

Internal Security Forces' Responses to GBV:

A Human Rights Perspective

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Law enforcement agencies all around the world, regardless of the political and constitutional systems governing them, have been granted the power to enforce laws, preserve security and order, chase and arrest law breakers, and ensure justice. Some officers might abuse this power: in practice this could mean anything from limiting personal freedoms, to physical violence and abuse.

To prevent law enforcement personnel from abusing or misusing their powers, law enforcement agencies usually establish internal bodies to control and monitor the agency's work, redress any deviations, and hold personnel accountable for any mistakes or abuses of power. The aim is not merely to punish, but rather to give officers the opportunity to learn and benefit from these mistakes.

For these reasons, the General Directorate of the Internal Security Forces (ISF) has established several authorities to exercise oversight and inspection internally. This law has granted some of these internal bodies, including the administrative and the judicial police for example, various powers with the aim to oversee internal affairs.

This article does not address these different internal oversight authorities within the ISF, but instead focuses on the ISF's Human Rights Department. This department was created within, and is administratively attached to the General Inspectorate since it constitutes a control authority within the Inspectorate. The Human Rights Department's main task is to raise awareness on human rights and promote their protection among ISF members.

It is important to note that, over time, human rights in Lebanon have developed considerably and are still evolving today. In fact, several human rights protection authorities and mechanisms have been established, and various laws protecting individual as well as group public liberties and fundamental rights have been passed. This article explores the main developments of human rights in Lebanon, and explains in detail the role and mission of the Human Rights Department.

The conversation on human rights in Lebanon has been consistently developing over time. This development stems from both the country's international commitments and from the now common belief that human rights should be applied by all three government branches – the legislative, the judicial, and the executive.

Lebanon's legislative branch has witnessed a fundamental advancement in human rights, reflected at the national level as follows.

- In 2001, a new Lebanese Code of Criminal Procedure was adopted. This code agrees with the basic principles of human rights, such as the presumption of innocence, or the principle that one is innocent until proven guilty. The Criminal Code also contains unambiguous, express articles that grant suspects and persons arrested by the police certain rights. For the first time, the law limits the period of arrest to 48 hours, which may be extended for a similar period of time with the approval of a public prosecutor. Moreover, the code stipulates that suspects must voluntarily, consciously, and freely make statements, meaning that the judicial police officer interrogating them cannot use force.

- In 2001, an anti-trafficking law was passed and added to the penal code. Given the danger that human trafficking poses to both individuals and society more generally, the law immediately went into effect. This crime does not only constitute a felony, but is also a major violation of human rights.

- On December 10, 2012, on the occasion of International Human Rights Day, the National Human Rights Action Plan was announced. The plan comprised twenty one sector studies in various fields, most notably the Judiciary's independence, investigation and arrest procedures, torture and inhuman treatment, jails and detention facilities, freedom of opinion and expression, and freedom of information. The plan also included a detailed study on women's rights.

- In May 2014, the law on the Protection of Women and Other Family Members from Domestic Violence was adopted. This law was the result of a fight led by several women's rights organizations to end injustice against women and girls, criminalize domestic violence, and strengthen penalties for perpetrators. These issues are particularly important since family is the basic unit of society; it is in family that children's characters are formed and all family members find safe haven.

- Most recently in October 2016, a law was approved instituting the National Commission for Human Rights, which includes a committee for the prevention of torture in detention centers in accordance with the Optional Protocol to the Convention against Torture.

At the international level, Lebanon has signed and ratified many conventions and treaties relating to human rights. In addition to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights, Lebanon ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2000. Finally, on December 22, 2008, Lebanon became the first Arab country to ratify the Optional Protocol to this convention.

The Judiciary also plays a very important role in the support and development of human rights – in other words, achieving justice and granting every person their rights by implementing laws.

In fact, the Lebanese Judiciary has been taking significant measures to ensure the protection of human rights. It has prosecuted many judicial police members who use torture or maltreatment in investigation and detention centers. Also, numerous decisions rendered by judges show a fundamental change in the Judiciary's attitude and methodology. Most importantly, the Judiciary has begun to rely on international treaties that Lebanon has ratified to supplement the national legislative framework where gaps exist.

It is also noteworthy that a judge was appointed at the Ministry of Justice who has been entrusted with managing human rights cases, in general, and torture cases in particular. Furthermore, the General Directorate of Internal Security Forces and the General Directorate of the Ministry of Justice periodically collaborate in the field of human rights, on both the national and international scales.

The following section explores the development of human rights through the establishment of the Human Rights Department within the General Directorate of Internal Security Forces, given that this Department has gained great importance over the past few years. This section also highlights the role of the Department in dealing with and putting an end to gender-based violence.

The Human Rights Department

As mentioned above, the General Directorate of Internal Security Forces created the Department of Human Rights within the General Inspectorate by virtue of Decree No. 755/2008. The Inspectorate is vested with the authority to inspect all ISF centers and investigate complaints brought against the ISF. Spurred by objections brought to light by civil society, the Department was instituted with the aim to promote and protect human rights within the General Directorate – one of Lebanon's most reputable law enforcement agencies.

