the truth is, it does indeed exist, though it fundamentally should not, because the absolute cornerstone of every army in the world is military hierarchy and a clear, unified chain of command, and there should be no such defects in the Defense Act, especially not when section 2 of article 18 specifies the composition of army command as follows:

The Commander in Chief and Army Staff, subject to the authority of the Commander in Chief and comprising: the Army Chief of Staff, the Deputy Chiefs of Staff, and various directorates, citizens, interests, institutions and bodies concerned.

And so, how to reconcile the discrepancy between a text that places the Chief of Staff as subordinate to the authority of the Commander in Chief, and another, subsequent to it, that allows him to object to the opinion of the Commander in Chief?

The discrepancy does not end there, for article 16, pertaining to the administrative organization of the Ministry of Defense actually builds on it:

The Ministry of Defense is composed of the following main institutions:

1. The Army (the Republican Guard Brigade)
2. The General Administration Department
3. The General Inspectorate
4. Military Council

A military cabinet was also established, with its own administrative and financial authority, related to the army and linked directly to the minister of Defense in accordance with article 17 of decree 102. It has no relation to the Commander in Chief despite the fact that it is composed of army officers and NCOs.

These articles disrupt the unity of leadership and command within the military and create a serious defect in the administrative logistics of the army. How is such a thing allowed?

The General Administration Department

The General Directorate for Management was established by law to secure all the military's needs for material, supplies, weapons and equipment, based on the directives of the army command. This administrative body, however, is headed by a senior officer appointed by cabinet decree in accordance with the recommendation of the minister of Defense, regardless of the opinion of the Commander in Chief. This senior officer is given control over an institution essentially independent from the army, working to secure the needs of the army, without the Commander in Chief having any command or direct authority over the administration. This despite the fact that article 20 of the law (section 5) places the responsibility for anticipating the needs of the army and for the upkeep of its level of equipment, weapons and ammunition (after having received them from the General Management Directorate) on the Army Commander in Chief. This begets the question: what happens if the director general, for some reason, decides not to secure the army's needs? How can the army units fulfill their duties and obligations if there is a shortage in equipment or ammunition and when the commander of the army has no authority to resort to any decisive measures?

The General Inspectorate

This defect in the chain of command also applies to the second institution in question, the General Inspectorate. It is headed by a senior army officer appointed by cabinet decree in the same way as the director general above. The inspector general works completely independently from the Army Commander in Chief and with no hierarchical link between the two. This is actually a very logical approach and is applied in all armies throughout the world, because the inspector general's authority should remain autonomous from army command in order to ensure independent monitoring and inspection. However, the law in Lebanon gives the inspector general other powers within the Military Council that remain independent of the Commander in Chief's authority.

The Military Council

Before delving into the workings of the Military Council, we must first highlight the role of the fifth member of this council, who is the Secretary General of the Higher Defense Council (a senior officer), and is appointed by cabinet decree based on the recommendations of the Prime minister and the minister of Defense, independent of the Commander in Chief. The Secretary General of the Higher Defense Council has no involvement in the workings of the army command except through his role as a member of the Military Council.

The Military Council, the institution independent from army command (in accordance with article 16) is composed of:

The Army Commander as chairman; the Chief of Staff as vice-chairman; the director of the general administration department, the inspector general, the secretary general of the Higher Defense Council and a brigadier general as members.

The authorities granted to this council, set out by article 27 of decree 102, make it a key partner in the detailed administration of all issues related to the army and its commander – with the exception of anything related to army operations – giving it an essential role in controlling the army.

This quick overview gives us a brief idea of the lack of concrete command and authority at the very top of the army's leadership, which begets the fact that the researcher might come upon a similar situation in the tier following, that is, the operational command on the ground (as shall later be examined).

The Republican Guard Brigade

As a reminder, the title of part one here was the Army and the Republican Guard Brigade, where the intention was to indicate the presence of a plurality of command on the operational level. The Republican Guard Brigade works completely independently from army command, a situation imposed by the need to safeguard the security of the president and the safety of his private movements, or those undertaken with and by his guests. This is why army command doesn't involve itself in the question of the president's movements or the deployment of the Republican Guard Brigade on the ground. The Republican Guard Brigade coordinates with the rest of the security apparatus in order to be able to take the measures necessary to ensure the president's protection. Sometimes, however, some of these measures are exercised at the expense of citizens.

A notable example includes the visit of all the Arab defense ministers to the presidential palace, when the streets were emptied of all people and roads closed to permit the safe passage of the motorcades. The minister of Interior then appeared on television at the end of 2009 to apologize for the occurrence and to promise that it would never happen again.

It is anticipated that the security preparations for the Pope's visit to Lebanon (supposed to take place on September 9, 2014, as of the writing of this report) will be undertaken by the Republican Guard Brigade, completely independent of army command. The agency will also assume command and administration of all the meetings in preparation for the visit's security coordination, which will involve Lebanon's entire security apparatus.

Distribution of Authority Within Army Command

And so let us delve into some of the details of the distribution of authority among the army leadership that rank beneath the commander. We begin with the chief of staff, who, contrary to his position in the rest of the world's armies, has no authority over operations but enjoys a large measure of moral authority, given that all orders issued by the army commander go through him and are then disseminated through his deputy chiefs of staff. However, he has no authority to amend or change any of these orders or directives.

Article 18, which pertains to the configuration of the army, specifies that the army is composed of three branches, the army, the navy and the air force, as well as all their subsidiary institutions. Though all are integrated under the

leadership of the army commander, there is no horizontal link between any of the branches. These forces are deployed across Lebanese territory according to its military regional divisions, with each region under the command of a brigadier general answerable to the commander in chief. The brigadier general has no power over the brigades, the ammunition and weapons sites or institutions falling within his military region; the forces receive their orders directly from the commander in chief regardless of circumstance.

(This means that the commanders of each region in each of the governorates have no command over the units deployed throughout the governorates, which instead receive their operational orders directly from the commander in chief of the army through the chief of staff. For example, this might be in the case of any intervention deemed necessary within the purview of a governorate to take control over its security and return the situation to normal, or in the case of any movements of the army units between governorates.

The different regional leaders have command over the officers and noncommissioned officers and privates who form the structure of each regional command. [This organizational structure can be ascertained by consulting legislative decree 102, which pertains to the organization of the army.] The regional commanders are not linked together except through army command, i.e., through the administrative department of the chief of staff.)

This binary is also applicable to the barracks, where there is at once a site commander answerable to the orders of the regional commander, and a commander of the barracks, who is answerable to the orders of the brigade commander or to the weapons commander.

The Role and Jurisdiction of the Military Intelligence Directorate

A final issue remains: the issue of the intelligence administration and its workings, though the regulatory texts reveal very scant information on the extent of its authority. The appointment of the intelligence chief is made in accordance with the preference of the president of the Republic first and foremost, and with the approval of the army commander in chief, given that the intelligence chief directly follows the army commander when it comes to operations and has no link to the chief of staff except from the administrative point of view. The army intelligence unit's work and its intrusion into citizens' daily lives, for the purpose of protecting national security and safeguarding civil peace, makes it an essential part of the Lebanese Army's operational units, especially that the intelligence chief can issue orders to the *Moukafaha* force (the Counter-Sabotage Regiment), considered one of the army's most important strike forces, to deploy and carry out security-related missions, without having to inform anyone but the commander in chief of the army. The intelligence directorate may now also intercede in all security matters, even those crimes that are not classified as directly pertaining to national security (that are known as ordinary felonies), and this with the knowledge and consent of the special

judicial authority concerned. Such crimes, however, are outside the intelligence directorate's jurisdiction, because it is not classified as a judiciary police force, which is strictly defined under Article 38 of the Code of Criminal Procedure. To that end, Article 19 of Law 1968/24 (the Code of Military Justice) strictly sets out the definition of what constitutes a military judiciary police force, while Article 20 of the same law stipulates that the members of this military judiciary police force are granted the same authority given to the members of the judiciary police when it comes to crimes under the purview of the military court; furthermore, the law grants it the right to legally intervene in the case of such crimes.

(The intelligence directorate, previously known as the Second Division, was established along with the LAF in the 1940s. It is a key division found in all the world's armies, and Lebanon's was modeled after that of the French Army.

This directorate's original role was to preserve the safety of the army and its positions, to work on collecting information and intelligence on the enemy, and on everything related to the conduct of the officers, NCOs and privates that make up the Army.

