International Aid to Lebanon's Security and Justice Sectors

The Impact of Donor Assistance on Human Rights and Civil Liberties

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Acknowledgments

Abbreviations List

CSSF	Conflict, Stability and Security Fund (UK Government)
CTCBP	Counter Terrorism Capacity-Building Program (Canadian Government)
DRB	Drug Repression Bureau
ENI	European Neighborhood Instrument
GAC	Global Affairs Canada
GS	General Security
HJC	Higher Judicial Council
IHL	International Humanitarian Law
IMET	International Military Education and Training Program (US Government)
INCLE	International Narcotics Control and Law Enforcement (US Government)
ISF	Internal Security Forces
LAF	Lebanese Armed Forces
LOAC	Law of Armed Combat
LSS	Lebanese State Security
NHRC	National Human Rights Commission
NPM	National Prevention Mechanism Against Torture
OPCAT	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
PSOPS	Peace and Stabilization Operations Program (Canadian Government)
SPT	United Nations Subcommittee on Prevention of Torture
UNICEF	United Nations International Children's Emergency Fund
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees

Executive Summary

This study attempts to respond to a conspicuous trend: the increase in human rights and civil liberties violations perpetrated by Lebanese security and judicial institutions despite Western donor support to these institutions. Specifically, the study attempts to understand what accounts for the gap between Western donor assistance to these institutions, which prioritizes the respect for human rights and civil liberties, and the increase in violations by these criminal justice institutions. To get at this, the study has sought to answer the following overarching questions:

- What are the ways in which international donors provide assistance to Lebanese security and judicial institutions?
- What impact is this assistance having on human rights and civil liberties outcomes in the country?
- What challenges come with providing support focused on advancing human rights and civil liberties outcomes in the country?

Answers to these questions can help the international community and Lebanese civil society and government actors understand the limitations to donor support and steps that can be taken to make donor aid more effective with regards to promoting and protecting human rights and civil liberties.

The study's main findings that respond to these questions are listed below.

What are the ways in which international donors provide assistance to Lebanese security and judicial institutions?

- **The study identified four main funding mechanisms linked to the US, EU, UK and Canada.** These mechanisms structure the type of support to be provided to security and justice institutions related to advancing and protecting human rights and civil liberties. Since 2014, the last year where publicly available information is available, **these four donors have provided over $324 million** through these mechanisms in which the promotion and protection of human rights and civil liberties are either implicitly or explicitly listed as key policy objectives.
- It was not always clear how funds allocated through these mechanisms translated into activities/projects on the ground.
- The study identified 28 projects/activities supported by Western donors that incorporate the promotion and protection of human rights and civil liberties into their assistance to security and justice institutions.
- **The majority of the 28 projects/activities can be classified as either training activities or social cohesion programming** in which relationship **building between security/justice actors and communities** was more of an emphasis than security sector reform outcomes. With regards to training activities, **the study highlighted a lack of accountability, monitoring, and implementation mechanisms integrated into project design.** There is also a lack of explicit security sector reform programming, with most of the social cohesion projects originally instigated to respond to the Syrian refugee – Lebanese host community tensions and problems.

◆ One popular project approach that can be classified under social cohesion programming/security sector reform is that of community policing. This approach is funded by three different donors – EU, UK and Canada – and finds its origin in a 2008 pilot project supported by the US and UK. **Support has continued for community policing programs,** especially as the ISF Strategic Plan for 2018–2022 makes this a strategic objective for the institution.

◆ Security sector beneficiaries of the projects/activities are mainly the ISF and LAF. **Less attention is paid to General Security and State Security.**

What impact is this assistance having on human rights/civil liberties outcomes in the country?

◆ **Western donor assistance has helped establish key institutional pillars, strategies and laws that promote the respect for human rights and civil liberties among criminal justice institutions**. In short, donor assistance has been essential to setting up needed institutional features that can, over the long term and provided that they are utilized and respected, usher in behavioral changes among security and justice actors. At the very minimum, these features act as building blocks to more effective, responsive and respectful security provision and counterbalance, to a certain degree, donor emphasis on 'hard' security provisions.

◆ **Western donor assistance has helped connect relevant actors which are needed if the respect for human rights and civil liberties is to take root among security and justice institutions**. Donor funded projects have attempted to link and imbue a sense of cooperation and collaboration among various government actors that are needed to produce better security and justice outcomes. This includes both connecting members from the same sector (e.g., prosecutors, judges, lawyers among the judicial sector; LAF, ISF and GS among security sector; and representatives from various ministries, such as the Ministry of Justice, Ministry of Interior and Municipalities, Ministry of Defense and Office of the Minister of State for Administrative Reform) but also those from different institutions.

◆ **Donor assisted projects have produced notable outputs and outcomes that reflect enhanced institutional capacities.** Donor supported projects have, to varying degrees, helped to increase knowledge and change attitudes and behaviors with regards to upholding and respecting human rights and civil liberties.

What challenges come with providing support focused on advancing human rights and civil liberties outcomes in the country?

◆ **Western donor assistance focused on promoting and protecting human rights and civil liberties among security and justice institutions has its limitations and challenges.** These include aspects related to project design and the absence of political will to institutionalize systemic changes. On project design, two main limitations stand out: needed officers or bureaus were not involved in projects, and monitoring and implementation mechanisms were often absent. On political will, several reasons were identified, including security institutions prioritizing other issues over reform, capacity and resource constraints that limit reform efforts, and the lack of genuine interest to seek out reforms due to the politicized nature of security and justice institutions.

◆ **Donor assistance has failed to stem an increase in violations by security and justice actors**. Violations fall into two main categories: the instrumentalization of legal tools (criminal justice actions and censorship) and the use of coercive and suppressive force. The Samir Kassir Foundation's tracking data on violations against media and freedom of expression highlight these trends in more detail: A total of 792 violations were identified in the period covered, with 46% of all cases falling under coercive force, 45% criminal justice actions and 9% censorship.

◆ **The data shows that violations are likely to occur when there is an increase in opposition to the political establishment** and that security and justice actors employ a range of criminal justice and coercive force actions to respond to opposition against status quo.

The study proposes the following main recommendations:

◆ **Donor assistance efforts need to take into account the public's discontent with the political establishment and the latter's use of justice and security institutions to go after legitimate opposition and critics.** In other words, such assistance needs to respond to the changing context in which legitimate grievances from below are being suppressed through the legal instrumentalization and coercive force.

◆ **Assistance should aim to strengthen the institutional and legal framework supporting the promotion and protection of human rights and civil liberties.** International donors should continue to support reform efforts aimed at strengthening the institutional and legal gaps that are exploited and utilized by political, security and judicial actors and which lead to human rights and civil liberties being violated.

◆ **Assistance projects should incorporate more focus on the implementation of knowledge learned and the implementation of current legislation.** Capacity development projects should incorporate design features that allow and encourage the application of knowledge gained on human rights and related themes in the work of security and judicial actors and include indicators to track these actions. Assistance efforts should also focus on getting security and justice actors to implement existing legislation, something that can be incorporated into the design of capacity development projects. In short, there needs to be more to donor assistance projects than capacity development for security and justice actors through training workshops alone.

◆ **Donor assistance projects need to increase their focus on security and justice actors who are most inclined to commit violations.** The study highlights that security and justice assistance projects aimed at promoting human rights and civil liberties are not targeting some of the institutions that are most prone to committing violations. Though getting these entities to change their behavior would require other things to materialize, such as the removal of undue political influence, focusing on the institutions and actors with the greatest penchant to commit violations would at the very least instill in them a greater sense of professionalism and respect for their duties, which may sprout better outcomes in the near term.

◆ **International donors need to put more focus on addressing systemic factors that perpetuate human rights and civil liberties violations and utilize the tools at their disposal to overcome opposition to greater reform efforts among the political establishment.** Lebanese security and judicial institutions are situated within a larger political system in which state institutions are beholden to the influence and control of the political and sectarian ruling establishment. Consequently, even if international donor assistance fills existing legal gaps, strengthens established human rights monitoring institutions, and designs better projects that target those most likely to commit violations, it is unlikely that systemic progress will be made on curtailing human rights abuses by security and justice actors given that the root cause of the violations – the political sectarian system itself – is not being addressed. To be sure, these efforts are still needed and can help generate momentum for more reform sustained reform, yet they should be coupled with international donor assistance that helps to unlock structural reforms that safeguard state institutions from the predatory influence of political leaders or at the minimum, efforts that work to overcome the challenge of the lack of political will for reform. Here, donors should ultimately leverage the tools they have at their disposal – aid conditionality, sanctions, withdrawal of funding, and increased funding – to push for greater reforms.

◆ **There needs to be increased transparency and easier access to information on donor assistance to Lebanese justice and security institutions.** This study has highlighted the need to make donor assistance information more readily accessible to the public. While some information resides in the public domain, it was sometimes difficult to locate. Some publicly available information was also not comprehensive in nature, with funding totals not always given. Moreover, it was not readily clear how funding mechanism allocations translated into projects and activities on the ground. More comprehensive information in the public domain that is easy to locate can help civil society actors and the public in general understand where international donor support is going, how it is materializing and what impact it is having.

◆ **Enhanced donor coordination around security sector reform issues was identified as a need.** One criticism of the international donor community is that coordination among donors and between donors and national partners around the issue of security sector reform is not up to the standard required to produce more effective programs and outcomes. Though coordination may be occurring on a very high level not apparent to national stakeholders or on a project level, it was not clear to national partners the rationale behind donor strategies when it comes to supporting and protecting human rights and civil liberties among criminal justice institutions. Helping the Lebanese government establish a public security sector reform strategy may help improve overall efforts, decrease duplication and overlap, and increase donor and partner cohesion on the issue. Such a strategy would also bring added transparency to donor and government reform efforts.

Background

Over the course of the last ten years in Lebanon, security concerns and the principles of human rights, including freedom of expression, have increasingly been at odds. Put simply, the multiple security crises stemming from the spillover effects of the Syrian war and domestic political, social and economic tensions have worked to subjugate human rights and freedom of expression to security concerns. Consequently, there has been a rise in human rights and freedom of expression violations perpetrated by government actors, particularly by those within the security and judicial branches. These violations have ranged from arbitrary arrests and detentions of journalists, the manipulation of existing laws to target critics of Lebanon's traditional political establishment, the use of violence by security forces against protesters, the trial of civilians in military courts, and physical attacks on journalists.

