


THE CHALLENGING PATH OF REFORMS IN LEBANON

**A FULLY OPERATIONAL NATIONAL ANTI-
CORRUPTION COMMISSION: AN IMPERATIVE AMID
PERVASIVE CORRUPTION IN LEBANON**





This report is part of a series of reports produced by Maharat Foundation to track the progress of reforms highlighted in the Lebanon [Reform, Recovery and Reconstruction Framework \(3RF\)](#) which is part of a comprehensive response to the massive explosion on the Port of Beirut on August 4, 2020, launched by the European Union (EU), the United Nations (UN) and the World Bank Group (WBG)

1- INTRODUCTION TO THE NATIONAL ANTI-CORRUPTION COMMISSION IN LEBANON AND ITS IMPORTANCE WITHIN THE 3RF


Addressing Lebanon's rampant corruption, enhancing transparency in public administrations as well as restoring trust in government and institutions constitutes a fundamental prerequisite for any development strategy. Indeed, systemic and widespread corruption has drained the state's treasury, undermined the effectiveness of its institutions, and blocked necessary reforms, aggravating the unprecedented economic and financial crisis plaguing the country.

Despite concrete steps taken in recent years to combat corruption, including the enactment of several laws such as the [Right to Access Information Law of 2017](#) and [the Whistleblower Protection Law of 2018](#), as well as the Cabinet's endorsement of Lebanon's first-ever National [Anti-Corruption Strategy for 2020-2025](#), none of these actions have succeeded in curbing corruption.

Lebanon is currently classified among the most corrupt countries globally, ranking 149 out of 180 countries evaluated according to the [Corruption Perceptions Index \(CPI\) for 2023](#), issued by Transparency International. These figures reflect the depth of the current crisis amid a prolonged presidential vacancy since late 2022 and a paralyzed caretaker government.

In 2020, Lebanon enacted the [Combatting Corruption in the Public Sector and the Creation of the National Anti-Corruption Commission law \(Law No. 175/2020\)](#), which established the National Anti-Corruption Commission (NACC) as part of its efforts to fulfill commitments made under the The United Nations Convention Against Corruption (UNCAC) to combat corruption.

According to its fifth article, the "National Anti-Corruption Commission" is an independent administrative body with legal personality and financial and administrative independence. Moreover, the members of the commission, employees, and all other personnel shall perform their duties independently of any other authority within the framework of the provisions of this law.



Furthermore, according to Article 18 of the aforementioned law, the commission is entrusted with the following functions:

(i) receive statements relating to corruption, investigate corruption crimes, study them and refer them, when necessary, to other relevant supervisory, disciplinary, and judicial bodies;

(ii) monitor corruption status, cost, causes, efforts to combat and prevent corruption in accordance with the applicable laws, adopted policies, and binding bilateral and multilateral agreements, and develop special or periodic reports in these matters.

The NACC is also tasked with carrying out additional functions, as stated in the Combatting Corruption law and in complementary laws covering areas pertaining to the fight against corruption.

Indeed, according to the [Lebanese Center for Policy Studies](#), “it was envisioned for the commission to monitor the implementation of anti-corruption laws passed by the parliament, including pre-existing and future laws such as the Right of Access to Information Law (2017), the Whistleblowers’ Protection Law (2018), [the Law for Strengthening Transparency in the Petroleum Sector \(2018\)](#), [the Law on Illicit Enrichment\(2020\)](#), Combatting Corruption in the Public Sector and the Establishment of the National Anti-Corruption Commission Law (2020), and [Law no. 214 regarding the recovery of assets following corruption crimes \(2021\)](#)”.

The selection of commissioners and staff for the National Anti-Corruption Commission, along with the enhancement of their skills and the provision of full funding for the institution to accelerate the implementation of the National Anti-Corruption Strategy, constitutes one of the specific reform priorities of the Lebanon Reform, Recovery, and Reconstruction Framework (3RF). These priorities are part of the first pillar of this framework titled “improving governance and accountability” and were identified through an inclusive process led by the Government of Lebanon, civil society, and the international community.

It is noteworthy that the 3RF reform priorities align with broader international efforts to urge decision-makers in Lebanon to implement long-awaited reforms, with an emphasis on combating corruption and preventing the leakage and misuse of funds.



These reforms are key prerequisites for mobilizing international support for reconstruction and for unlocking new sources of public and private finance.

After a wait of almost two years, the internal regulations and organizational structure of the NACC were approved by the State Council in January 2024. Consequently, it can now start recruiting its staff to perform its main functions.

However, to become fully operational, it still necessitates the requisite technical and financial support.