But the work of the intelligence unit began to reveal its intrusion into public life, albeit subtly, at the beginning of the presidency of Fouad Chehab. Its role grew with the presidency of Charles Helou, until its intrusion began to make itself felt in the smallest details of daily life, encroaching into the affairs of political figures and all the way down the line into the lives of ordinary citizens. The expanding powers of the intelligence unit were scaled down somewhat when President Suleiman Frangieh came to power, who, together with his Prime Minister Saeb Salam, worked to dismantle and weaken its influence, succeeding in installing a new intelligence apparatus more in line with the politics of the presidency. But its powers were allowed to expand unchecked once again under President Elias Sarkis, intruding aggressively into internal political life. The intelligence chief at the time, Brigadier General Johnny Abdo, played a central role in Lebanon's internal politics that culminated in naming the late Bashir Gemayel as president-elect with the blessings of President Elias Sarkis.

The role played by intelligence only expanded further under President Amin Gemayel, and the intelligence directorate came to have a hand in all the details of political, social and security matters.

After the ousting of General Michel Aoun and the election of President Emile Lahoud, the power of the intelligence directorate grew noticeably, for it was now cooperating and coordinating with Syrian military intelligence. It can in fact be said that this cooperative role allowed intelligence to attain its greatest influence yet, with the directorate interceding into the minutest particulars of political life. Intelligence, along with the general security forces, became the two most decisive forces in Lebanese civil life, far more so than the military. The situation continued

thus until 2005, when the Syrian troops withdrew from Lebanon. The Syrian retreat meant an end to intelligence cooperation, and a radical change was enacted in the leadership along all high ranks in the intelligence directorate, which resulted in limiting its influence until it returned to the fore at the end of 2008.)

So long as we have turned to the subject of the military courts, we may look to its regulatory laws to see that the Code of Military Justice, in Articles 25, 25, 26 (those related to its qualitative jurisdiction) and 27, 28 (those related to personal jurisdiction), have made all crimes (both felonies and misdemeanors) related to military personnel subject to the authority of the military courts, classified as exceptional courts under the law.

(It is clear that military courts deal with all the criminal cases related to any individual in the army “Officer - noncommissioned officer class -, private” or any related party, and none of these can be tried except before the military court in accordance with personal jurisdiction as defined by legal science.

As for the rest of the military units, the military court deals with the crimes committed by their personnel in the course of carrying out their military duties, while other crimes, unrelated to those duties remain under the authority of the regular civilian court. It should be noted that the cases of the rest of the members of the security forces are tried by court martial, before a jury of officers from the agency concerned.)

In most democratic nations, these courts have been abolished, and those that do remain have had their powers reduced to the bare minimum.

The reason we bring up the Lebanese Army’s role in maintaining internal security is because, notwithstanding legislative decree no. 52 issued in 1959 (equivalent to a law) that made it the cabinet’s duty to declare a nation-wide or partial state of emergency on Lebanese territory, depending on the case, we may note that the army’s positions are widespread across all Lebanese territory in order to shore up the internal security forces, both in imposing order and maintaining security, which gives it an important role to play in the matter of internal security.

II: Agencies Related to the Ministry of Interior and Municipalities

The Organizational Structure and Jurisdiction of the Ministry of Interior and Municipalities

There is no doubt that the Lebanese Ministry of Interior is one of the most important ministries, measured by the number of its departments, and by its relationship to the daily lives of citizens, mediating as it does in all their administrative dealings and in everything that pertains to security. Its structure was set out by legislative decree no. 2867, dated 12/16/1959, at the beginning of the presidential tenure of the late Fouad Chehab. Its structure was then amended

under legislative decree no. 4082, dated 10/14/2000, which dissolved the separate Ministry for Municipal and Village Affairs and incorporated its duties into the Ministry of Interior, renaming it the Ministry of Interior and Municipalities. Article 1 of the decree defines the Ministry's purview as such:

“The Ministry of Interior and Municipalities manages Lebanon's internal policies, from preparation, to coordination, to implementation, and ensures the maintenance of security and order, and oversees the affairs of the governorates, districts and municipalities, the Union of Municipalities and the Independent Municipal Fund, the local *mukhtars* and their councils, local councils, both elected and appointed, villages and gathering places, parties and associations, and also administrates personal status, the affairs of Palestinian refugees, affairs to do with the civil defense, vehicles and traffic, and everything else it has been pledged to by law.”

It is made up of several administrative departments, the most important of which relate to security, as follows:

1. **The Directorate General of the Internal Security Forces**
2. **The General Directorate of General Security**
3. **The Central Internal Security Council**
4. **The Inspectorate General of the Internal Security Forces**
5. **Airport Security Agency**
6. **Central Directorate for Drug Control (which remains not-as-of-yet established due to a lack of consensus over the required sectarian affiliation of its eventual head, especially that the new directorate will make redundant and therefore dissolve the anti-drug office, currently considered part of the judiciary police force affiliated to the Directorate General of the Internal Security Forces).**

Given the extensive powers granted by law to the Ministry of Interior and Municipalities, we may conclude that it is the ministry at the top of the structure of executive power in Lebanon, and is the alpha and the omega in everything related to citizens' daily dealings in the country.

It should be noted that Article 3 of the aforementioned decree affirms that all these security agencies should continue to operate in accordance with their own laws – a point we must revisit later, when articulating the duties of some of those directorates and administrations which enjoy a high level of autonomy from the minister of Interior in the management of their practical affairs. Many of the duties undertaken by these agencies – most of them, in fact – are carried out without any interference from the minister of Interior.

From the beginning of independence, this ministership has been assigned to a civilian with considerable political clout, in contrast to the other Arab countries which continuously assign the role of interior minister to a military man. Lebanon has done this only very rarely (the current minister of Interior was a former officer in the Internal Security Forces).

The minister of Interior is tasked with appointing all the heads of the administrative departments mentioned above, though the choice is not his alone to make. It must be reached through political consensus on the nomination. This is because while all these separate administrative sectors work according to their own administrative systems, there is still clear and considerable overlap in their powers, a matter that should be self-evident because all these security agencies work in tandem for the public good, and on maintaining law, order and security for all.

Ministry of Interior and Municipalities Awareness Programs

For more than two decades, the Ministry of Interior and Municipalities has sought to devise a new role for itself in coordination with different civil society organizations, and with clear support from international donor institutions, with the United Nations at the top of that list, along with the EU and other independent international organizations active in the field of human rights work. It has attempted to do this through amendments to some of the laws relevant to citizen's lives, and has also worked on producing instructions and instructive pamphlets to help citizens understand how to navigate the bureaucracies of the different departments affiliated to the Ministry and how to follow up on ministry transactions. It has sought to make transparency central to the way its different administrative departments deal with citizens' affairs. This issue of transparent dealings with the various security directorates, however, has been left to the booklets and pamphlets issued by each director according to his organizational jurisdiction and with the guidance of the Ministry of Interior and Municipalities, particularly in issues related to prison management and to working with international and national civil society organizations to improve prison conditions.

(Since 1992, the Ministry of Interior has been developing programs to increase awareness among citizens and working on introducing them to the Ministry's role. It has worked on producing manuals on how to perform transactions with its various affiliated departments, especially those related to the municipalities. These programs aim to make people aware of rights and regulations, and are funded by the EU and the United Nations. The World Bank has also contributed to finance programs and seminars to help develop the work of the Ministry of Interior and Municipalities.

All of these programs were taking place under the observation of the Syrian forces, who didn't object to this relationship with the international community so long as they never interfered in Lebanese internal security and intelligence issues. For that reason, many pamphlets were published informing citizens on how to handle and complete transactions at the Ministry of Interior. (Should it be deemed important, copies of these booklets may be acquired from the Ministry of Interior to be archived with this research.)

The Ministry also set up a website, as did all the departments and directorates affiliated to it, most importantly the ISF and the General

Security. All of these developments were intended to bring about a rapprochement between the people and the authorities, as well as to outline the steps for filing complaints and following up on all transactions at the Ministry or its affiliated departments; special telephone numbers were provided for this purpose.

This attempt at increasing transparency in dealing with citizens clearly progressed after 2005, in myriad areas and fields, thanks to help from the United Nations, the EU and the World Bank. It was crystallized through logistical assistance to help make parliamentary elections more transparent, which led to a fundamental – though insufficient – amendment to the electoral law adopted in 2008.