This backsliding occurs even though the international donor community has championed the need for government actors, especially security and judicial institutions, to respect human rights and civil liberties, including freedom of expression, in both its public discourse and assistance mechanism to Lebanon's government. Yet, despite Lebanon being one of the largest recipients of international aid globally, the respect for civil liberties and human rights continues to deteriorate in the country.

This disconnect – the increase in human rights violations perpetrated by government actors despite international donor assistance and emphasis on the respect of human rights – acts as the point of departure for this study, which seeks to highlight the linkages between international donor support to Lebanese security and judicial institutions, and human rights and civil liberties outcomes, including freedom of expression, in Lebanon. More specifically, the report aims to answer the following overarching questions:

◆ What are the ways in which international donors provide assistance to Lebanese security and judicial institutions?
◆ What impact is this assistance having on human rights, civil liberties and freedom of expression outcomes in the country?
◆ What challenges come with providing support focused on advancing human rights, civil liberties and freedom of expression outcomes in the country?

Methodology and Approach

To answer these questions, the study conducted a literature review of past and current international donor assistance projects, with a focus on those aimed at advancing human rights and freedom of expression outcomes. The scope of the review was limited to support provided mainly by the following countries and entities: US, France, UK, Germany, Netherlands, Canada, Denmark, EU and multilateral efforts through UN agencies (UNDP, UNESCO and UNHCR). The review focused on publicly available material in addition to those received from public information requests and in-depth interviews (IDIs) with 20 representatives from international donor representatives, implementing partners, and experts in Lebanon. The IDIs also focused on understanding the impact identified projects have had and the challenges associated with providing such assistance. Interviews were conducted anonymously, and individual names and organizations are not listed in the report.

Limitations to the report include the fact that not all donor countries were interviewed or responded to information requests. Of the 10 donor entities identified, only three agreed to be interviewed for this study. Interview requests with security actors were also not positively received and, as a result, the report does not include their perspectives. In addition, those public information requests received – Canada, UK, Germany, and France – were not comprehensive or detailed in the information provided.[1]

The report consists of four main sections. The first provides an overview of Lebanese security and judicial institutions and the nature of international donor support provided since 2006. The second section focuses on highlighting donor country funding mechanisms and projects to security and judicial actors that focus either directly or indirectly on advancing and upholding human rights and civil liberties in the country. This section is not exhaustive; while the study aimed to be as comprehensive as possible, challenges exist in trying to develop a full list of projects from multiple donor countries. These include incomplete information in the public domain and restrictions on the provision of data from donor countries. As such, the mapping presented in this section is meant to be more illustrative in nature than a definitive portrait of the assistance landscape. Having said this, it is rather comprehensive given the large quantity and variety of collaborations identified.

The third section of the report aims at understanding the impact international donor assistance is having on the promotion and protection of human rights and civil liberties. To be sure, this study is not an evaluation of identified projects and does not pretend to be so. Rather, the study has attempted to highlight – through primary and secondary resources – some preliminary findings around impact, which offer international donors, practitioners and government actors a snapshot of how assistance projects are translating into tangible outcomes on the ground. The presentation of main findings includes key challenges to donor assistance projects to security and justice actors that attempt to promote human rights and civil liberties.

1- Requests from the US and EU were still pending at the time of publication.

The section then aims to better understand the reasons why international donor assistance has not translated into more robust outcomes. It does this by proceeding to look at the nature of violations in the Lebanese context – that is, how and why violations occur – and then by focusing specifically on understanding the nature of violations against freedom of expression and media freedom. On the latter, the section presents and analyzes original data gathered by the Samir Kassir Foundation that tracks freedom of expression and media freedom violations between the period of 2017-2022. By better understanding how and why violations occur, international donors and their national partners can better understand limitations to existing assistance and how to devise better support projects going forward.

The last section offers up some recommendations that aim to respond to the challenges and nature of violations presented in the report. They generally fall under four main categories: 1. Continued support to fill institutional gaps; 2. More targeted assistance for those security and justice institutions most prone to committing violations; 3. Better designed projects that go beyond capacity development and include support for implementation and monitoring; and 4. Support for systemic reforms that would address the main factors ultimately driving violations.

I. Lebanese Security, Judicial Institutions and Assistance Trends: An Overview

Security Sector

Lebanon's security sector is mainly comprised of the Lebanese Armed Forces (LAF), Internal Security Forces (ISF), General Security (GS) and Lebanese State Security (LSS). The LAF, which reports directly to the Council of Ministers via the Ministry of Defense, has a broad mandate that encompasses defense, security and development objectives.[2] These objectives "aim to defend the nation, preserve sovereignty and the State's authority, protect the constitution, preserve security and stability, and contribute to providing social stability and development."[3] The broad mandate has essentially meant that the LAF plays an outsized security role: not only does it defend the country from external threats but it also plays a unique role for a defense institution whereby it is called upon to act as a domestic police force.

For its part, the ISF is the security agency overseeing internal public safety and order efforts, which includes helping to preserve and uphold civil rights and freedoms. The Ministry of Interior and Municipalities has control and oversight responsibility over the ISF. The Ministry also oversees General Security, whose mission focuses on internal intelligence gathering, the implementation of laws related to media censorship, and control over the country's ports of entry. Lebanese State Security, which is smaller than the other agencies, focuses on domestic surveillance to counter threats and reports directly to the office of the Prime Minister, although it has been informally pushed towards the Presidency of the Republic under President Aoun.

Lebanon's security sector is structured by a formal legal framework that provides for civilian oversight and accountability mechanisms. Yet, security institutions are enmeshed within the country's confessional political system, meaning these institutions are subjected to the same dynamics that afflict other public institutions: namely, the need to balance sectarian considerations when appointing leadership, recruiting members and fulfilling their institutional mandate, and sectarian elite competition for control and influence. The result is a security sector that mirrors the political system at large, with the heads of various security institutions reserved for appointments from specific communities – for example, the LAF commander is selected from the Maronite community; the leader of the ISF is reserved for a Sunni; and the director of GS is earmarked for a member of the Shia community.

These dynamics undermine civilian-military relations and the effectiveness of security institutions in two ways. First, security institutions, rather than establishing a degree of autonomy outside the political establishment, are instead vulnerable to sectarian politicking and elite influence. Here, confessional political leaders possess undue influence over security institutions, especially over leadership positions which are politically appointed, thereby degrading the oversight functions and roles of public institutions, such as parliament or the ministries of Interior and Defense. In other words, the formal command and control structures established are negated

2- https://www.lebarmy.gov.lb/en/content/mission-lebanese-army
3- *Ibid*

by sectarian-driven calculations and loyalties.[4] This in turn drives a perception that security institutions are either biased towards the sectarian community of their leadership, are pursuing a particular political agenda or, at the minimum, are constrained by sectarian political considerations that ultimately undercut public security and safety.

Second, the Lebanese political system's penchant to promote zero-sum political outcomes – for example, an institution headed by a member of one community drives other confessional groups to seek control of other institutions – has produced a security sector comprised of institutions that have overlapping mandates and roles.[5] While this works to allay the concerns among the country's major sectarian groups, it does not bode well for the cohesiveness and effectiveness of security institutions.[6] Moreover, sectarian political dynamics has meant that the security sector has lacked a national security strategy due to the inability of political leaders to agree upon security priorities. This leaves security institutions operating independently of one another as priorities are set separately or according to specific concerns of some leaders.

Lebanese Judiciary

Lebanon's judicial system contains both a civil wing alongside a confessional system concerned with personal status laws (marriage, divorce, inheritance, child custody, etc.). On the former, the main entities within the institution are the High Judicial Council, Ordinary Courts, the State Council, Special and Extraordinary Courts, and the Constitutional Council. In principle, the High Judicial Council is responsible for judicial oversight and ensuring the judiciary's independence.[7] With regards to the functions of the Ordinary Courts, this is set by the Code of Civil Procedure and the Code of Criminal Procedure. Here, there are two particular courts which fall under this category: civil courts and criminal courts. Appointments to these courts are put forth by the Higher Judicial Council and proceed with a ministerial decree.[8] Moreover, the State Council concerns judicial administration; the Constitutional Council attempts to assess laws relative to the constitution, alongside overseeing appeals concerned with parliamentary elections. Finally, the Special and Extraordinary Courts constitute the Justice Council and Military Courts; these courts are particularly controversial in socio-political life in Lebanon as they are perceived to be politicized and actively violating human rights.[9] The Publications Court and the Higher Council to Prosecute Presidents and Ministers round out the structure of the judiciary.

4- Yezid Sayigh. 2009. Fixing Broken Windows: Security Sector Reform in Palestine, Lebanon and Yemen, Carnegie Endowment for International Peace; Hijab Shah and Melissa Dalton. 2020. Playing Politics: International Security Sector Assistance and the Lebanese Military's Changing Role, Carnegie Endowment for International Peace.
5- Aram Nerguizian, "Between Sectarianism and Military Development: The Paradox of the Lebanese Armed Forces," in Bassel F. Salloukh et al, The Politics of Sectarianism in Postwar Lebanon (London: Pluto Press, 2015), 120-122.
6- Yezid Sayigh. 2009. Fixing Broken Windows: Security Sector Reform in Palestine, Lebanon and Yemen, Carnegie Endowment for International Peace.
7- Per Legislative Decree No. 150 of 16 September 1983.
8- Joseph Harfouche. 2021. The independence of the Lebanese judiciary: system loopholes and political willingness to interfere (Doctoral dissertation, Notre Dame University-Louaize).
9- Maya Mansour and Carlos Daoud. 2009. The Independence and Impartiality of the Judiciary-Lebanon. Euro-Mediterranean Human Rights Network (EMHRN).

The judicial system is not a neutral body in government; rather, it is an integral part of the Lebanese political system, which is governed according to the logic of political sectarianism. While religious courts, which specifically tackle issues of personal status and other relatable affairs, are an explicit manifestation of this system, civil courts are also impacted by a similar logic in terms of appointments and the capacity through which ministerial or parliamentary forces are able to intervene on rulings and/or their implementation. For example, the High Judicial Council is comprised of ten members, with eight of them directly appointed by the cabinet out of names submitted by the Ministry of Justice.[10] Hence, the selection of the country's highest court is mired in the same type of political horse-trading and sectarian appointment process that afflicts other public institutions.

Indeed, other key court positions are steeped in this type of politicization: the Court of Cassation's State Prosecutor is reserved for a member of the Sunni community, while that court's First President and President of the HJC is allocated for a member of the Maronite community.[11] Moreover, the Ministry of Justice – rather, the party that controls it – has discretionary power to transfer judges, an authority that is used to remove judges deemed problematic by the political class.[12] This political sectarianism ultimately ensures that the judicial system is doing the bidding of the political establishment, rather than acting as an independent check on legislative and executive power.