2- OVERVIEW OF THE DEVELOPMENTS RELATED TO THE NATIONAL ANTI-CORRUPTION COMMISSION

Since its establishment, the National Anti-Corruption Commission has faced numerous obstacles that have hindered the effective performance of its duties. The full operationalization of the commission, as mentioned above, is among the conditions set by the international community for assisting Lebanon. This falls under the priorities of the 3RF Anti-Corruption, Public Financial Management, Public Procurement, Civil Service, and Public Administration Reform Working Group.

This working group includes representatives from the NACC and serves as a forum for policy dialogue among all stakeholders to discuss and assess needs and interventions, providing a platform for coordination.

According to the 3RF [progress report](#) covering the period ranging from July 2022 until 31 December 2023, “this working group has merged under its umbrella previously existing related coordination mechanisms, reducing the duplication of efforts among different stakeholders. The sectors encompassed in this working group, especially anti-corruption, have benefited from long-standing international assistance, which has contributed to ensuring continued interest and support from the members of the working group”.

During the meetings that have taken place, the National Anti-Corruption Commission (NACC) has used the working group as a platform to consult on its annual work plans and outline the challenges it faces in implementing reform priorities linked to the National Anti-Corruption Strategy.




The last meeting of the working group was held on [January 11, 2024](#), in the presence of representatives from the World Bank, the European Union, the United Nations, the United Nations Development Programme (UNDP), the Lebanese government, and the National Anti-Corruption Commission, among others. The discussions emphasized the importance of joint efforts to combat corruption and foster transparent governance and accountability

During the meeting, Dr. Joe Maalouf, a commissioner of the NACC, provided an overview of the commission's achievements in 2023 and its plans for 2024, drawing from the pillars outlined in its [annual action plan for the years 2023-2024](#) aimed at supporting the capacity development of the commission. Below is a condensed summary of the progress [he highlighted](#):

Pillar 1- Joint tasks: Significant progress has been made in both communication strategy and the organization of internal work and joint prioritized logistics. In 2023, an integrated communication strategy for NACC was developed along with an implementation plan, focusing on awareness and joint work with partners such as GIZ. Furthermore, a website was successfully launched on December 9, 2023, featuring specialized features for securely receiving interest and financial disclosures. On the organizational front, essential infrastructure enhancements were implemented, including the acquisition, operation, and maintenance of a server to connect all NACC departments and ensure information security and work efficiency.

Pillar 2- Investigating corruption crimes: In 2024, the investigation of corruption crimes will be prioritized, with the establishment of two dedicated rooms equipped with the necessary tools and supplies to ensure confidentiality and compliance with laws during investigation procedures.

Pillar 5- Education and Awareness Raising Activities: A meeting was held with the Educational Center for Research and Development, and an agreement was reached to collaborate on integrating concepts of integrity and transparency into the curricula and to organize regional workshops in association with UNDP and the German Agency for International Cooperation (GIZ).



Pillar 6- Enforcing the asset and interest declaration system: Asset declaration forms have been accepted since the inception and are now accessible online via our website. All information entered on the website will be stored in the database, awaiting the government's adoption of e-signatures to facilitate online submissions. Additionally, in 2024, efforts will focus on developing an asset declaration system supported by the World Bank, UNDP, EU, and Danida, allowing the commission to analyze all the asset declaration forms within its database.


Pillar 7- Contributing to the Enforcement of the Whistleblower Protection Law: In 2023, coordination with the Public Prosecution took place to enable the NACC to benefit from the Case Management System later on (SOP). This project will be followed up in 2024.

Pillar 8: Contributing to the Enforcement of the Right of Access to Information Law: In 2023, a digital system for receiving complaints related to the Right to Access Information Law through the National Anti-Corruption Commission's website was designed. In preparation for the annual report and special reports, a comprehensive survey of the public administration will be conducted in 2024 to assess compliance with the provisions of the Right to Access Information Law.

Pillar 9: Enforcing the asset recovery law: The dedicated unit was fully equipped by the United Nations Office on Drugs and Crime (UNODC). During the year 2023 the members underwent training on this matter.

Pillar 10: Monitoring the proper enforcement of the Law on Enhancing Transparency in the Petroleum Sector: “In 2024 we will be having a guide on the law and the role of the NACC in order for us to be efficient and active”.

In March 2024, the National Anti-Corruption Commission signed a [cooperation agreement](#) with the German Agency for International Cooperation (GIZ). According to Judge Claude Karam, the head of the commission, the agreement aims to enhance information dissemination among civil society, particularly youth, to foster a better understanding of the commission's progress. He further emphasized, “this agreement commits us to close collaboration in pursuit of our shared objective. Both parties will undertake various crucial activities, including enhancing the knowledge of individuals and students in educational institutions about the pivotal role of the National Anti-Corruption Commission in Lebanon”.



Recently, on May 13, 2024, the ["Second Report on the Implementation of the National Anti-Corruption Strategy 2020-2025"](#) was launched at a ceremony held at the Serail, in the presence of various stakeholders, including representatives of the Lebanese government, the internal community and civil society.