In addition, the cabinet issued bill 2012-21, dated 08/30/2012, which requested that all public institutions allow citizens access to the contents of the laws pertaining to said institutions and their affiliates. In the newspapers on 11/06/2012, the General Security announced that it was now possible for citizens to access the texts of draft laws and decrees related to general policy, and it invited all interested legal, civic, academic and media organizations to send comments or express their opinions on the matter through the General Security's email address.

This is further evidence of the transparency Lebanese government authorities are attempting to encourage in their dealings with citizens.

The Municipal Police and the Ministry of Interior

The municipal police is not affiliated with the Ministry of Interior and Municipalities; in accordance with municipal law, it remains subject to the authority of the local mayor. In its current incarnation, the municipal police, even in those larger municipalities (Beirut, Tripoli, Saida, Zahle) is not up to the standards of similar forces in other countries. They are relatively weak and do not play an essential role in maintaining security in cities, villages or municipalities. For example, a town of over 10,000 inhabitants will have a municipal police force made up of no more than two police officers, or four at the most. This police force receives its orders and directives from the mayor concerned and has no involvement in security matters as they are generally understood. Its role is limited to no more than paperwork and the administrative regulation of, say, public health directives and working on applying municipal regulations.

Article 38 of the Code of Criminal Procedure takes no account of the municipal police as one of the components of the gendarmerie, for it plays no judiciary role. Article 39 of the same law actually gives the night guards – who are affiliated with the municipality – the possibility of putting together reports with probative power that will be recognized before the relevant court.

In brief, the municipal police force is severely lacking in capability and has a long, long way to go before attaining the minimum standards expected of it. The first

direct step toward reforming it is through an amendment of the municipal code, in order to turn it into an effective police force, subject to the jurisdiction of the mayor who represents the municipality, which is a juridical person autonomous from the state, given that it is its own legal entity independent from the state.

a) The General Directorate of the Internal Security Forces

This directorate (the oldest in the Lebanese security sector, as was previously mentioned in the introduction) represents the first security apparatus that deals regularly with people. Its organization evolved over several different stages, finally settled by Law 17 dated 09/06/1990 (the act organizing and regulating the Internal Security Forces). This law defined the legal nature of the ISF as an armed public force whose power extends over all Lebanese territory, its territorial waters and airspace. It is subject to the authority of the minister of Interior, has both judiciary and administrative police authority and is charged with extending assistance to all administrative authorities and with guarding the prisons and their administrative divisions.

(The authority of the administrative police is outlined by the first article of Law 17, which defines its purview under the following headlines:

- **Maintaining public order and reinforcing security**
- **Ensuring general well-being**
- **Protecting individuals and property**
- **Protecting freedoms within the framework of the law**
- **Ensuring the implementation of laws and the regulations pertaining to them.**

By listing these functions, we may define the administrative police authority as the tasks carried out automatically by the ISF, or in response to administrative complaints bearing no relation to the judiciary. When the judiciary must intervene, the ISF tasks then fall into the framework of the judiciary police authority. To clarify, everything carried out by the ISF to enforce the traffic law, for example, falls within the framework of the administrative police authority.)

The organizational structure of the ISF:

Ministry of Interior – the General Inspectorate

General Directorate of the ISF

Director General

Chief of Staff (General Staff, including the information branch)

Gendarmerie command – Police headquarters in Beirut – Judiciary police

command – Traffic patrol command – Command institute – Social services

command – Command Council - Command Security Service: embassies, departments and public institutions.

(For further information, please refer to the regulatory law mentioned above.)

(The particular reasons for which police headquarters in Beirut are placed in their own category, separate from the general command of the gendarmerie, can be briefly outlined as follows:

- **First, the surplus of different commands in the ISF that make up the members of the Command Council**
- .
- **A special regard for the city of Beirut, whose inhabitants are largely of the Sunni sect, and whose chief police commissioner must be of the same sect. Therefore Beirut headquarters were given a special category separate from the general command unit of the gendarmerie, which has been headed by a Maronite Christian officer since the gendarmerie was first established in 1861.)**

These ten different command units are autonomous from one another. That is, there is no direct logistical coordination between them on the ground, except through the central administration of the ISF, specifically through the different members of the office of the chief of staff, each with their own specific competence.

The number of members of these different command units is in accordance with the regulatory decree of the ISF issued in 1990: 31,213 officers, NCOs and privates. Currently (as of the writing of this report in September 2012), staff is composed of 25,540 men and 300 women.

It must be noted that the recruitment of women into the force began only this year, with the recruitment of 300 women, and they will be assigned to positions across all sectors of the Internal Security Forces. It must also be noted that recruiting women into the force is a step that the army took more than two decades ago, followed by the General Security some years ago. In both these agencies, women also play a role on the administrative level. This attempt at diversification in the ISF cannot yet be assessed given how recent it is. The plan, however, is to assign positions to the 300 female recruits across all posts, serving alongside the men. The ISF is also the only security force that permits women to wear the veil in the carrying out of their duties.

The Appointment of the General Director and the Different Unit Commanders

The general director of the ISF is appointed in accordance with a cabinet decree, and requires the approval of at least 2/3 of the members of Parliament. The general director's authority is clearly defined under law no. 17. The process of this appointment makes apparent the extent to which politics influences the choice of general director to the ISF. It has now become custom that with the beginning of each new presidential tenure, a new general director is named, not just for the ISF, but along the entire leadership of all the security apparatus (the army commander, the general director of general security, the chief of intelligence). For that reason, the position is openly considered as one that enjoys the support of the political powers. The general director has full authority over all the ISF activities, especially those directly related to citizens' interests, and especially after the activation of the information division, which intervenes into the minutiae of everything the ISF do. It would not be an exaggeration to say that the activities of the ISF are all consistently under the scrutiny of the

information division, and therefore under the scrutiny of the general director himself.

(The information branch was established in 1991, and at the time comprised 50 members, officers and individuals. Very quickly, the branch took on the central role of monitoring the performance of the officers and personnel, both on duty and off. A few years later, it began to expand its activities, intervening into Lebanese political life at the beginning of the year 2000, in the shadow of the Syrian presence, and there was more likely than not cooperation between the two. It returned to the fore very prominently after 2005 and the withdrawal of Syrian troops from Lebanon, expanding both in terms of number of personnel and amount of available equipment. It was also allotted a significant budget, allowing it to play a very central role in regulating security and fighting crime and terrorism, in collaboration with other similar security apparatus, regionally and abroad. It reached its apex in the last few years, detecting crimes and uncovering a number of terrorist and spy cells, and there is no doubt that the assassination of its chief, Major General Wissam al-Hassan, strongly indicates the importance of its reputation. It is unsurprising that after the assassination of its chief, this branch would grow into a fully-fledged division of its own.)

Command Council and its Jurisdiction

Before getting into the organization and jurisdiction of the ISF's Command Council, it must be clarified that though the council convenes under the chairmanship of the general director of the ISF, he is not the *de facto* leader of the council, but is rather considered the advance member among all the other members, as the *de facto* head of the council is in fact the minister of Interior. The general director cannot exercise authority on the members of the Command Council. They convene under his leadership as respective leaders of their different commands but their votes all carry equal weight when it comes to all the decisions that fall under the purview of the council.

The Command Council convenes at the request of the general director after a clear agenda is set for each meeting. This meeting agenda must be distributed to the members at least 48 hours before the time of the meeting (as per article 20 of the Law and the specific procedures under article 25). The members of the council are customarily composed with a view to sectarian balance: 5 Christians and 5 Muslims, with the breakdown as follows:

- Beirut Police Chief and Commander of the Institute of the ISF (both Sunni Muslims)
- Commander of the Embassy Security Service and Head of the Central Administration (both Shiite Muslims)
- Chief of the Judiciary Police (Druze)
- Commander of the Gendarmerie, Commander of the Traffic Patrol and Commander of Social Services (all three Maronite Christians)
- Chief of General Staff (Orthodox Christian)
- Inspector General (Catholic Christian)

The functions and powers of each of these command units are delineated by law and by the ISF's own regulations (for more information on those powers and how they are distributed, the relevant texts may be consulted).

There remains then the question of the information division, for it is essentially, and in accordance with ISF regulatory bill 1157, section 8, a branch of the Service and Operations division within the office of the Chief of General Staff.

It was originally to be made up of 35 officers, NCOs and privates, and tasked with gathering information relevant to the ISF and to issues of military discipline; monitoring the work and behavior of members of the ISF across all ranks; gathering information relevant to the safety and security of the barracks; verifying that information and prosecuting perpetrators in accordance with the due process of the law.