Adding to this challenge are the religious courts, which have been seen as safeguarding and perpetuating traditional and patriarchal values that can conflict with the interests of marginalized social groups in the country, most notably women (mothers, in particular), members of the LGBTQ+ community, and citizens who do not wish to identify as a member of a religious community. The implicit socio-political leverage granted to religious judges and sectarian faith leaders has had a wider negative societal impact.[13]

Assistance efforts towards the justice system have aimed at professionalizing judicial institutions and, more recently, the implementation of judicial independence, i.e., the idea that the judiciary ought to be a separate force via which political, executive, and parliamentary forces are unable to intervene. The latter is being supported through advocacy support to national civil society organizations, who are pushing for the adoption of a bill guaranteeing judicial independence. The purpose of this reform is not only to enforce the idea of "separation of powers" but is more inclined to the Lebanese contextualized understanding of "liberating" aspects of the state from "sectarian accommodation." In other words, reform is observed as a structural quest in the pursuit of systemic change.[14]

10- https://timep.org/commentary/analysis/towards-an-independent-judcial-branch-in-lebanon-part-1-the-civil-judiciary/
11- *Ibid*
12- https://euromedrights.org/wp-content/uploads/2018/03/LEBANON-The-Independence-and-Impartiality-of-the-Judiciary-EN.pdf
13- Riwa Salameh. 2014. Gender politics in Lebanon and the limits of legal reformism. Civil Society Knowledge Center, Lebanon Support.
14- Maya Mansour and Carlos Daoud. 2009. The Independence and Impartiality of the Judiciary-Lebanon. Euro-Mediterranean Human Rights Network (EMHRN).

Nature of Donor Assistance

Foreign assistance to Lebanese security and judicial institutions increased substantially following the withdrawal of Syrian troops and intelligence agencies in 2005. The removal of Syrian security presence in the country brought renewed independence to Lebanese institutions writ large as Syria had come to control and influence Lebanese institutions since the end of the civil war in 1990. With diminished Syrian influence, international assistance to Lebanon focused on institution building began to flow more readily. Security assistance was especially high and made ever-more pressing given the wave of security crises to hit to country post-2005: political assassinations, the July 2006 war between Israel and Hezbollah, the 2007 battle against the extremist group Fatah al-Islam in Nahr al-Bared refugee camp, and security incidents and an influx of refugees stemming from the 2012 war in Syria put severe strain on the Lebanese security sector, necessitating donor support.

International donor support to Lebanese security institutions became structured through UN Security Council Resolutions 1559 (2005) and 1701 (2006), which essentially call on foreign forces to withdraw from Lebanon and non-state armed groups to disband while affirming Lebanese territorial sovereignty and independence. The United States constitutes the largest donor to Lebanese security sector, followed by the EU: since 2006, the US government has given over $2.5 billion in security sector assistance,[15] with the EU providing around $100 million in security assistance during the same period.[16] Much of this assistance has focused on military equipment and training, with the aim being to increase the operational and administrative capacities of security sector institutions to deal with the myriad of internal challenges, thereby helping the state assert its authority and minimizing the space for non-state groups to fill security gaps.

Beyond military equipment and training, donor assistance to Lebanese security institutions, mimicking the global trend in security sector assistance, came to incorporate 'softer' issues, such as training and projects around human rights principles, upholding the rule of law, social cohesion, security sector accountability and the protection of civil liberties. Essentially, this broadening of the assistance definition expanded the actors and institutions involved in security provision and assistance, with civil society, communities and justice institutions seen as critical partners to the success of the security sector at-large by the international community.

The manner in which this assistance materialized included training for LAF members on the law of armed conflict and respect for human rights under the American-funded International Military and Education Training program,[17] technical capacity assistance on issues like forensics by US and UK governments, and projects that tried to bridge the gap between security actors and communities, such as US, UK, Canadian and EU-funded community policing projects.

It is this latter category of 'softer' assistance that this report focuses on. The next section presents a mapping of international donor assistance mechanisms and projects that aim to advance human rights and civil liberties outcomes among the work of security and judicial institutions.

15- https://lb.usembassy.gov/us-security-cooperation-lebanon-2021/
16- Hijab Shah and Melissa Dalton. 2020. Playing Politics: International Security Sector Assistance and the Lebanese Military's Changing Role, Carnegie Endowment for International Peace.
17- The program has trained more than 1,200 Lebanese officers since 2006 https://lb.usembassy.gov/charge-daffaires-white-honors-graduates-imet-program/

II. Mapping of Donor Assistance

This section presents the findings of the mapping exercise aimed at understanding the ways in which international donors provide assistance to Lebanese security and judicial institutions focused on advancing and protecting human rights and civil liberties, including freedom of expression. The information gleaned by the study speaks to funding issues on two distinct levels. The first is that of the funding mechanism or instrument, which provides the overall objective of the funding and outlines the ways in which the funds should be spent by the donor country. Funding mechanisms were identified linked to the following donors: US, EU, UK and Canada. The second is on a project level. Here, what is reflected are projects funded by international donors aimed at advancing and/or protecting human rights and civil liberties via assistance to security and justice institutions. Both funding mechanisms and project level funding information are discussed in more detail under this section.

The section proceeds by first reviewing the main funding mechanism identified in which funding to security and judicial institutions focused on promoting and protecting human rights and civil liberties are allocated. It then highlights the project level data identified by the study that shows what the assistance translates into on the ground. Key takeaways from the mapping are then discussed.

Funding Mechanisms, Aggregate Totals and Donor Objectives

Four main donor funding mechanisms were identified linked to the US, EU, UK and Canada. These mechanisms structure the type of support to be provided to security and justice institutions related to advancing and protecting human rights and civil liberties. These are discussed below in more detail, including total aggregate numbers identified and donor objectives.

United States

The US government's non-military bilateral security (and justice) assistance – that is, assistance that goes beyond training and equipping foreign militaries – is structured mainly through the US Department of State, with the International Narcotics Control and Law Enforcement (INLCE) bureau being a primary mechanism for doling out this assistance. One of INLCE's objectives is to help strengthen criminal justice institutions (i.e., police, courts and correction facilities). US congressional appropriations to INLCE for Lebanon assistance has averaged $10 million annually since 2017.[18] The main objectives of this assistance is to "increase state stability and delegitimize non-state institutions by strengthening Lebanon's Ministries of Interior and Justice, Higher Judicial Council and Internal Security Forces (ISF) to enhance service delivery to the public, and improve the prevention, intervention, and adjudication of criminal and terrorist incidents."[19] The ISF has been the main institution focused on by INLCE funding, with training, advising and equipment support being provided.

18- CRS Report 2021; The Congressional Budget Justification for FY 2022 had the requested amount just below this, at $8.2 million https://www.state.gov/wp-content/uploads/2021/05/FY-2022-State_USAID-Congressional-Budget-Justification.pdf
19- https://www.state.gov/bureau-of-international-narcotics-and-law-enforcement-affairs-work-by-country/lebanon-summary/

The second mechanism in which security assistance incorporating the promotion of human rights is provided is that of the International Military Education and Training Program (IMET). Since 2014, over $20 million have been provided through IMET, which aims to "increase military professionalization, enhance interoperability with US forces, offer instruction on the law of armed conflict and human rights, provide technical and operational training, and create a deeper understanding of the United States."[20] Under IMET, over 1,200 Lebanese military officers have been trained since 2006.[21]

European Union

The European Neighborhood Instrument (ENI) was the main mechanism utilized by the EU to provide non-military related security sector reform assistance between 2014 and 2020. Under the bilateral assistance mechanism, €402 million[22] were provided to work on three main objectives: promoting economic growth and job creation; fostering local governance and socio-economic development; and promoting the rule of law, enhancing security and countering terrorism.23 Twenty-five percent (25%) of the overall budget (€100 million) went to the latter objective, which was to be achieved by "working with all relevant criminal justice actors through a set of complementary actions in capacity building and service delivery."[24]

The ENI has also prioritized support for judicial reform that would work toward greater independence of the judiciary and a more effective, efficient and human rights-compliant justice system. From 2011-2015, for example, the EU funded a €5 million program – aptly titled Support to the Reform of the Judiciary – that provided technical and capacity support to the High Judicial Council, Judicial Inspection Unit, State Council and Institute for Judicial Studies in addition to facilitating a broader national debate about the need for judicial independence.[25]

In December 2020, another mechanism, the Lebanon Reform, Recovery and Reconstruction Framework (3RF), was established by the EU, World Bank and UN as a response to the August 4 Beirut Port explosion. While the scope of the 3RF is to respond to the impacted communities and areas of the explosion, it highlights key institutional reforms that are needed to occur if Lebanon is to emerge from the multiple crises afflicting it, much of them rooted and perpetuated by its governance institutions. These reforms include justice and human rights issues. Specifically, the 3RF calls for the international community to support, among other things, the National Human Rights Commission so that it can carry out its mandate, including its monitoring role to identify systemic factors leading to human rights violations; the adoption of legislation that would strengthen the independence of the judiciary through an inclusive, transparent process involving civil society; and the amendment of existing legislation – Penal Code, Code of Criminal Procedure, and the Law 150/1983 on the Organization of the Judiciary – in order to preclude

20- https://lb.usembassy.gov/us-security-cooperation-lebanon-2021/; https://lb.usembassy.gov/us-security-cooperation-lebanon-2021/; CBJ FY2022
21- https://lb.usembassy.gov/charge-daffaires-white-honors-graduates-imet-program/
22- €1 = 1.02 USD
23- https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/countries-region/lebanon_en
24- Document: Programming on European Neighborhood Instrument (ENI) 2014 – 2020.
25- Project Documentation

political interference within the judicial sector.[26] The 3RF proposes an estimated budget of $3 million to help support these reforms. At the time of writing, it is unclear whether any donors have contributed to support these reform efforts.