The Minister of State for Administrative Reform, Najla Riachi [explained](#) that the steps completed and the results achieved during the period covered by this second report, extending from October 2021 to March 2024, are numerous and significant, although they have not yet reached the desired level.

Among these achievements, the Minister of State for Administrative Reform mentioned the activation of newly established independent bodies such as the Public Procurement Authority and the National Anti-Corruption Commission, as well as the issuance of several legislations and implementing decrees that have strengthened the legal framework for combating corruption in line with international standards, such as the right to access information and the lifting of banking secrecy, among others.

Furthermore, the Prime Minister of Lebanon, Najib Mikati explained that during this complex phase Lebanon and the region are experiencing, some might view anti-corruption efforts as futile and not a priority. However, the reality is quite the opposite. Combating corruption must be central to economic and financial recovery plans, state rebuilding efforts, and the pursuit of justice.

Imran Riza, UN Deputy Special Coordinator, Resident and Humanitarian Coordinator for Lebanon, affirmed in his [speech](#) that this second report demonstrates tangible progress in anti-corruption efforts, “showcasing the Lebanese Government’s commitment to adopting the strategy and actively engaging all partners in monitoring and evaluating its implementation.” He further emphasized that UN support “extends to the implementation of anti-corruption laws, with notable progress observed in asset and interest declarations received by the NACC, and its handling of complaints related to access to information.” However, Riza also highlighted the urgent need to ensure the NACC is adequately staffed to fulfill its mandate effectively.

Riza concluded by stating: “Yet, our journey against corruption is far from over. It demands sustained commitment, collective action, and unwavering determination from all sectors of society, including government institutions, civil society, the private sector, and the international community.”

3- CHALLENGES FACING THE NATIONAL ANTI-CORRUPTION COMMISSION (NACC)

The National Anti-Corruption Commission faces several challenges that hinder its ability to fulfill its intended role of combating, preventing, and exposing corruption. Among the prominent challenges are:

1. Delay in the approval of internal regulations and organizational structure: According to Article 9 of the Combatting Corruption law, the NACC must create and finalize its internal rules of procedure and code of conduct within three months of the official appointment and confirmation of its members. While the Commission submitted the required documents to the State Council within the stipulated period, final approval was only recently granted. The delay has hindered the full operationalization of the NACC.

2. Shortage of human resources: Despite having been activated for 2 years, the Commission functions currently with only six members and a few personnel, primarily because of the delay in finalizing the bylaws, which has hindered the recruitment process. Only three out of 85 personnel have been [assigned](#) to the NACC, indicating a significantly low staffing level.

3. Recruitment capacity: The commission faces challenges in recruiting staff due to difficulties in finding candidates willing to accept salaries not exceeding \$150 per month per employee, as stated by a commissioner of the NACC during the last working group meeting. This challenge is compounded by Lebanon's enduring economic and financial crisis.

4. Securing adequate funding: According to the [2nd progress report on the National Anti-Corruption Strategy \(2020-2025\)](#), the commission's budget for 2024 amounts to 66,444,000,000 LBP. According to sources from the NAAC, the allocated budget is adequate for now, enabling the commission to perform its tasks at a minimum level, especially given the limited number of current staff. However, once the necessary personnel are appointed to activate all the directorates within the commission, the current funding will be insufficient, requiring an increase of the allocated budget to cover staff salaries and related costs.

5. Technical needs: The NACC needs technical support to become fully operational, which can be provided by international partners.

4- RECOMMENDATIONS

1. Securing adequate financial and human resources: It is crucial to ensure that the NACC is adequately staffed to fulfill its mandate effectively. Furthermore, the budget allocations of the NACC should be reassessed and increased correspondingly to accommodate the expanded costs arising from the recruitment of new staff.

2. Ensuring independence: It is imperative to ensure the independence of the National Anti-Corruption Commission and its members from political pressures in order to achieve the desired objectives.

3. Continuous monitoring: The commission's work should be continuously monitored by civil society organizations, citizens, journalists, and relevant human rights organizations to shed light on any shortcomings. It should be noted that combating corruption is a collective responsibility requiring efforts from various stakeholders.

4. Strengthening cooperation with international partners and local civil society: Cooperation with international organizations and the donor community is essential for the National Anti-Corruption Commission as they provide both financial and technical assistance. This support strengthens the legitimacy of the NACC and is essential for fostering transparent governance and accountability. Furthermore, local CSOs have a role to play in supporting the NACC in the fight against corruption and conducting awareness-raising activities pertaining to its functions.

5. Strengthening Scientific and Technical Collaboration: The National Anti-Corruption Commission should continue and enhance its efforts in fostering scientific and technical collaboration with both local and international bodies, with the aim of exchanging information, developing the expertise of the Commission's members, and acquiring best practices in its management.