Today, however, it is an entire information division by order of the general director, without any amendment to the original regulatory bill cited above. The division now comprises about 1,000 officers, NCOs and privates, and surpasses this number when the number of personnel in the command unit affiliated to it (the office of the Chief of General Staff) is taken into account: 826 additional offices, NCOs and privates. Given the broad range of its powers, its wide proliferation across all Lebanese territory and its state-of-the-art equipment (which includes what we can see as well as what we can't), the information division is one of the most important divisions in the ISF, and this includes the gendarmerie and the judiciary police. In fact, it is now at the top of the ISF's entire power structure.

The Appointment of Command Unit Leaders

The officers in charge of each command unit are all chosen from among the higher ranks, that is, colonel and above. The appointment is made at the discretion of the minister of Interior and with political agreement, as the appointment is made by regular decree (one that does not require the approval of cabinet), and is signed by the president, the prime minister and the ministers of Interior and Finance.

The same law outlines the powers conferred upon each command unit leader, and each leader exercises their power within their own respective units independently from the other units.

The Appointment and Promotion of the Officers, NCOs and Privates in the ISF

1. Appointment of Officers

With the exception of the leaders of each command unit, the appointment of the rest of the officers in the units is undertaken in accordance with a decision issued by the Command Council, which happens every two years, meaning that no tenure in any of the regional centers exceeds 4 years. The decision must be agreed upon by at least 8 of the 10 council members. But the appointment of the officers (as per item 16 of article 20) must be voted on unanimously by the

members of the Command Council, i.e., by 11 votes, in order to enter into effect. The decision must then be sent to the minister of Interior in order to inform him, though in principle at least, he has no role in the question of these appointments. However, if the decision is made by a majority of 8 votes, then it doesn't go into effect until it is sent to the minister of Interior and officially ratified with his approval within a week. Should it return to the Command Council without his ratification and with his justification for why it has not been officially approved, and should the council then insist upon its choice and send it back to the minister, then the minister has no choice but to ratify the decision, or to put the matter before the cabinet in order to arrive at a final verdict, presenting the full picture of the nature of the controversy between his viewpoint and the council's (section e of article 22 of law 17).

This situation (a divergence of opinion between the minister and the Command Council) has never actually happened in the entire history of the ISF. Why is that? Because the appointments have already been agreed-upon between the minister on the one hand and the general director and the rest of the command unit leaders on the other, before the council ever convenes to decide on the appointments. This is a fact I experienced for myself when I became a member of the council as chief of the general staff: the truth must be told without evasion. Outside this legal framework for appointing officers, which the ISF is sometimes forced to override for particular reasons (as is the case at the time of the writing of this report, for example, when the last time the council convened to create a new configuration of officers for the ISF was in 2004, that is 8 years ago), the law allows the general director to independently issue an order to suspend any officer from their post (with the exception of the command unit leaders) for a period of three months, subject to renewal but then only with the approval of the Command Council.

The appointment of officers in the various important operational positions is to ensure a firm grip on the vital junctures of social and political life and on security. The political powers are heavily involved in these matters, weakening the role of the security forces, especially when it comes to security.

2. The Promotion of Officers, NCOs and Privates

Promotions are carried out twice a year, once in January and once in July, and are divided over a number of levels:

- Commissioned Officers:

- a) To the ranks of Brigadier General and Major General

The decision is entirely up to the discretion of the general director of the ISF, who nominates this category of officers, but must be approved and ratified by the minister of Interior. The decree of nomination is then placed on the promotions agenda and must be signed by the minister of Finance, the prime minister and the president. This category then is not subject to the will of the Command Council. Certainly, promotions only happen after the officer in question has served the requisite number of years in his previous ranks (specified in Law 17).

b) To ranks from First Lieutenant to Colonel

Here, the procedure is quite different from the one above. The officer in question must have first served the requisite number of years in his rank to be eligible for promotion. Then, the leader of the command unit to which he belongs puts forth the officer's candidacy for promotion to a higher rank before the different staff officer commanders in the general staff, which creates a unified promotional agenda with the names of all the candidates it has received, and then puts that before the Command Council, who must decide together on the verdict, in implicit coordination with the political leaders in both the executive and legislative branches.

NCOs and Privates

Promotion is granted by a decision made in the Command Council, after it has received the agenda of candidates eligible for promotion in every rank separately. The decision is up to the will of the leadership of each unit, which here includes the successive leaders above the NCO or private in question, from squad leader to company commander to regional commander – “or their equals in the other units” – up until the unit commander himself, who puts the matter before the command council through the general directorate of the ISF. At this level of rank promotion, there is no question of any political involvement or of the involvement of the minister of Interior, except in extremely rare cases.

3. Appointment of NCOs and Privates

There are two different ways in which NCOs and privates can be appointed.

The first is with regard to the configuration of the ten command units mentioned above. In this case, the appointment of personnel is up to the sole authority of the general director. Decisions to suspend or transfer are also up to the general director, for it is he who decides the configuration that he sees fit for this category of personnel. These decisions usually happen after consultation with the leaders of the different command units, but the director does not have to abide by this procedure.

Second, there is the appointment of NCOs and privates within each unit separately, where the authority is vested in each unit commander, independently from the authority of the general director of the ISF, to decide on the configuration of his unit. He then sends this configuration to the general directorate only to keep them informed and not because he requires approval.

In short, politics interfere quite clearly in the work of the ISF, especially through the executive branch, that is, the Ministry of Interior, the prime ministership, the speaker of the house and even the presidency. This interference takes on many forms, including the political intervention in naming the ISF's highest leadership. Bounds are often overstepped, with politicians directly naming the leaders of the important sectors in internal security so that they may better serve the interests

of the politicians. The security forces can assist politicians in their electoral regions by facilitating transactions for citizens affiliated with their parties or turning a blind eye to their legal infractions (such as construction violations for example).

The Rights and Legal Jurisdiction of the ISF

Law no. 17 regulates the rights, powers and obligations of the ISF, conferring upon it the authority of both a judiciary police force and an administrative police force, as well as the administration of prisons and other duties defined by the law and other laws related to public order and public welfare. Article 214 of the law grants the ISF authority to do the following:

- the right to arrest people,
- the right to enter homes,
- the right to search people,
- the right to use weapons, set up checkpoints and roadblocks and seize prohibited substances.

These rights can be exercised by the security forces on the people, and are to be carried out under its purview of enforcing security. And yet, for example, and it is only one of many, the law defines how the right to enter houses can be carried out: it should not be carried out at night except in very specifically defined cases, but should always happen after the break of dawn. Here we must ask, what is the guarantee that the ISF won't enter a house at night but put down in their report a time that indicates that it happened during the day?

This small example gives us a taste of just how dangerous it can be if the security forces were to come uncoupled from the provisions of the law. And these things can happen, though unofficially. Sometimes security imperatives dictate that the judiciary covers up such transgressions of the law, though the transgressions remain small.

The Code of Criminal Procedure specifically defines the role of the security forces as a judiciary police force, assisting the appellate public prosecutor and assisting also the investigative magistrates, who, through the issuance of arrest, search and investigation warrants, have charged it with following up on investigations and pursuing suspects and perpetrators of crimes whose cases remain open before the courts.

The problems faced by the ISF in its capacity as a judiciary police force

These problems are related to the officers themselves, because the law explicitly considers all the officers of the ISF as judiciary officers, aiding the appellate public prosecutors. These latter choose new recruits either from crop of military school graduates, after they have undergone a training course offered by the ISF at the Officer's Academy (part of the ISF Educational and Training Institute), or from a group of graduates with law degrees. In both cases, officers at the ISF have reached a level that allows them to effectively perform their functions as members of a judicial police force and to conduct investigations in accordance with the law at a certain level of transparency. The problem, however, becomes clear and dangerous when the law endows NCOs (that is, the ranks between sergeant and chief warrant officer) in regional sectors with the powers of the

judiciary police, which means they are authorized to carry out forensic investigations themselves, on the basis of which they can relay information to the appellate public prosecutor, who then decides the best course of action based on that information. And more often than not, this ends with the defendant's arrest.