United Kingdom

Between 2016-2021, the UK's Conflict, Stability and Security Fund (CSSF) has provided on average £21 million a year through this mechanism, for a total of £109 million.[27] The CSSF fund focuses on three main priorities in Lebanon: security, political reform and community stability. On security, assistance is focused on achieving three main outcomes: supporting the LAF to manage its land border with Syria; improving the ability of the LAF and ISF to manage internal security threats arising from domestic tensions, community cohesion and the presence of refugees in Beirut; and minimizing the influence of extremist groups on vulnerable communities.[28] A range of activities are included to help achieve these objectives but two stand out related to the scope of this study: training for LAF company groups to plan and conduct effective operations that are compliant with International Humanitarian Law (IHL) and the Law of Armed Combat (LOAC); and supporting a community policing model in Beirut. It should be noted that the CSSF emphasizes a modality that seeks to get security actors to perform their duties in a human rights-compliant manner and integrates an assessment tool to identify and assess risks to human rights violations in each of its funded programs.

Canada

Since 2016, the Canadian government's non-military security assistance has been structured through its overall Middle East Engagement Strategy, which is a CAD 4 billion[29] commitment to "respond to crises in Iraq and Syria, and address their impact on Lebanon, Jordan and the region."[30] Of this, CAD 325 million has been allocated for security and stabilization programming in these countries.[31] Global Affairs Canada (GAC) is the lead government agency managing these funds through its security and stabilization pillars, particularly its Peace and Stabilization Operations Program (PSOP), and its Counter Terrorism Capacity-Building Program (CTCBP).[32] The former aims to deliver "conflict prevention, stabilization and peacebuilding initiatives through both projects and deployment" while the latter focuses on increasing security actors' abilities in, among other things, law enforcement, military and intelligence; countering violent extremism and the financing of terrorism; and legislative assistance.[33] Both mechanisms speak of the need for programming to either aim and promote (PSOPS) or be provided that is

26- Lebanon Reform, Recovery and Reconstruction Framework (3RF) December 2020
27- 1 £ = 1.17 USD
28- Lebanon CSSF Annual Review Sheets 2016 – 2021.
29- 1 CAD = .77 USD
30- https://www.international.gc.ca/world-monde/international_relations-relations_internationales/mena-moan/strategy-strategie.aspx?lang=eng#a3
31- *Ibid*
32- GAC has four pillars: humanitarian assistance, development assistance, security and diplomatic engagement.
33- PSOPS Overview, https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/response_conflict-reponse_conflits/psop.aspx?lang=eng; CTCBP Overview, https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/peace_security-paix_securite/capacity_building-renforcement_capacites.aspx?lang=eng

consistent with human rights standards (CTCBP).

In Lebanon, the PSOPS and CTCBP aim to support "Lebanon's efforts to improve its state security services and make justice accessible to all," while promoting social cohesion between and among communities, especially between host communities and refugees, and strengthening the capacity of security institutions, especially police and the LAF, to address drivers of conflict and acts of extremism.[34] The CTCBP has had a particular focus on improving the LAF's ability to patrol, monitor and manage security risks along Lebanon's border with Syria.

From 2016-2019, approximately CAD 21 million were allocated to peace, security and stabilization programming in Lebanon[35], and another CAD 15 million to programs under the CTCBP.[36]

Taken together, since 2014 these four donors – US, EU, UK and Canada – have allocated at least USD 324 million in security and judicial sector assistance through funding mechanisms in which the promotion and protection of human rights and civil liberties are either implicitly or explicitly listed as key policy objectives.

Project Level Assistance

Having highlighted some of the major funding mechanisms that prioritize the promotion and protection of human rights and civil liberties, this section looks at the ways funding has materialized into security and justice projects and activities that work towards the same objective. The time period assessed is from 2011-2022. The information reflected in the table below has been gathered through publicly available project documentation, interviews and information received from public information requests to donor countries. Funding amounts do not exist for all projects/activities identified. For some projects/activities, project details were not available in the public documents identified. In total, 28 projects and activities were identified.

34- Canada's Lebanon Strategy, https://www.international.gc.ca/world-monde/international_relations-relations_internationales/mena-moan/lebanon-liban.aspx?lang=eng; Canada-Lebanon Bilateral Relations, https://www.international.gc.ca/country-pays/lebanon-liban/relations.aspx?lang=eng#a5
35- This includes $15 million under GAC's Security and Stabilization Fund and $6 million under PSOPS.
36- Evaluation of GAC's Contribution to the Middle East Strategy, February 2020.

US Government

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Capacity Building Training Workshops funded by INL on tackling public corruption.	2021	N/A	ISF and Judiciary
Grant to the American Bar Association to conduct technical training to 350 judges and prosecutors on a range of topics, including modern forensic techniques, the use of digital evidence in prosecutions, how to track money laundering schemes, the evolution of cyber-related crimes, how to prosecute case involving banking secrecy and illicit enrichment, and combatting public corruption, the concept of plea bargaining, and alternatives to incarceration as a means of reducing Lebanon's pre-trial prison population.	2022 - 2021	1$ million	Judiciary (judges and prosecutor)

EU

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Support to the Reform of the Judiciary. Technical and capacity support to the High Judicial Council, Judicial Inspection Unit, State Council and Institute for Judicial Studies.	2011-2013	€5 million	Judiciary
EU and UNICEF Training Guide on Child Protection. Guide is meant to be utilized by ISF Academy and be incorporated in the trainings they provide to municipal police.	2021	N/A	ISF/Municipal Police
ISF Technical Capacity Assistance Project. It focused on 1) Developing ISF training systems and capacity; 2) Improving development, dissemination and implementation of policy and procedure in core police service delivery areas, with a focus on skill areas relevant in the current context, e.g. community safety and public order response; 3) Promoting joint ISF training with other agencies with key responsibilities in priority service delivery areas of relevance in the current context, in particular the Municipal Police (community safety) and Civil Defense/Lebanese Armed Forces (crisis risk management and disaster response). The project sought to align ISF with international legal standards, frameworks and practices.	2017 - 2019	N/A	ISF

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Promoting Community Policing Project. The project specifically aims to improve the implementation of the community policing model by strengthening the role of the Internal Security Forces as drivers of stability and social cohesion. Work is also being done to ensure accountability and compliance with human rights within the ISF while strengthening their collaboration and association with civil society and other significant stakeholders. The project also includes support to the National Human Rights Commission.	2021 – present	N/A	ISF/Municipal Police
Counter Terrorism Capacity Support. The project aims to develop a national counter-terrorism strategy and in which human rights principles are reflected.	2021 – present		Various
Integrated Border Management. The program centers on a technical approach to ensure inter-agency cooperation and intra-agency coordination, facilitated by standard operating procedures, defined roles and responsibilities and establishing basic mechanisms for communication and information sharing between agencies.	2012-2018		General Security/LAF

United Kingdom

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
British Policing Support Program. This project aims to build the capability of Lebanon's Internal Security Force (ISF) to improve security provision, including fostering more effective cooperation with other security institutions. The project also supports the implementation of the ISF Strategic Reform Program -2019 2022, institutionalizing the ISF Community Policing Model while strengthening accountability mechanisms and human rights performance and contributing to improved internal security. On this, it has worked to help strengthen the ISF's Inspector General's ability to investigate accusations of human rights abuses. It also included training on internet and social media communication.	2014-2022	£5 million in FY2017 -2018 £4.7 million in FY2020-2021	ISF/Municipal Police
Lebanese Armed Forces National Security Assistance Program. Includes training assistance to LAF on internal security operations that are compliant with International Humanitarian Law and Law Of Armed Conflict.	2019 - 2022	£8.6 million FY2017-2018	LAF

Canada

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Enhancing Community Security and Access to Justice in Lebanese Host Communities. Project has three main objectives: 1. Strengthening the municipal police force; 2. Developing an early warning and early response mechanism to monitor and respond to tensions in host communities; and 3. Providing legal aid to vulnerable people, especially women. Community policing is included under objective 1 and funding for its continuation has been secured and provided to UNDP in 2022.	2016 – 2019; 2021 – Present	$7.8 million from 2017 until 2022	ISF/Municipal Police

Germany

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Improving Accountability and Access to Justice in Lebanon	2022 - 2023	300,000 Euros	Judiciary
The Ministry of Interior provided various support services to ISF. German Federal Police conducted training in the areas of crime investigation and documentation over the course of 2011-2022. The aim of all this assistance is to promote the principles of human dignity and the rule of law among ISF.	2011-2022	N/A	ISF
Capacity building of the Lebanese police forces in the issue-area of aviation security, border security and organized crime, and redevelopment and support within emergency relief.	2022-	1 Million Euros	ISF
Konrad Adenauer Stiftung, Mediation Training for the ISF.

Five training sessions were held that focused on basic skills and tools of mediation as a conflict resolution technique. This will also allow the ISF to work towards the purpose of preventing and resolving conflict through peaceful communication and constructive dialogue. | 2015 | N/A | ISF |
| Friedrich Ebert Stiftung project on Peace and Security.

Training Workshops on human rights in places of detention for the Lebanese Armed Forces.

Two groups of around 30 mid-level army officers received training, which were led by local judges and practitioners. | 2019 | N/A | ISF/Judiciary |

Netherlands

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Capacity Building for Law Enforcement Personnel in Lebanon on Human Rights. The Institute for Women's Studies in the Arab World (IWSAW) at Lebanese American University (LAU) collaborated with the Restart Center for Rehabilitation of Victims of Violence and Torture (RESTART) to conduct a two-year training program for law enforcement personnel in Lebanon who handle investigations with detainees and prisoners and those who supervise prisoners throughout the country. The purpose of the project was to train law enforcement personnel in how to apply internationally recognized human rights-based approaches related to the treatment of detainees and prisoners, with a particular focus on the needs of women. Furthermore, the project prepared a selected group from the most successful trainees to become "trainers of trainers" to bolster the culture of human rights to the different units of the ISF.	2017	N/A	ISF/Judiciary
Dutch Forensic Institute and Hague Center for Transitional Justice, Capacity Development on Forensic Investigation Techniques	N/A	N/A	ISF
Capacity building Assistance to LAF on document fraud training and forensic investigation techniques.	N/A	N/A	LAF

France

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Capacity building to ISF	2022 - 2018	N/A	ISF
Training on Human Rights and Security to State Security and ISF conducted by the Lebanese Center for Human Rights. A -5module training to state security officers in partnership with the General Directorate of State Security. The training focuses on the legal, psychological, and criminological aspects of interrogation, with State Security officers including investigators as the main beneficiaries.	2022 - 2021	N/A	State Security

Denmark

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
Focus on training and capacity building of religious courts, to be more compliant with human rights standards.	2020	N/A	Religious Courts

Multilateral

Project/Activity/Grant Description	Dates	Amount	Lebanese Partners/ Beneficiaries
UNDP Community Security and Access to Justice Project. The project seeks to support municipal police across the country to become better equipped to maintain internal security and law and order in accordance with human rights principles. It includes three community policing pilots, and the development of local-level legal aid platforms to increase access to justice.	2023 - 2017	Million 4.3$	ISF/Municipal Police
UNESCO Freedom of Expression and Safety of Journalists. This project provided support to ISF to develop a social media strategy that will help the institution communicate about its work, thus enhancing the community's confidence in ISF. In addition, it trained ISF officers in the field of communication, in particular the use of Internet and social networking sites, thus improving the performance of ISF members in the field of communication.	2019	N/A	ISF
UNESCO Conference on Online Freedom of Expression in Lebanon.	2015		ISF/General Security

UN High Commission for Human Rights, ISF Code of Conduct.