By virtue of the Decree, the Human Rights Department was entrusted with the following powers and tasks:

1. Raising awareness on human rights across the different ISF branches;
2. Deepening ISF officers' awareness and understanding of human rights;
3. Protecting human rights in Lebanon from violations perpetrated by ISF officers;
4. Proposing amendments to the laws and regulations governing the ISF's work that mainstream human rights;
5. Educating, publishing, and archiving all materials related to human rights;
6. Conducting necessary research, and calling for the organization of theoretical and practical courses that educate all ISF officers on human rights, and enforcing relevant legislation;
7. Providing ISF officers with the necessary guidelines relating to human rights;
8. Coordinating with local, regional, and international organizations working in the field of human rights in order to ensure good implementation by the relevant branches of the ISF;
9. Creating a database for human rights in Lebanon to be used by the administration;
10. Publishing material on human rights as well as on any activity that serves human rights in Lebanon, and distributing these publications to the ISF branches.

The Human Rights Department has accomplished a number of remarkable tasks since its creation, given the inadequate human resources and logistics support available to carry out such tasks. The Department, which was created within an unambiguous legal framework and was entrusted with specific tasks and powers, remains the only and principal official body in Lebanon focusing solely on human rights. The role of this department has created the opportunity to share its work and subsequent experiences with, and offer advice to not only different ISF branches, but also all state actors working in the field of human rights. Therefore, the Human Rights Department has been playing a nationwide role.

Furthermore, this Department has established a new relationship between government and non-government (NGO) bodies, and has slowly started to fill the gap between official public authorities, civil society, and NGOs. For this purpose, the Department participates in various workshops, meetings, and training programs in collaboration with human rights organizations. Also, democratic policing – a concept based on human rights principles and community policing – was successfully promoted instead of traditional policing, which chiefly relies on repression and deterrence.

The Department has also played a critical role in drafting new internal guidelines for the ISF, most notably, the Internal Security Forces Code of Conduct, which was issued and adopted in 2012. This Code of Conduct underlines the institution's vision, mission, and values and states ISF member duties. It is a binding text that members of all ranks must respect or otherwise suffer penalties for their conduct, which are in some cases punishable by law. This code also constitutes a summary of the international standards which Lebanon has adopted, as a member of the 'international family', through multiple conventions, treaties, and provisions. Finally, the code portrays applicable domestic law and all directives and instructions given by the authorities in this regard.

In 2016, the Code of Conduct was reviewed, and several amendments were drafted, conforming it to international human rights standards. These modifications were done in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for the Middle East, which is based in Beirut, and with the direct technical support of the British Embassy in Beirut's work group.

The Role of the Human Rights Department in Combating Gender-Based Crime

The Human Rights Department has played an important role in combating gender-based violence (GBV) through the following initiatives:

1. The General Directorate of the ISF collaborated with 'KAFA (enough) Violence and Exploitation', to develop a training module on the role of the ISF in combating gender-based crimes. The Department actively participated in all the stages leading up to the issuance of this valuable module. It then took part in distributing it and providing training on its content. The training module constituted a milestone in human rights in Lebanon since the law on the Protection of Women and Other Family Members from Domestic Violence (Law No. 293/2014) had not been adopted yet. In fact, the ISF took an anticipatory step because gender-based crime had spread, and no clear legal framework indicated how judicial police must deal with such crimes and save victims.
2. The Human Rights Department collaborated with KAFA to issue a training module

on the role of the ISF in combating human trafficking, especially sexual exploitation. Together, the Department and a working group from the General Directorate of the ISF oversaw the development of the module. This training module sheds light on both the international legal framework for human trafficking and the domestic legal framework (Law No. 164/2011). It also exposes the methods and indicators of human trafficking. Finally, the module highlights the role that the ISF must play in combating this crime, especially since gender-based crimes can be an indicator of human trafficking.

3. In addition, the Human Rights Department has played a fundamental role in providing preliminary as well as ongoing training in the field of human rights in general, and GBV in particular. For this purpose, the General Directorate of the ISF collaborated with human rights NGOs to offer training, in its training institute and in other locations, on the implementation of international treaties and standards. Together, they developed training programs and special curricula that seek to raise awareness within law enforcement agencies on GBV prevention and response.

4. The General Directorate charged the Head of the Human Rights Department with handling complaints brought to the General Inspectorate in situations where operational departments do not carry out their duty of receiving and handling domestic violence claims. Subsequently, the Human Rights Department trained the General Inspectorate's hotline operators on how to receive claims and directly communicate with the relevant operational department in order to protect survivors of violence from further harm. Consequently, in direct collaboration with the Head of the Human Rights Department, hotline operators succeeded in handling numerous emergencies and in protecting many people from potential abuse and harm. As a result, the Department has recorded a large number of success stories and has thus saved many people from abuse. For instance, in April 2016, a woman's life was saved at the last minute when an ISF judicial police patrol stopped her husband from murdering her with a knife. She was taken to a hospital where she underwent treatment; she was later transferred to a shelter provided by a local NGO.

In conclusion, despite the distressing circumstances that Lebanon has been facing, the General Directorate of the ISF has made human rights a priority. For this purpose, it is making every effort to develop its members' professional competence, further their education, and improve their conduct with regard to applying the laws in force and the international treaties, protecting freedoms, preserving human dignity, and respecting humans. The ISF has attached great importance to GBV. Consequently, it has organized training programs on this specific subject and collaborated with all local and foreign organizations, as well as with various donor communities, in order to improve the care it provides to victims of violence. Its ultimate aim remains to prevent violence and abuse, or at the very least, reduce the occurrence of such crimes and deal with them professionally, all the while respecting victims' dignity, privacy, and humanity.

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