And so where is the crux of the problem? The answer is simple. It is that enlistment regulations in the ISF dictate that the minimum acceptable level of education for privates is an elementary school certificate. This recruit then, after serving eight years in the ISF, is promoted to the rank of sergeant. Should this sergeant be transferred to a regional sector (that is, to a regional police unit or station), this semi-illiterate (pardon the expression) becomes an authority over the rights of citizens, without any supervisor or overseer to hold him accountable, and with no direct supervision from the appellate public prosecutor's office.

This fundamental point rarely gives pause to either the executive, legislative or even judicial powers, and despite the progress of education in general, the law still allows individuals at such a dismal level of education to join the ISF. This means that human rights and freedoms remain at risk when such individuals are allowed to perform judiciary investigations, often leading to the arrest of innocents. There is also a circumvention of the law, with respect to NCOs in the investigative branches or in the information division being able to carry out judiciary interrogations. This is because, according to the law, NCOs are in fact not allowed to carry out judiciary interrogations because neither the investigative branches nor the information division are considered regional sectors. This means that NCOs in those positions are not allowed to play such a role. At the same time, they carry out such interrogations in the names of the officers in charge, without those officers being present at the time of questioning or any oversight as to how they are carried out.

(Details on the training courses will not be disclosed here, as courses are varied and differ from rank to rank. Most of the time, training provided to officers is different from that provided to NCOs, for it is the general directorate of the ISF that decides on the kind of training required. It is from there that directives and orders are issued to the leadership at the ISF Educational and Training Institute, and those orders are then implemented at the Officer's Academy, or at the training academy for NCOs and privates. The programs and courses are all different from one another. For example, an officer newly graduated from the Army's Military Academy will not be familiar with the duties of the ISF, and so must undergo a six-month training course called the basic disciplinary course, in which he will study the principles of service at the ISF and also become familiar with Lebanese law, particularly those laws related to the authority and duties of the security forces. In addition, there are courses that teach the principles of how to serve in the ISF. This course is compulsory for all new officers in the ISF across all the different sectors, and lasts between 3-6 months depending on what the general directorate has decided.

All this applies to the noncommissioned officer ranks. Commissioned officers are provided with different courses for each rank, because in principle, officers cannot advance in rank without undergoing training

courses pertaining both to the specifics of service at the ISF and to the different laws applicable. Then, the officer takes a promotion examination and cannot advance to a higher rank without passing the exam. This is all in principle, but if we are to be completely honest, many promotions are handed out without the officer having undergone the necessary training courses, usually because the officers are required in service. Training courses mean that officers must interrupt their active service in their sectors, and so, often, even if the officer does attend training, the courses given are shallow and barely effective.)

There is a category of courses that are taught by officers and specialists from different countries of the world: the United States, France, Britain and Australia and others. These officers come to Lebanon to give courses either at the Institute or in different places specified by the general directorate, in coordination with the respective embassies involved. The training courses can either be specialized, for commissioned officers only, or for mixed ranks in a specific discipline. Lebanese officers and NCOs are also sent abroad to attend courses in Western countries (the U.S., France, Britain, Russia, Italy, Belgium and others) and Arab ones (Saudi Arabia, UAE, Jordan, Egypt, Kuwait and others). These courses are administered by specialists from different organizations, such as the FBI or Interpol, and by officers from different countries.

(Officers from general security, internal security and the army attend these courses, but each in their area of specialization. Sometimes there are general training courses where officers from the ISF are trained alongside members of the army and of general security; for example, courses regarding the regulation of airport security, which are attended by officers from the airport security agency and the customs administration.

Finally, a word about the minimum level of training required in the ISF for the member about to be promoted to the rank of corporal as well as the member about to be promoted to the rank of sergeant, where training is confined to issues of discipline and organization applicable to the ISF. The content of these courses for those of First Class Sergeant rank and above come to include the laws and regulations that cover the conduct and duties of the ISF and through which its authority is exercised.)

Prison Administration (as per the Prisons Act and article 232 of Law no. 17)

Unfortunately, when we talk about prisons in Lebanon, it means we must face an issue that is intractably difficult for both members of the ISF and the prisoners themselves. Since the enactment of Law no. 14310 dated 02/11/1949, prisons in Lebanon have been placed under the administration of the ISF (the regional police and Beirut police), which both guards and administers them. (With the exception of the women's prisons, which are administered by female guards appointed by the general directorate of the ISF).

Article 232 of Law no. 17 confirms the perpetuation of the ISF's role in the administration of prisons, until the role can be handed over to the Prison Administration mentioned in the regulations of the Ministry of Justice.

(Article 3 of legislative decree no. 151, dated 09/16/1983, specifies that the general directorate of the Ministry of Justice should be composed of the following departments:

-
-
- **7. The Prison Administration, whose jurisdiction is defined by article 29 of the same decree. The Prison Administration is concerned with prisoner affairs, and is responsible for their care and rehabilitation and for applying prison regulations. Its authority will be defined by a decree issued on the basis of a proposal by the minister of Justice.**

To this date, however, this decree has yet to be issued, and the ISF continues to administer the prisons in the country.) This is because there is still controversy raging over the proposed sect of the person who will be chosen to preside over this administration and its powers.

The administration of prisons in Lebanon is carried out by officers, NCOs and privates who have absolutely no specialization in this field. Though not official policy, talk amongst the officers seems to confirm that everyone assigned to prison duty has committed a grave offence in the course of their service and has been sent there as punishment for it.

The problem in the prisons is not limited to this, but extends into how the administration handles problems of overcrowding: by cramming prisoners into rooms not built for such capacity. This also means that the administration is unable to follow the provisions of the Prison Act, particularly the edict that detainees must be held separately from convicts, and that convicts must also be held separately according to the level of crime they have committed, whether felony or misdemeanor.

(According to a census carried out by the prison branch of the gendarmerie command unit on 11/15/2012, the number of prisoners held in detention in Lebanon is:

3,478 detainees.

1,566 convicts.

These numbers include both men and women. These prisoners are distributed across the different prisons as follows:

- **The Central Prison, "Roumieh Prison": accommodates convicts and detainees regardless of length of sentence.**
- **Tripoli Prison: same as Roumieh.**
- **Governorate prisons:**
 - In the North: Halba, Batroun, Zgharta and Amyoun Prisons.**
 - In the Beqaa: Zahle, Baalbeck, Jib Jenin and Rashaya Prisons.**
 - In the South: Sour, Nabatiyyeh, Tibnine and Jezzine Prisons.**

These municipal prisons (with the exception of Zahle Prison, which, like Tripoli Prison, holds sentenced convicts), all accommodate detainees. In terms of convicts, each municipal prison has a limit on the length of sentence that can be served there, ranging between 6 months to 2 years maximum. For example, Amyoun Prison will not take any prisoner who has more than two years left on his sentence, because the law has defined a maximum two-year sentence for said prison.

Women's prisons are distributed as follows:

Tripoli, Baabda, Zahle.

Roumieh, Zahle and Tripoli Prisons are run by officers directly belonging to the leadership at the area headquarters of the regional gendarmerie. Daily, they report to their headquarters, which then relays the reports to the regional gendarmerie command unit, which then relays it to the general directorate – Service and Operations division – which in turn relays it to the minister of Interior by way of joint administrative interests.

In terms of the other prisons, daily reports are relayed to the commander of the platoon affiliated with the prison, who in turn then relays them to his company commander, who relays them to area command, and from there they are relayed along the same path previously described until they reach the minister of Interior.

The projects that are carried out in coordination with NGOs, civil society organizations and international organizations are many and varied, and are geared toward prisoner rehabilitation. More information about these can be found at the prison branch of the regional police force.

This accumulation, particularly in the number of detained, is not the responsibility of the ISF except in extremely rare cases, when the security forces are unable to take the detainees to court, either because of a shortage of available personnel or a shortage of prisoner transport vehicles or for other security reasons. Otherwise, it is the courts that are responsible for delays in deciding all the pending cases open before them, and the main reason for this are all the procedures contained in the Code of Criminal Procedures that must be adhered to, and which are utilized by the lawyers to delay cases for reasons in the detainees' interests.

In short, it may be said that delays in the court proceedings have many reasons that do not need to be explored in detail.)

The implementation of order in Lebanese prisons is more or less discretionary, in the sense that the powers bestowed upon the authorities who run the prisons, and who are supposed to enforce disciplinary measures for the prisoners' own benefit, have nothing to check them and no supervision on a practical level. Likewise, prison inspections, which are required by law, are usually a sham, where everything is rearranged for show for the purposes of the inspection.