With UN support, a code of conduct for the ISF was developed. The code of conduct is meant to promote the respect for human rights and public freedoms, in compliance with national laws and international obligations. | 2011 | N/A | ISF |
| UN High Commission for Human Rights, Code of Conduct for the LAF.

The Code of Conduct is meant to promote the respect for human rights within the LAF, which will strengthen the relationship between security actors and the communities they serve. | 2019 | N/A | LAF |
| UN High Commission for Human Rights and International Organization for Migration (IOM), Workshops on human rights and international instruments and principles in border management.
Two training workshops were held with 70 General Security personnel attending. | 2019 | N/A | General Security |

Key Takeaways from the Mapping

◆ It was not clear how funding mechanisms objectives and allotments were always channeled into projects. Funding information in the public domain largely consisted of aggregate numbers; that is, the total amount allocated under the funding mechanism. Harder to attain and identify was information on the project level – how exactly were these funding mechanisms being distilled down to the project level and what do activities at this level look like related to promoting human rights/civil liberties among security and judicial institutions.

◆ Project level data can be classified into two main categories: training and capacity assistance; and social cohesion programming. Of note, from the documents reviewed and interviews held, training and capacity assistance projects seemed to be either one off events or designed in a way that does not promote and monitor the uptake of the material being trained on. That is, accountability and monitoring mechanisms to ensure that the knowledge gained is being applied is lacking in some of the projects identified.

◆ Assistance centered around security sector reform efforts that prioritize the uptake in human rights principles and respect of civil liberties has been minimal at best, especially when compared to the overall amount funded for security assistance by the main donor countries. Moreover, funding mechanism allotment did not seem to respond to the realities occurring on the ground with regards to human rights and civil liberties violations. For example, US government assistance through both the INCLE and the IMET stayed constant throughout the period between 2018-2021 despite an uptake in violations occurring in Lebanon starting in 2019.[37]

◆ Community policing is a popular approach funded by three different donors: EU, UK and Canada. Such programming actually goes back to 2008, with the US and British funding the Policing Pilot Project. Support has continued for community policing programs, especially since the ISF Strategic Plan for 2018-2022 makes this a strategic objective for the institution.[38] As such, donors have structured support to the ISF to help it work towards the achievement of this objective.

◆ Beneficiaries are mainly the ISF and LAF, with less attention paid to General Security (GS)[39] and State Security. While GS has been supported on border control measures, conspicuously absent is support related to freedom of expression: the institution has a mandate to ensure the implementation of laws related to cultural and foreign media censorship, an issue that, as the next section will show, has increasingly been abused.

37- INCLE was at $10 a year during this period and IMET approximately $3 million per year per Congressional Research Services Report Lebanon April 2021.
38- Strategic Objective 2: Enhance Partnerships with the Community through community-oriented policing, ISF communication strategy, partnerships with municipalities and civil society organizations and the promotion of ISF professionalism.
39- Outside the integrated border management project funded by UK/EU that works with the General Security.

III. Assessing the Impact of Donor Assistance

Assessing the impact of donor assistance is difficult to measure, particularly as this study is not an evaluation of the mechanisms and projects identified. Yet through documents reviewed, interviews and context monitoring data, certain conclusions can be drawn about the impact this type of assistance is having. These are explored below in more detail.

Western donor assistance has helped establish key institutional pillars, strategies and laws that promote the respect for human rights and civil liberties among criminal justice institutions. More specifically, international donor assistance has helped establish vital codes of conduct for both the ISF and LAF that are rooted in a human rights approach; the establishment of an ISF-Academy to train members on various topics, including its code of conduct; a Human Rights Division within the ISF tasked with monitoring and responding to violations; a more inclusive ISF Strategic Plan that lays out key objectives related to human rights and community-oriented approaches to its work, and a Human Rights Taskforce that includes representatives from the ISF, Ministry of Interior and civil society which aims to provide a forum for dialogue and action around improving policing behavior and responding to concerns from communities, and an inter-ministerial committee on counter terrorism which aims to establish a national counter-terrorism strategy rooted in the respect for human rights.[40] International assistance has also helped advocacy efforts that have resulted in legal reform, such as the passing in 2017 of anti-torture legislation,[41] legislative reform allowing lawyers to enter detention centers,[42] and legislation creating both a National Prevention Mechanism Against Torture, which is tasked with monitoring the laws' implementation, and a National Human Rights Committee mandated with monitoring violations in the country.

In short, international donor assistance has been essential to setting up needed institutional features that can, over the long term and provided that they are utilized, usher in behavioral changes among security and justice actors. At the very minimum, these features act as building blocks to more effective, responsive and respectful security provision and counterbalance, to a certain degree, donor emphasis on 'hard' security provisions.

Western donor assistance has helped connect relevant actors which are needed if the respect for human rights and civil liberties is to take root among security and justice institutions. Donor funded projects have attempted to link and imbue a sense of cooperation and collaboration among various government actors that are needed to produce better security and justice outcomes. This includes both connecting members from the same sector (e.g., prosecutors, judges, lawyers among the judicial sector; LAF, ISF and GS among security sector; and representatives from various ministries, such as the Ministry of Justice, Ministry of Interior and Municipalities, Ministry of Defense and Office of the Minister of State for Administrative Reform) but also those from different institutions.

40- IDI Implementor, September 2022.
41- IDI Implementor, June 2022; specifically, this is law No. 65 of 2017, which criminalized torture.
42- IDI Implementor, June 2022; specifically, this was an amendment to Article 47 of the Code of Criminal Procedure which previously did not allow lawyers to be present with detainees during initial interrogation proceedings by security actors.

There are several examples to highlight from the projects identified by the study. One relates to the implementation of Law 65 of 2017, which allows lawyers to enter detention centers. Under this project, a coordination and communication mechanism was established between the ISF and the Beirut Bar Association to help enhance trust and coordination between the two sides on this issue. As a result, it is reported that there is now more openness to work with lawyers among ISF members.[43] Another example is that of the Human Rights Taskforce mentioned above, which connects key security, judicial and civil society actors, and gives them a forum and opportunity to strengthen their relationship via a joint problem-solving approach.[44] In addition, a separate component of this same EU funded project established a counter-terrorism inter-ministerial taskforce, which aims to not only enhance coordination and capacity among the different ministries but also between these ministries and civil society groups focused on human rights, with the latter providing input on a soon-to-be drafted national counter- terrorism strategy.[45]

Donor assisted projects have reached notable outputs and outcomes that reflect enhanced institutional capacities. Donor supported projects have, to varying degrees, helped to increase knowledge and change attitudes and behaviors with regards to upholding and respecting human rights and civil liberties. As one interviewee from an organization which implemented a capacity building project on human rights to security and judicial actors states, "Though violations [to human rights and civil liberties] took place post-2019, more violations would have probably occurred without this and other types of assistance programs."[46] This sentiment was echoed by other interviewees and reflected in outcomes identified by the study. For example, an evaluation of a community policing project showed that municipal police officers found the capacity assistance provided under the project to be useful: not only did it act to motivate them to be more professional but it also increased their skillset to manage cases in a less aggressive manner and respond to concerns from vulnerable groups more effectively.[47] In another project, it was noted that capacity development to the ISF not only helped it establish an internal monitor on human rights – the Human Rights Division – but also a process in which this division is now consulted by other ISF bureaus in planning and preparation operations, including those aimed at managing demonstrations and protests.[48] In addition, it was noted by one interviewee that internal ISF investigations on human rights abuses are being conducted and that the investigations are to a good standard, indicating that donor support has produced a more accountable internal process.[49]

Yet, assistance aimed at capacity development and enhanced coordination has its limitations. Namely, it was noted that these do not readily translate into widespread tangible changes, either because of limitations with the design of the project or because of the absence of political will to institutionalize systemic changes.[50] On the former, two main elements are noted: that the needed officers or bureaus were not involved in projects and that monitoring and implementation

43- IDI Implementor, June 2022.
44- IDI Multiple Implementors, June and September 2022.
45- IDI Implementor, September 2022.
46- IDI Implementor, September 2022
47- Evaluation of UNDP's Crisis Prevention and Recovery Program in Lebanon, 2019;
Evaluation of Global Affairs Canada's Contribution to Middle East Strategy, 2020.
48- IDI Implementor, June 2022
49- IDI Expert, October 2022.
50- IDI Multiple interviews, June – October 2022

mechanisms were often absent. An example entails key bureaus of the ISF's Judicial Police – the Drug Repression Bureau (DRB) and Moral Protection Bureau – not incorporated into a community policing project, even though these bureaus were frequently accused of human rights abuses.[51] The same can be said about the ISF's Cybercrimes Bureau, which is seen as unfairly targeting online critics of Lebanon's political elite.[52] Related to this, one interviewee noted that the decision of who attends training workshops and other activities is ultimately determined by the security partner, meaning units or bureaus with a reputation to engage in human rights violations are not always chosen to attend workshops or be part of the overall project.[53]

Another design limitation relates to monitoring and accountability. Here, some projects, particularly those focused solely on capacity building via training workshops, did not incorporate design aspects that help participants implement any new knowledge gained. One initiative highlighted by this study made training courses on human rights and other issues to the LAF available on a volunteer basis, which ultimately limits the impact of the assistance as there is no real mechanism to encourage participation and uptake.[54] For some interviewed, this type of approach is merely a box-ticking exercise and does little to engender behavioral and systemic change.[55]

Tangible changes were also limited by a lack of political will to implement reforms. It was noted by several interviewees that there is little appetite among the security and judicial establishment to implement genuine reforms. Indeed, it was noted that many laws currently exist that would, if implemented, help usher in better outcomes. The lack of political will to pursue and implement reforms is due to several reasons. One, with the multiple crises impacting the country, security and judicial actors are preoccupied with other priorities, such as ensuring salaries continue to be paid and that they can continue the bare minimum of work to keep judicial and security services operating. This means that reform issues are not high on the agenda given the state of the country. This is also true with existing internal accountability mechanisms. For example, compliance with human rights standards is not perceived to be at the top of the list for the Inspector General at the ISF, whose office covers a wide range of accountability issues.[56] The financial situation also factors into how high a priority reform is to security institutions. Because some security institutions are more reliant on international donor assistance than others, those with more financial independence, such as General Security, are not needing to engage in international donor supported projects aimed at reform.[57]

51- Community Policing in Lebanon, Middle East Institute.
52- https://english.legal-agenda.com/lebanons-cybercrime-bureau-a-license-to-censor/; https://advox.globalvoices.org/2015/07/28/hackingteam-leaks-lebanons-cybercrime-bureau-exploited-angry-birds-to-surveil-citizens-mobile-devices/; and https://www.skeyesmedia.org/documents/bo_filemanager/Digital_Rights_in_Lebanon.pdf
53- IDI Implementor, June 2022
54- IDI Donor, June 2022
55- IDI Implementor, June 2022
56- IDI Implementor, June 2022
57- IDI Expert, October 2022. It was noted that General Security has a constant revenue stream tied to passport and visas, which give this institution more autonomy than others, such as the ISF, which do not have the same type of revenue streams.