In truth, this decade has seen some important steps taken with a view to improving prison conditions, thanks to activism on the part of civil society organizations with support from the international community and from international organizations that deal with prisoners' issues. But despite all this, these steps still fall far short of the expected or desired standard. I present this opinion in full transparency, because in my previous capacity as chief of the general staff, I had the opportunity to conduct inspection visits to prisons in Germany and France, and got to experience firsthand the vast gap between the situation of prisons in Lebanon and those abroad.

Unfortunately, prisons in Lebanon are not reform centers. Rather, those who emerge from them emerge having become even more deeply enmeshed in criminality, and are more likely to commit a new crime should the opportunity present itself.

In closing, there must be a radical reconsideration of the administration of prisons in Lebanon, and there must be real work done on establishing new prisons able to accommodate the prisoners. The reins must be handed over to the Ministry of Justice and administrative responsibility definitively withdrawn from the ISF and transferred over to a specialized body trained and dedicated for such a purpose. The ISF already suffer from a lack of personnel, as was mentioned earlier, and are in dire need of the members that are currently given over to guarding and administrating the prisons, so that they may instead be deployed in the streets and on the roads to better control security and maintain order.

The bottom line is that we must quickly put an effective transitional plan into place for turning the prisons over to the authority of a specialized civil administration. This will allow us to consider Lebanon as a country now among the rank of developed countries that see prisoners as human beings with rights, and consider it the job of the authorities to bring them back into the social fold and rehabilitate them over the course of serving their sentences. We must do this also to avoid wasting all the international funds we have received for the purpose of improving our prisons in Lebanon. It is no exaggeration to say that the international aid received to improve prison conditions in Lebanon will, in the best case scenario, barely cover 30% of the cost of what is needed.

The Interior Ministry's Role in Training, Planning and Budgeting

The Ministry of Interior and Municipalities has nothing to do with training the internal security forces, and this presumably also applies to the general security forces. ISF training is assumed by the training division at the office of the chief of general staff, in coordination with the leadership at the ISF Educational and Training Institute, which provides internal training through trainers from the ISF, in collaboration with trainers and officers from abroad from each donor country. The only role played by the Ministry of Interior when it comes to training is approving the mandates of officers, NCOs and privates to pursue training or educational courses outside. Here, the Ministry of Interior plays an influential role in cooperation with the general director of the ISF, because these mandates affect the salaries of first-class officers. Therefore, it is not surprising

to find that there are some officers who are granted mandates more than once a year (two or sometimes even three times) and others that are never granted a single one over the course of a decade. This disparity has nothing to do with field of specialization but with the approval of the minister of Interior and the general director. Neither is this fact hidden: there is a large swathe of officers affected by this injustice and others who lavish in the prosperity of those mandates.

It must be noted that despite the existence of training institutes for officers and NCOs within the security forces, these institutes remain unable to raise the training level or improve skills without inviting trainers from outside Lebanon. Here, we must give credit to the work accomplished by Naif Arab University for Security Sciences, which provides security training for personnel of all ranks, with the assistance of the top international experts in the field. The training courses do not even have to be completed at the university premises in Riyadh, for the university works with different European countries and offers training courses there as well.

Planning work in the ISF

The issue of planning in the ISF is the responsibility of the planning division at the office of the chief of general staff, which has the capacity to place all directives and memoranda with a view to developing the work of the security forces. Most of the times these are sent to the Ministry of Interior just for their information, no more, with the exception of some issues that Law no. 17 requires the ISF general directorate to put before the Ministry of Interior for prior approval before they can be issued and circulated (a review of the text of Law no. 17 will clarify the specific cases that require the intervention of the Ministry of Interior).

(There is no doubt that the general directorate of the ISF is looking for ways to narrow the distance between itself and the citizenry, and evidence of that can be found in the fact that they have developed a code of conduct for how to deal with citizens, and that they are attempting, through their training courses, to teach the concepts of community policing; plans that have been put in place with the support of the United Nations and the European Union.

It also seeks to increase its capacities, at least to the standards that have been set in its agenda on number of personnel and amount of equipment. It has been working to widen recruitment, especially when it comes to the specializations important to its work, particularly in the fields of forensics and science. It is eager to accept donations and aid in various capacities, from vehicles to technical and professional equipment, so long as this is carried out in accordance with the law and that the acceptance of all donations is subject to the approval of the cabinet, based on the proposal of the minister of Interior.)

ISF budget

It is the administrative affairs branch, part of the office of the chief of general staff, that determines the budget for the ISF, and this happens without any input from the Ministry of Interior.

(“No Ministry input” here means that the Ministry doesn’t interfere in the calculation of the ISF’s budget, which remains under the purview of the general directorate of the ISF – administrative affairs branch – but all final decisions no doubt require the minister of Interior’s approval, as part of the Ministry’s general budget. It also requires approval from the Ministry of Finance, which forecasts the government’s general fiscal situation. Therefore the budget is not considered finalized until it has been ratified by the cabinet, which in turn puts it before the Parliament, which issues it through the general budget law.)

It is no secret here that the ISF’s general budget suffers from a continuous annual deficit with respect to the fuel needed to run all the ISF’s vehicles. The annual budget required for fuel enough to run all the ISF’s vehicles – mostly cars donated by different Arab and Western countries – barely lasts until September of each year.

There is also a deficit in terms of the budget required for the social services offered to officers and personnel, which are many, but the most important of which is medical insurance. In 2005, the budget deficit on this item was 50 million US dollars: the debt owed to hospitals and medical laboratories. Today, seven years later, there is no information on how high the number is currently. This affects the morale of officers, NCOs and privates, because none of the important hospitals in Lebanon accept to receive military patients until dues are paid – and everyone, from the highest official to the lowliest employee, knows this. The issue does not stop there either, for it also affects the families of the officers, NCOs and privates in the ISF, and ISF personnel must first produce the cost of medication and medical treatment for their families from their own pockets, and then apply for medical aid compensation – at prices set by the ISF’s administration; a process that takes about two years.

Salaries

In addition to all that, there are the low salaries paid to military personnel, the extent of which can be revealed through reviewing the decree on salaries and compensation. There are also the expenses associated with military service, all of which are paid by the soldier, who, unlike a regular civil servant who is assigned to a post in his own area, able to live and commute from his family home, must work 48-hour shifts wherever he is stationed, which he cannot leave except for rotating rest shifts, which carries additional costs he cannot afford. This is the essential reason for the spread of bribery in the ISF, and why personnel accept such bribes. It is far more out of dire need than it is because of a general corruption, which does exist, but is secondary to the question of need.

Buildings

A decade ago, the ISF drew up a plan to build new security centers on state and municipality property and holdings, because most of the old centers are leased from ordinary citizens. These old centers do not provide either proper standards of living for personnel, nor do they conform to security standards as they cannot be defended properly since they are located in residential areas.

(The plans for buildings to house new security centers drawn up by the general directorate were limited to “regional branches and police stations and security complexes.” These plans, in addition to plans for two new prisons in Zahle, have been in the works since 1992 due to an inability to secure the necessary funds.

The ISF has no residential accommodations for its officers, and their cost of food and living is a burden they shoulder alone.)

Retirement

The retirement age is respected and enforced across all the sectors in security; there is no need to go into the details of retirement age because every level – commissioned officers, noncommissioned officers and privates – has its own defined age for retirement. However, the political authorities have the freedom to assign retired officers – or officers about to retire – to posts in the civil sector, since officers, who retire at 58, can continue service in the civil sector until the age of 64. This situation, of course, is limited to a select few, and is not considered a rule that must be followed, but rather one that is related solely to the will of the executive political authority, who also consider such posts a way to reward their loyalists, those high-standing officers politically affiliated to the decision-makers in power.

(In terms of the age of retirement: the maximum age for Major Generals is 59 years, Brigadier Generals is 58 years, Generals is 56 years, all the way down to Second Lieutenants, which is 52 years.

It is permissible to transfer military officers to the civilian corps, usually to the diplomatic corps as Foreign Service ambassadors, or to high-level administrative posts such as governor or others. Again, these postings do not depend upon the expertise of the officer in question, but to the political authorities willing to bestow such positions upon them.

After the age of 64, officers can no longer serve except as consultants or advisors, whose salaries are paid from the coffers of the political authorities by whom they are employed in that capacity. Advisors are usually enjoined by the president’s office, the prime minister’s office, or any other office that has its own financial allocations that can be spent at its own discretion.

Noncommissioned officers retire at the maximum age of 52, but they may choose to retire at any age after having served for 18 years.)

Filing complaints in the interest of protecting rights of personnel

There is no such right in the ISF, and no member of the security forces, no matter their rank, can file any official complaint related to the conditions of his service. The law does allow for an officer to ask to meet with their direct or higher superiors, all the way up until the minister of Interior, to present the problem he is facing in his service. But this mechanism cannot answer to what is required; the officer in question has no basic rights to demand the means necessary to solve the problem in question. It must be noted here that none of the members of the security forces have the right to form any unions to advocate for their rights and interests, and this remains an issue that cannot be researched or questioned in any of the branches of the entire security apparatus.

The General Directorate of General Security

This directorate has made some important advances over the other security directorates of the Ministry of Interior, despite the fact that it is not classed as a military force but a security force. Article 1 of legislative decree no. 139, dated 06/12/1959 (General Security Regulatory Decree) defines the responsibilities of this directorate – without characterizing it as a military force, similar to the Internal Security Forces – as the gathering of political, economic and social information, and entrusts it with carrying out investigations into any violations exclusively committed against the state's internal or external security.

(The security forces are a military force, that, like the army, can carry weapons, set up checkpoints and roadblocks, check IDs and search vehicles. However, according to the General Security's founding regulations, it is not characterized as a military force, that is, it cannot carry out the same responsibilities, as it is a security force of a civilian nature.

Previously, there was a brief overview of the structure of the General Security, and the legal authority of each of its circles can be reviewed to get a clearer picture of the nature of its work in Lebanon.)

Among the main responsibilities of the General Security is that it alone deals with foreigners living and working in Lebanon. It performs visa controls and monitors the entry of foreigners into Lebanese territory, even those with visas from Lebanese consulates around the world, and it oversees all entries and exits from all land, air and sea ports.

As the law characterizes all the officers, NCOs and privates of the General Security as judiciary police officers, the General Security also has the purview to carry out judiciary interrogations on all matters relating to its security functions. The extent of the general directorate's dealings with Lebanese citizens is clear to everyone: it is involved both implicitly and explicitly in all the details of citizens' daily lives, and it is no overstatement to say that it has a separate file on each and every Lebanese citizen and each and every resident living on Lebanese soil.

There are many details on all the issues relating to this directorate's work, but many of them do not enter into the framework of this research.

It must be noted, however, that this directorate enjoys a sort of independence from the Ministry of Interior, though there are some controls bound to the directorate that do require consultation with the Ministry before action can be taken in accordance with the law.

This directorate is also responsible for setting and controlling all restrictions on Palestinians living in Lebanon (in isolation from any intervention from the directorate of Palestinian refugee affairs, which is one of the directorates of the Ministry of Interior), and it has personal files on every single Palestinian in the country.

Daily reports related to security, politics or even social and economic affairs are submitted to the Ministry of Interior without any coordination with any of the other security devices, and copies of these reports are relayed to the president and prime minister's office. Information in these reports produced by internal security, the intelligence directorate and state security is consolidated and unified at these three offices, which then issue directives for how the various security agencies ought to coordinate with one another.

It has become clear to everyone that the General Security is now a major player in the operational security sector on the ground, having surpassed its original role of gathering information and placing it at the disposal of the political authorities.

The General Directorate of State Security

This directorate was established by legislative decree no. 102, dated 09/16/1983 (Defense Law), as a security device affiliated with the Higher Defense Council, specifically to the chairman of the council, that is, the president of the republic, or to the president's vice-ruler, (the prime minister). On a practical level, it is party to the office of the president and completely independent from and unaffiliated with the Ministry of Interior.

This security device was first introduced at the behest of the Shiite community, so that it could have a security device headed by one of its own. This sectarian distribution of leadership roles in the security sector continued, and was divided as follows:

The position of Army commander and general director of general security are reserved for Christians, while the positions of general director of the Internal Security Forces and director of State Security are reserved for Muslims.

It remained this way until President Emile Lahoud took office, when he worked on switching up the distribution, handing over the directorship of the General Security to a Shiite Muslim and State Security to the Christians (many say that this decision was made at the behest of the Syrians).

The State Security directorate was weakened, and became a burden on the State's budget, and so in 2005 the cabinet decided to dissolve the directorate and have it be absorbed by the General Security Forces.

And yet, to this day, it is still in function, its annulment deliberately overlooked by the assigning of a new general director to the directorate at the beginning of the current presidential tenure (that of President Michel Sleiman).

Despite a careful review of the directorate's establishing decree, there is no indication that any of its functions are exclusive to it, or differ in any way from the fundamental duties of all the other security devices. Therefore it is unfortunate that, despite the decision to dissolve it, this directorate has remained, playing a completely unfeasible role given that other security actors are already performing its functions.

Airport Security Service

This security agency is one of the agencies affiliated with the Ministry of Interior and Municipalities, and was established by executive decree no. 1540, dated 11/25/1978, later amended by decree 5137, dated 04/22/1983.

The head of the Airport Security Agency is appointed by a decree based on the recommendations of the minister of Interior. Customarily, the position is granted to an army officer from the Shiite sect. The agency's functions are limited to the area of the airport, and all the administrative and operational security devices operating in the airport are answerable to it, from the Army, to the ISF, to the General Security and Customs. All of these agencies, however, remain tied to their own respective commands, meaning that the Airport Security Agency command has no say if those other commands decide to replace or redistribute any of its officers or personnel working under the purview of the Airport Security Agency.

From a security standpoint, this agency does not have a security role per se; it is rather responsible for monitoring all movement to, from and within the airport, where every agency performs its function completely independently from the others, and even from the head of the airport agency. That is, if the General Security stops any traveler because of a notice or warrant against him, Airport Security command has no role but to make note of the arrest, which will be followed up by General Security with the relevant court. This is also applicable to Customs and all the other security forces operating within the airport.

The officers and personnel working in the Airport Security Agency are rarely specialized in the field of airport security, but the Ministry of Interior attempts to mitigate this weakness by sending the officers and personnel to training courses abroad, to acquaint them with the latest technologies in airport security control. Sadly, however, none of the officers or personnel is allowed to remain at their post in the airport for more than three years, after which they are replaced with another, completely unversed in the field.

Still, the Airport Security Agency has eyes on all the entries and exits to and from the airport, and this monitoring is considered important on both political and security levels, therefore the information is constantly being mined by other security agencies (such as General Security) and the intelligence directorate.

This agency suffers from an extreme shortage of technical equipment, and the disparity in security controls, between Beirut Airport and other international airports, is abundantly apparent to any global traveler.

Oversight and Accountability

We have explored the diverse divisions in the security sector within the Lebanese executive powers, and if we exclude the army and the intelligence directorate, and even State Security, we may notice that the other devices that are affiliated with the Ministry of Interior operate without any coordination between them, though it must be noted that the various leaders of the various security agencies meet regularly once a month to coordinate (though this coordination never goes beyond these meetings). Each security device works totally independently from the others, except in some exceptionally major cases and only on the basis of a decision issued by the executive authority through the Higher Defense Council, or through the Central Security Council.

(In full transparency, these meetings are mere formalities to discuss the general security situation; each security agency deals with more detailed matters on its own.)

Each security agency sends its security report every morning to the minister of Interior, the minister of Defense, the President's office and the office of the Prime minister, where the relevant departments work on dissecting this information and making use of it, in the goal of keeping a firm grip on security. If the minister of Interior pinpoints something important in the information provided, he will call for an immediate meeting with the Central Security Council to look into the issue, because this council, chaired by the minister, includes representation from each of the security agencies as well as the judicial power, represented by the selective prosecutor general. It is the presence of this council that allows us to say that there is some limited coordination between all the security agencies.

From a security perspective, this is the Interior Ministry's role as supervisor or overseer, or rather coordinator between all the security apparatus.

In Financial Terms

Another issue related to the oversight and accountability provided by the Ministry of Interior is its role as financial auditor over the various security apparatus. It is possible to say that the Ministry's role – in addition to the fact that it is the entity with final say over the budget of each agency and that it also incorporates those budgets into the general budget of the Lebanese government – is limited to a basic supervisory one, mainly founded in its authority to approve

and ratify the commitments and duties undertaken by each directorate on its own. None of the agencies can have access to the provisions required to perform their duties without official approval from the Ministry over their supply budgets, which have presumably passed through all the supervisory channels: that is, the office of the financial comptroller and the accounting department. Final ratification, therefore, represents the extent of the Ministry's role as financial overseer.