Two, security and judicial institutions are embedded in a web of institutions that are politicized and sectarianized. This means that the ability to conform to laws and practices that promote human rights and civil liberties are undermined because criminal justice institutions are susceptible to the influence and agendas of political and sectarian leaders. These institutions are meant to safeguard the political establishment, with existing laws and institutions – such as the Cybercrimes Bureau – utilized to go after opponents and critics of the ruling elite, thereby subverting freespeech.[58]

In addition, institutional politicization also means competition is rife among relevant actors. For example, it was mentioned that within the ISF there is competition between the ISF Academy and the Human Rights Division over mandate and their participation in different initiatives.[59] To some, the politicization of these institutions and their existence within a larger political system where sectarian and political leader influence is a prominent feature also makes existing efforts at reform appear non-genuine, and only as perfunctory steps taken in response to international pressure.[60] Indeed, a recent study showed that security sector reform efforts were only supported by Lebanese political elites in order to regain control over these institutions from their political adversaries, and not to promote independent institutions or the respect for human rights and civil liberties.[61]

Another issue impacting the political will for reform is related to capacity constraints. That is, even when there is space and existing willingness to implement reform, the required capacity and support to do so may not be there. For example, though the Human Rights Division was established to monitor internal violations through monitoring missions, it is, like other bureaus at the ISF, under-resourced, something that ultimately undermines the effectiveness of their mandate.[62]

Violation Trends: The Discrepancy between Assistance and Outcomes on the Ground

It is understandably unrealistic to expect that an international donor project with limited scope and situated within a politicized and sectarianized system will rapidly catalyze systemic changes benefiting human rights and civil liberties. In short, institutional changes and reforms take time to manifest and are contingent on other intervening variables, such as the development of the rule of law. Yet taking stock of the nature of violations, their trends and how they relate to the types of assistance provided over the course of the last decade can help donors, implementers and government actors understand the current gaps to assistance and where assistance projects would be better tailored to spur better outcomes.

This section will attempt to do this in two ways. First it provides an overview of the nature of violations in the Lebanese context. Second, it zooms in on the issues of freedom of expression and media freedom and analyzes original data gathered by the Samir Kassir Foundation that tracks their violations over the period of January 2017-September 2022.

58- https://www.hrw.org/report/2019/11/15/there-price-pay/criminalization-peaceful-speech-lebanon
59- IDI Implementor, June 2022
60- IDI Implementor, June 2022.
61- Guillem Farrés-Fernández; Security Sector Reform and the Competition for Power in Lebanon. Contemporary Arab Affairs 1 March 2019; 12 (1): 39–54.
62- IDI Multiple implementors, June 2022.

Nature of Violations: Legal Instrumentalization and Coercive Force

Lebanon has consistently experienced human rights and civil liberty violations perpetrated by criminal justice actors since 2005. These violations are rooted in a central precept governing the relationship between respect for human rights and civil liberty and the political ruling establishment: space for criticism and protest against the ruling elite and its political foundations is minimized and those that are perceived to have crossed an ever-moving red line are susceptible to their rights being violated. This takes place in two main ways: the instrumentalization of legal tools, and the use of coercive and suppressive force.

On the former, laws are either utilized or gaps in the legal framework are exploited to go after a range of critics, including lawyers, civic activists, artists, academics, journalists and ordinary citizens. One of the foremost ways in which this takes place is through the use of existing defamation laws, which are grounded in an anachronistic Penal Code dating back to the 1940s.[63] The application of these and other laws accompanies an interminable process involving interrogations where personal property such as laptops and cell phones are confiscated, pre-trial detention, intermittent trial dates, the threat of criminal (as opposed to civil) charges and, in some cases, extra-legal harassment and threats.[64] Criminal justice actors linked to the instrumentalization of legal tools include the ISF's Cybercrimes Bureau and its Information Branch, General Security, and public prosecutors, who often illegally refer certain civil cases to military prosecutors and courts. This practice ultimately creates an environment that deters the exercise of free speech and insulates ruling officials from public pressure and accountability.

The use of coercive force is also a tactic used to silence opponents of the existing ruling system. Lebanese security institutions are routinely employed to disrupt protests and demonstrations and to enforce legal decisions, often through measures applied with a disproportionate use of force. They are also implicated in the use of unwarranted surveillance and allegations of torture persist, in violation of existing anti-torture legislation.[65] The ISF, LAF and Parliamentary Police have all been reported to have exercised excessive force in several public demonstrations, especially in those that have taken place since October 2019, while the ISF's DRB and Moral Protection Bureau, and State Security are alleged to have engaged in instances of torture during the detention process.[66]

To be sure, legal instrumentalization and coercive force are not used in a blanketed fashion; that is, there is not large-scale violent suppression or censorship, as is the case in more authoritarian states in the region. Indeed, many of the criminal justice actors mentioned in this report have a key role to play in fulfilling vital mandates that are needed to keep the country secure from legitimate threats. The issue, rather, is that these institutions are situated within a larger political system in which confessional and political interests are deemed paramount and where criminal justice institutions and actors are selectively used to target individuals and ideas deemed to be a threat to the existing system.

63- https://www.skeyesmedia.org/documents/bo_filemanager/Digital_Rights_in_Lebanon.pdf
64- https://smex.org/one-year-after-october-17-uprising-in-lebanon-summons-and-arrests-for-online-speech-increase/
65- https://www.hrw.org/news/2021/03/30/lebanon-tripoli-detainees-allege-torture-forced-disappearance
66- https://www.amnesty.org/en/latest/news/2022/09/lebanon-transfer-investigation-into-death-in-custody-of-syrian-refugee-to-the-civilian-justice-system/; https://www.hrw.org/news/2022/06/27/enforce-lebanons-anti-torture-law

Freedom of Expression: Violations Data from 2017–2022

On a daily basis, the Samir Kassir Foundation monitors and categorizes rights violations targeting artists, journalists and media organizations in the country. Given that these violations directly involve both judicial and security actors, the data can be utilized in order to better understand not only the nature of these violations, but also how they transformed over time, highlighting the ways in which contextual factors and developments impact whether violations increase or decrease. Here, October 2019 acts as a particular inflection point due to the start of a popular uprising that was met with both legal instrumentalization and the coercive use of force by criminal justice institutions.

The data covers the years spanning from January 2017 to September 2022 and is organized around three main categories: criminal justice actions; censorship; and coercive force. The following explains these and their sub-categories in more detail.

Criminal Justice Actions
· Legal action (i.e., violations involving the court system against a journalist or media organization);
· Summons and interrogation;
· Detention; and
· Prison sentence against journalists;

Censorship
· Cultural censorship (i.e., the censorship of films, plays, artwork, and other relatable content);
· Online censorship; and
· Censorship of media outlets.

Coercive Force
· Raids on media offices;
· Assault on journalists; and
· Threats and harassment

Data Findings, Violations against media and journalists from January 2017 – September 2022

Criminal Justice Actions	2017	2018	2019	2020	2021	2022 (until September)	Total
Legal action	11	29	44	34	11	11	**140**
Summons and interrogations	24	19	36	30	34	9	**152**
Detention	11	11	9	16	6	4	**57**
Prison sentence against journalists	0	3	1	0	0	0	**4**

Censorship	2017	2018	2019	2020	2021	2022 (until September)	Total
Cultural censorship	5	11	14	2	3	3	**38**
Blocking online content	0	0	13	5	2	4	**24**
Censorship of media outlets	0	1	2	0	2	6	**11**

Coercive Force	2017	2018	2019	2020	2021	2022 (until September)	Total
Raids on media offices	1	0	1	2	2	3	**9**
Assault on journalists	18	7	95	95	47	19	**281**
Threats and harassment	6	3	27	9	16	15	**76**
Total	**76**	**84**	**242**	**193**	**123**	**74**	**792**

Key Data Findings

A total of 792 violations were identified in the period covered, with 46% of all cases falling under coercive force, 45% criminal justice actions and 9% censorship. The data collected shows consistent violations against media and journalists in the build-up to 2019, with total violations not exceeding 100 per year, and a stark increase in violations in wake of the protests that erupted on October 17, 2019. To illustrate this further, 60% (147) of the 244 total violations in 2019 occurred in October, November and December of that year when protests and demonstrations against the ruling establishment were a common feature of daily life.