The Main Challenges to the Progress of the Security Sector in Lebanon

1. Leadership chosen on the basis of sect and the general need for sectarian balance.

Speaking transparently and objectively, sectarian distribution – the expected norm – of leadership positions in the security sector in Lebanon is the worm at the heart of the apple, the biggest of all problems. The choice of this commander or that director, at the head of this agency or that, is the cornerstone of the whole organization of the security sector, particularly the hierarchical structure of leadership mandatory to any such agency's continuity and effectiveness. The need to place sect above all other considerations in the choice of leadership fundamentally upsets the imperative hierarchical structure of the agency. In the name of sectarian distribution, it is entirely possible for the political authorities to choose a leader from the lower ranks, lower than the majority of the other officers operating in the agency, completely upsetting the stability of military hierarchy. This is because the officer appointed as leader or commander in any of the agencies will be able to issue orders to those from whom he was receiving orders himself only yesterday, and this is completely unacceptable.

This is the first structural defect in the different agencies that make up the security sector. It must be noted, however, that in the past, while the same sectarian mechanism still applied, the choice of leadership was made from amongst the highest-ranking officers in the sect concerned. For the last couple of decades however, the political authorities have held much more sway, and choices are made irrespective of rank, so long as the officer in question meets with the approval of the politicians.

And so the first condition for improving the performance of the security sector in Lebanon is to try and distance it from this currently standardized mechanism through which leadership is chosen, and with that, to distance politics from the whole structure of the security sector. It would be far better to choose a commander from amongst the highest-ranking officers in each agency; this is the only way to ensure that the commander or director's full loyalty, first and foremost, is to the institution and the nation he serves, and not to any political or sectarian patron that secured him the appointment.

Another problem remains at the level of recruitment, that is, the process of enlistment in place at the various security apparatus, the Army included. This defect is not apparent at the officer-rank level, because there is no issue attaining a balance in numbers between Christians and Muslims at that level. The problem,

however, is blatant at the lowest level, that is, of privates, because a huge number of Muslims present themselves for enlistment, in comparison to few Christians. The security agency can only accept a number of recruits commensurate with the balance required between the two sects. This affects the agency negatively, because all of the agencies suffer from a shortage of service members, and the required numbers can simply not be met if the principle of sectarian balance holds. This sectarian balance is not set out in the Constitution, with the only exception applying to first-tier government positions.

2. Multiplicity in command in each sector.

The other problem is the multiplicity of command across the whole sector and within each agency on its own. As discussed previously, despite the presence of a director or commander in each security agency, who is subject to the authority of either the minister of Interior or the minister of Defense, the role of the minister or Interior and even the director himself remains extremely marginal, as there is a defect already imposed in the lack of supervision and oversight. In the end, subordinate officers are in effect only answerable to their immediate superiors, especially when it comes to issues related to the rights and freedoms of citizens. What exactly is the role of the minister of Defense, or even the general director of the ISF, in judiciary interrogations carried out by an investigator in any of the regional police stations across Lebanon, when the investigator in question is bound only by the leadership of his direct superior and no one else?

(What is meant here is not to question the authority of the Interior Minister over the security directorates in his purview, nor to interfere in their work when facing large and important problems, such a prison riot, for example. However, judiciary interrogations carried out by members of the security forces across all Lebanese territory are carried out without any oversight from the minister of Interior, or the general director of General Security, or even any unit commander - unless they seek to intervene personally, which is a violation of the law. Even the minister of Interior is not allowed to interfere in judicial investigations pursuant to the principle of the separation of powers.)

3. Corruption, bribery and dependency.

The problem of corruption and bribery is endemic to the security sector, particularly in those agencies that deal directly with citizens. The only way to overcome this problem is through improving salaries and social benefits for officers, NCOs and privates, in order to inure them to the material temptations they are offered in return for adjusting the results of an investigation or overlooking violations of the law. We must also note the magnitude of political interference into the security sector and the urgent need to expose every corrupted individual, every receiver of bribes and every perpetrator.

(There is no real estimate of the cost required to improve salaries, but the current salaries on the books are barely enough to secure a decent

standard of living for officers or NCOs for 15 days out of the month at the very maximum.)

4. The need to raise the educational and skill level in the security sector.

Just as we need to pay attention to raising the educational level of officers and NCOs and specializing them in different specific fields, we must also be careful not to transfer those who have received specialized training from their posts after they have mastered all its details and requirements, and after the government has invested exorbitant amounts in training them. We must doubtlessly also raise the minimum level of education required to enlist, so that recruits can more easily adapt and more quickly learn to use the modern technologies used by security agencies in monitoring and investigative work, as well as in forensics.

5. The importance of activating judicial and political oversight over the work of security agencies.

The final issue, and without which it is impossible to ensure that security agencies are able to work within the parameters of the law or to enforce it transparently, is the need to increase the supervisory authority of the judiciary over the work of the security agencies, because the reports they produce as a result of preliminary investigations have legal power that is only made invalid should there be proof of fraud. As such, it is unacceptable that judicial oversight remains at its current level.

(Currently, interrogations are carried out by officers or NCOs in the security forces and all the members of in the judiciary police, but they are carried out without supervision or judicial oversight, though the competent judicial authority makes the decision to either convict or acquit based on the results of those investigations.)

Therefore there is no harm in seeking to amend the current law and adopting the measures that are in place in France or even in Egypt, where interrogations are carried out in police stations, but not by members of the police force as in Lebanon. Rather, defendants are questioned by civil employees from the Ministry of Justice – in Egypt, the prosecutors. The procedures in place here in Lebanon do not provide any actual guarantee of the rights and freedoms of citizens, as these rights and freedoms cannot be entrusted to anyone but the judiciary.

Political oversight still exists within the parameters of the current law but it is not at the level expected of any state that aims to preserve rights and the law. Except in extreme cases related to national security, the political authorities and in specific the minister of Interior (either under his own purview or on the basis of a demand from the cabinet) should not be allowed to interfere in the work of any of the security agencies that form the Lebanese security sector.

In Conclusion

At the end of this research, it must be admitted that some particulars have been left unaddressed, in part because there are many details that can be identified through a review of the regulatory laws concerned, and in part because there are some operational details that it is my duty to hold back. In the end, the issue of security is a question of a political decision dependent upon an effective security sector. And Lebanon's security structure, despite its many problems, can be qualified as among the best in the world in terms of effective capability to fight typical crime, whether it is committed internally or in relation to foreign forces.

There is no doubt that Lebanon is the only country in the surrounding Arab region whose security sector is contained by the political authorities; likewise, it is distinguished by the fact that both the Interior Ministry and the Defense Ministry are under civilian command. Yet we still hope to improve and better equip the security sector, whether by increasing the number of experts and specialists, or seeking more cutting-edge equipment to help address and fight crime. This is with the knowledge that preventative security measures make up more than 70% of the security sector's work at fighting crime.

It must be re-emphasized that Lebanon is unique in its surrounding region, and that its security sector was once exemplary in its efficiency and preparedness, but after the two-year's war (1975-1976), and all the foreign repercussion and interference that followed by way of different regional and international intelligence apparatus intervening into the country's internal security, as well as political interference into the structure and work of the security sector, the result was a clear weakness in the security sector's capabilities, to the point where it indeed fit the description coined by the researcher Yazid Sayegh in his Carnegie Middle East report, dated 10/17/2009, as a "broken window" in need of repair. It is up to the political authorities in Lebanon to begin immediately seeking ways to return this sector to its former state by taking a firm decision to stop interfering in its work, so that the loyalty of each officer, NCO and private is redirected back to where it belongs: to the institution and state he serves. Additionally, work must be done to begin distancing the sector from the issue of sectarianism.

These reforms, which are not impossible, have to be implemented in order to improve the work of the security sector in Lebanon. And they cannot be limited merely to select, separate issues, for example the issue of the directorate of State Security or the issue of the Treasury budget. In this case, would it not be preferable to dissolve this directorate and reassign its officers and members to different security agencies in the aim of improving their productivity, and thus somewhat relieving the budget?

If intentions are honest, it is within our capability to make the security sector's windows more solid, impervious to breakage, and to make it work for the good of the nation, safeguarding the rights and freedoms of Lebanese citizens and providing for a decent life for all.

**Research conducted by Brigadier General Dr. Amin Atef Saliba, former
Chief of General Staff in the Internal Security Forces.**

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