Indeed, October 2019 acts as a breaking point in state-society relations: the mass protests shattered a previously held fear of public criticism towards the traditional political establishment and the sectarian, corrupt system buttressing its authority. Such criticism only grew as the country's elite failed to muster up a response to the rapidly deteriorating economic and governance crises afflicting the country and their negligence that led to the August 2020 Beirut Port explosion, which killed over 200 people, injured thousands and left swathes of the city in ruin. Unsurprisingly, this unprecedented bottom-up opposition to the ruling establishment has elicited a negative response by the political elite and their supporters as they try to shore up the cracks to their traditional authority rooted in state-funded patronage and clientelism, with media and journalists – especially those from new media outlets outside the control of the traditional establishment – a target of suppression.
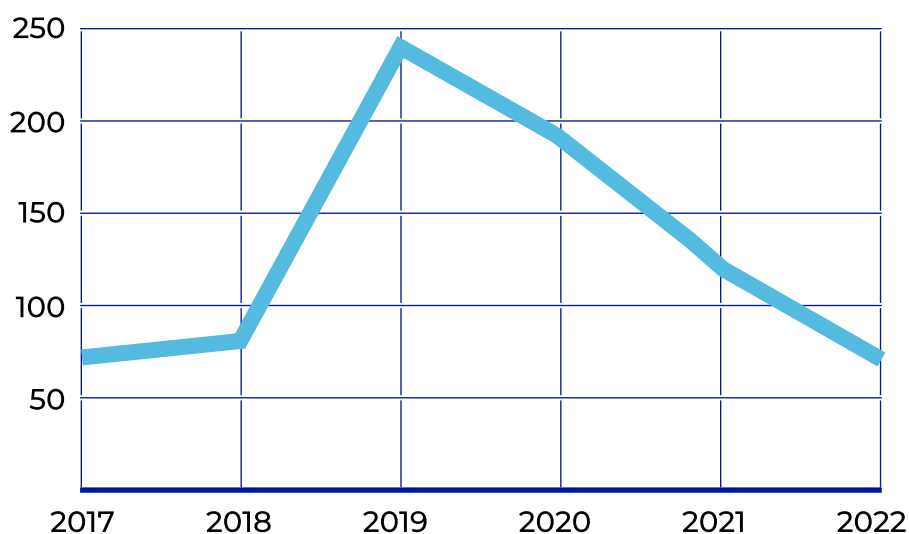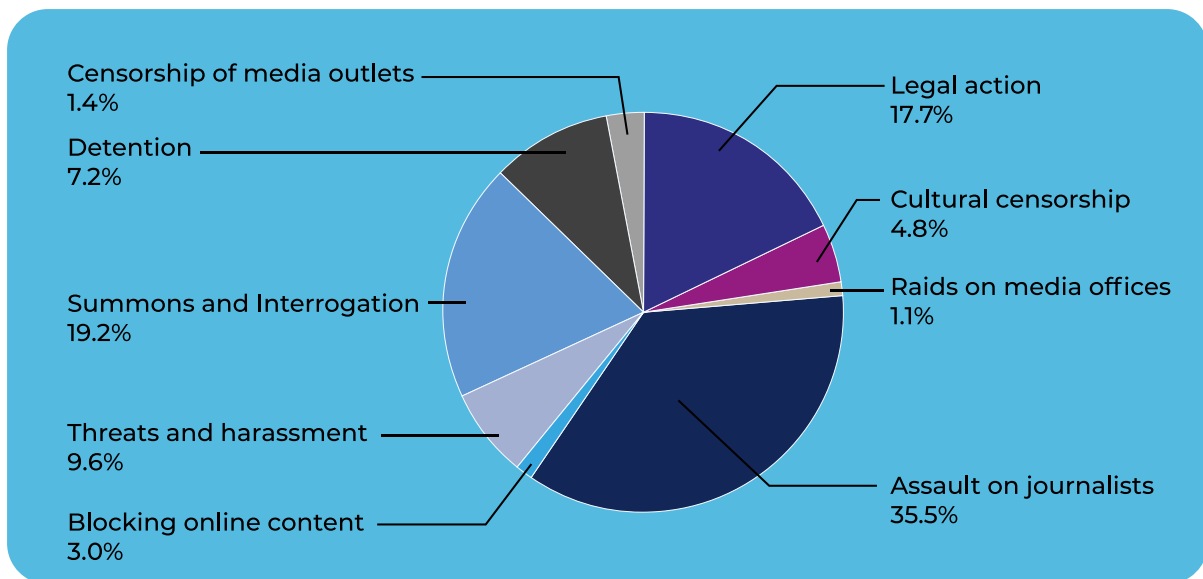
Number of violations per year, Jan. 2017 - Sept. 2022

Breaking down the violation categories further shows that assault on journalists (35.5%), summons and interrogation (19.2%) and legal action (17.7%) are the top three types of violations for the period covered.

With regards to assault on journalists, the increase of instances in 2020, 2021, and 2022 are linked to the ongoing protests and demonstrations against the political establishment occurring at various times across the country, including the protests that erupted in January, February and June 2020 and after the August 2020 Beirut Port explosion. Here, violations were not only committed by security actors but also by the partisans of political parties and leaders, with security services frequently failing to intervene to protect those being assaulted. The Parliamentary Police, which is an independent security unit composed of its own members and which reports directly to the Speaker of Parliament, was particularly implicated in disproportionate use of force against protestors and media professionals.[67] Assault on journalists were also reported during the May 2022 election period.

67- https://www.amnesty.org/en/latest/news/2021/08/lebanon-parliament-police-take-part-in-vicious-attack-on-families-of-beirut-blast-victims-and-journalists/; https://www.skeyesmedia.org/documents/bo_filemanager/SKF2020_ANNUAL_REPORT_EN.pdf

Violations by type, Jan. 2017 - Sept. 2022

Digging deeper on legal actions highlights a key dynamic related to elections and freedom of expression: many of the legal action cases reported in 2021 and 2022 were targeting media outlets monitoring and reporting on the May 2022 parliamentary elections. Indeed, one case from August 2022 entailed the Supervisory Commission for Elections transferring the cumulative cases of 592 media organizations to the Publications Court for violations of the media coverage regulations in the electoral law. This trend is not new as candidates and public officials have long used the country's antiquated defamation laws to go after legitimate criticism and political opposition appearing in the country's media. These laws essentially state that it is unlawful to criticize public officials and certain institutions, such as the presidency and the Lebanese Armed Forces, as well as specific issues related to religion. Such prohibition was further codified by Article 74 of the Election Law, which protects candidates from libel, defamation and slander.[68]

Taken as a whole, the data shows that violations are likely to occur when there is an increase in opposition to the political establishment and that security and justice actors employ a range of criminal justice and coercive force actions to respond to opposition.

68- https://smex.org/challenges-to-freedom-of-expression-in-lebanons-upcoming-elections/

IV. Recommendations

As this report has demonstrated, donor support for security and justice institutions has entered a new phase. Prior to 2019, non-military security and justice assistance focused on increasing professionalization and the capacities to perform duties, and reform efforts largely confined within the boundaries of the overall system. Human rights and the protection of civil liberties were often incorporated directly or indirectly in these efforts. Moreover, many of the security sector reform efforts were aimed at responding to the effects caused by the Syrian civil war, including host community-Syrian refugee relations.[69] Today, assistance efforts need to take into account the public's discontent with the political establishment and the latter's use of justice and security institutions to go after legitimate opposition and critics. In other words, such assistance needs to respond to the changing context in which legitimate grievances from below are being suppressed through the legal instrumentalization and coercive force. The following recommendations are aimed to help international donors and national partners rethink how support to Lebanese security and justice institutions focused on promoting and protecting human rights and civil liberties should look like.

Assistance should aim to strengthen the institutional and legal framework supporting the promotion and protection of human rights and civil liberties. International donors should continue to support reform efforts aimed at strengthening the institutional and legal gaps that are exploited and utilized by political, security and judicial actors and which lead to human rights and civil liberties being violated. Areas of concern at the moment include the lack of a budget and broader resources for two key institutions established in recent years after much donor and civil society pressure centered around Lebanon's international human rights obligations: the National Human Rights Commission (NHRC) and the National Prevention Mechanism Against Torture (NPM). The NHRC acts as a national monitoring mechanism on human rights, with its focus on reviewing laws, policies, decrees and other public sector decisions to ensure their compliance with human rights standards and international humanitarian law. It also has the authority to investigate violations identified and issue public reports on its findings. The NPM, which is situated within the NHRC, is mandated to supervise the implementation of legislation passed in 2017 that criminalized the act of torture.

Though both were established in 2016 through legislation, progress has stalled on getting these entities up and running and in a manner that would allow them to play an effective role in furthering the promotion and protection of human rights and civil liberties. For example, it took nearly three years for the members of the committees to be selected and both institutions continue to lack the required budget and resources to fulfill their tasks.[70] This was reiterated by the United Nations Subcommittee on Prevention of Torture (SPT), which visited Lebanon in May 2022 to gauge the Lebanese government's progress under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), which Lebanon ratified in 2008. The SPT delegation concluded their trip by stating that, "The establishment of an independent, well-

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69- Establishing the Primacy of Human Rights in Security Sector Reform in Lebanon, Alef. https://alefliban.org/publications/establishing-primacy-human-rights-security-sector-reform-lebanon/
70- IDI Multiple Implementors, June and September 2022; see also https://www.hrw.org/news/2019/03/22/lebanon-anti-torture-body-named.

resourced and properly functioning national preventive mechanism [the NPM] is key to preventing torture and ill-treatment. Lebanon still has to take strong and urgent action in this regard to comply with the OPCAT."[71]

Some international assistance is already being provided to these institutions via an EU-funded project identified in the mapping. Here, the outcome has been the development and publication of two guidebooks[72] that aim to increase awareness and understanding among government, security, judicial and civil society actors about the role and responsibility of the NHRC and NPM. The project has also supported the NHRC to develop and publish its first annual report and has sought to engage the commission in its community policing and counter-terrorism strategy development initiatives, both of which are centered on the promotion of human rights standards and outcomes.[73] Yet it is clear that more international assistance is needed to these nascent institutions, particularly in the absence of a required budget.

Other institutions and areas in need of international donor assistance include support to the Human Rights Division within the ISF, and continued assistance for reform efforts to existing laws restricting the freedom of expression and media freedom. On the latter, international donor assistance and advocacy efforts should aim to decriminalize instance of defamation, libel and slander, an outcome that would remove the role currently played by – and violations of – the Cybercrimes and Intellectual Property Bureau and seek the passing a new media law that ensures press freedom shielded from the threat of criminal prosecution. Efforts to amend Article 74 of the election law are also needed giving the clear abuse of existing defamation, libel and slander to seek punitive damages over legitimate media coverage.

Assistance projects should incorporate more focus on the implementation of knowledge learned and the implementation of current legislation. As highlighted by this report, some donor funded assistance projects, especially those centered solely on capacity building, lack in their design aspects related to accountability and monitoring. That is, little is tracked beyond output figures like how many judicial and security actors were trained. In short, capacity development projects should incorporate design features that allow and encourage the application of knowledge gained on human rights and related themes in the work of security and judicial actors and include indicators to track these actions. Of course, given the sensitive focus of the assistance, it may not always be easy to devise effective indicators to track progress. Yet that should not inhibit efforts to do so, however imperfect the result may be. As an example, one project highlighted in this study developed internal indicators tracking how many violations were reported on and acted upon by the ISF.[74] Though these figures rely on internal ISF data, which might not be completely reliable, the data can be utilized and compared against external monitoring data on violations to provide a more transparent picture of the progress – or lack thereof – taking place. This in turn can then inform donor and implementer support efforts.

71- https://www.ohchr.org/en/press-releases/2022/05/un-torture-prevention-body-visit-lebanon
72- The guidebooks were launched in June 2022 and titled, "The Reference Guide of the NHRC and the Committee for the Prevention of Torture," and "The Complaints Handling Guide."
73- IDI Multiple implementors, September 2022
74- IDI Implementor, September 2022

Related to the previous recommendation, assistance efforts should also focus on getting security and justice actors to implement existing legislation, something that can be incorporated into the design of capacity development projects. For example, capacity assistance on the implementation of anti-torture legislation to relevant actors should be accompanied by other efforts, such as a coordination mechanism between civil society and criminal justice actors to review progress on the implementation. In short, there needs to be more to donor assistance projects than capacity development for security and justice actors through training workshops alone.

International donor assistance projects need to increase their focus on security and justice actors who are most inclined to commit violations. As highlighted by this study, security and justice assistance projects aimed at promoting human rights and civil liberties are not targeting some of the institutions that are most prone to committing violations. Though getting these entities to change their behavior would require other things to materialize, such as the removal of undue political influence, focusing on the institutions and actors with the greatest penchant to commit violations would at the very least instill in them a greater sense of professionalism and respect for their duties, which may sprout better outcomes in the near term. Getting these actors to cooperate in any assistance project may be difficult, either because the assistance project may not directly focus on their direct functional area, their unwillingness to engage, or because they are not nominated by their superiors to be part of the project. To overcome these issues, international donors can prioritize human rights and civil liberties assistance projects that are tailored to these actors in addition to conditioning other types of donor assistance to security and justice institutions on the involvement of these actors in donor supported projects. Taken together, these efforts would ensure that donor resources are targeting the security and justice actors most in need of compliance with human rights standards.

International donors need to put more focus on addressing systemic factors that perpetuate human rights and civil liberties violations and utilize the tools at their disposal to overcome opposition to greater reform efforts among the political establishment. A common critique of international donor assistance projects in Lebanon is that they have pushed reform efforts within the confines of an existing confessional political system that incentivizes poor governance outcomes, as opposed to efforts that seek substantial structural and transformation changes. For instance, international donors have ignored efforts to deconfessionalize and depoliticize Lebanon's governing institutions, features of which are singled out as key factors that produce poor governance, including violations to human rights and civil liberties. Case in point: little to no assistance has ever targeted the implementation of Articles 22 and 95 of the constitution, which stipulate the establishment of a lower chamber of parliament stripped of sectarian considerations and a senate tasked with representing the country's communities, and the development and implementation of a national plan to end the confessional nature of the political system.

As reiterated at various times in this report, Lebanese security and judicial institutions are situated within a larger political system in which state institutions are beholden to the influence and control of the political and sectarian ruling establishment. Consequently, even if international donor assistance fills existing legal gaps, strengthens established human rights monitoring institutions, and designs better projects that target those most likely to commit violations, it is

unlikely that systemic progress will be made on curtailing human rights abuses by security and justice actors given that the root cause of the violations – the political sectarian system itself – is not being addressed. Illustrating this is a recent critique of community policing efforts in Lebanon, which notes that these initiatives are ultimately limited in the outcomes they can produce because they do not address the political dimensions and factors behind security provision, nor do they have adequate civic actor engagement and collaboration.[75]

To be sure, these efforts are still needed and can help generate momentum for more reform sustained reform, yet **they should be coupled with international donor assistance that helps unlock structural reforms which safeguard state institutions from the predatory influence of political leaders** or at the minimum, efforts that work to overcome the challenge of the lack of political will for reform. Both of these options today are realistic options for supporters of Lebanon. Whereas in the past the legitimacy of the confessional system and its political elite was rarely called into question in the first two decades after the civil war – indeed, the consociational system was seen as a guarantor of civil peace – today there is massive public discontent towards both the system and the political elite. Indeed, there is a growing independent network of political, civic and media actors who are pushing for more systemic reforms to the system. One such reform is judicial independence, which is seen as a crucial development if human rights and civil liberties are to be protected in a systemic – as opposed to selective – fashion.

At the same time, the financial failings befalling the country have left the country's elite desperate for international economic assistance, something that western donors have declined to provide until key economic reforms are implemented. Donors should take this one step further and start to **make economic and military assistance to the country contingent on structural reforms** and progress against established indicators and benchmarks related to the respect of human rights and civil liberties among security and justice actors. The United States recently weighed this option with Egypt, freezing 10% ($130 million) of the US's $1.3 billion annual military and economic assistance allocated to Egypt due to human rights violations.[76] Though such a move may prove controversial in some western capitals and risks destabilizing the country's enervated security institutions, signaling the mere possibility of freezing military and economic assistance until progress is made on human rights and civil liberties may be enough to catalyze reform efforts.

75- Francisco Mazzola. 2018. Community Policing in Lebanon. Middle East Institute https://www.mei.edu/publications/community-policing-lebanonhttps; Alex Walsh. 2019. Security Sector Reform and the Internal Security Forces in Lebanon. Middle East Institute. https://www.mei.edu/publications/security-sector-reform-and-internal-security-forces-lebanon; Establishing the Primacy of Human Rights in Security Sector Reform in Lebanon, Alef. https://alefliban.org/publications/establishing-primacy-human-rights-security-sector-reform-lebanon/. For general critique of security sector reform projects and how they reinforce the status quo in Lebanon, see Ruth Aantini and Simone Tholens. 2018. "Security Assistance in a Post-Interventionist Era: The Impact of Limited Statehood in Lebanon and Tunisia," in Small Wars and Insurgencies.
76- https://www.reuters.com/world/us-withhold-130-mln-military-aid-egypt-over-human-rights-official-2022-09-14/

Aid conditionality could also be applied to the passing of legislation that meets international standards, such as the draft bill currently being debated in parliament on judicial independence. Though advocacy on the draft bill has been supported by the international community and is championed by a network of civil society organizations,[77] it is clear that parliamentarians tied to the traditional political establishment have sought to dilute this bill, much as they have with other legislation aimed at strengthening independence, accountability, oversight and transparency. Conditioning future aid, particularly material assistance to security institutions, to the passing of a robust independent judiciary bill could be a much-needed boon for systemic reform efforts.

Another step the international donor community can take along these lines is to **target specific units for sanctions or the withdrawal of funds.** For example, one western donor was reported to cut assistance to the ISF's Drug Repression Bureau due to the bureau's poor record on human rights.[78] Additionally, political actors known to exert undue influence on security and justice institutions committing violations can be singled out for sanctions, as the US has done in limited form through its Global Magnitsky Human Rights Accountability Act, which seeks to sanction individuals deemed to have contributed to corruption and human rights abuses. Applying more robustly such actions that go after politicians overseeing the abuses committed by security and judicial actors would **send a clear message that the shrinking of democratic space would not be tolerated just because the country finds itself subsumed in multiple crises.**

Similarly, increased donor funding to security and judicial institutions could also act as a key incentive to induce positive changes, especially in the light of the economic difficulties facing state institutions. The fact that western donor support has contributed to gradual, steady human rights and civil liberties outcomes over the years highlights the impact western donor aid can have. As such, an increase in donor support towards security sector reform could bring about both practical changes in the short term and more systematic changes over the long term. Yet these outcomes would require the international donor community to leverage the fact that some key criminal justice institutions rely heavily on western donor support to function in order to unlock, at the minimum, practical changes and reforms. That is, western donors should press harder for some reforms to materialize, especially those that are within reach, with the incentive of more funding should reforms materialize. For example, despite the high level of technical and monetary assistance given to the ISF, it was noted that, while internal investigations on human rights violations are occurring, the findings of these investigations are not made public. Consequently, the lack of public information about how these investigations are proceeding and what they uncover ultimately undermines public trust.[79]

In short**, donors should ultimately leverage the tools they have at their disposal – aid conditionality, sanctions, withdrawal of funding, and increased funding – to push for greater reforms.** Yet the appetite among international donors to use this leverage is in question. Indeed, several interviewees did not believe the international donor community was serious about holding security and justice actors accountable for violations, noting the lack of accountability mechanisms tied to donor aid. Without such mechanisms, violators will continue to feel immune

77- https://english.legal-agenda.com/independence-of-the-judiciary-coalition-the-admin-istration-and-justice-committees-bill-fails-to-achieve-judicial-independence/
78- IDI Implementor, June 2022
80- IDI Expert, October 2022

from punishment. Moreover, there is a general feeling from those interviewed that donors are more concerned with keeping security institutions functioning amidst the severe economic crisis than in prioritizing steps towards security sector reform, something validated by recent critiques of international donor assistance projects.[80]

There needs to be increased transparency and easier access to information on donor assistance to Lebanese justice and security institutions. This study has attempted to highlight the ways in which international donors provide support to Lebanese security and justice institutions within the scope of advancing and protecting human rights and civil liberties. In doing so, the study has highlighted the need to make donor assistance information more readily accessible to the public. While some information resides in the public domain, it was sometimes difficult to locate. Some publicly available information was also not comprehensive in nature, with funding totals not always given. And as stated earlier in this report, it was not readily clear how funding mechanism allocations translated into projects and activities on the ground. More comprehensive information in the public domain that is easy to locate can help civil society and others better understand where international donor support is going, how it is materializing and what impact it is having.

Enhanced donor coordination around security sector reform issues was identified as a need. One criticism of the international donor community is that coordination among donors and between donors and national partners around the issue of security sector reform is not up to the standard required to produce more effective programs and outcomes. Though coordination may be occurring on a very high level not apparent to national stakeholders or on a project level, it was not clear to national partners the rationale behind donor strategies when it comes to supporting and protecting human rights and civil liberties among criminal justice institutions. Helping the Lebanese government establish a public security sector reform strategy may help improve overall efforts, decrease duplication and overlap, and increase donor and partner cohesion on the issue. Such a strategy would also bring added transparency to donor and government reform efforts.

81- Dina Arakji. 2022. Lebanon: New Challenges to the Delivery of Security Assistance. ISPI. https://www.ispionline.it/en/pubblicazione/lebanon-new-challenges-delivery-security-assistance-35928

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