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DEMOCRACY  
REPORTING  
INTERNATIONAL

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**Public Service Provision in  
Municipal Unions in Lebanon**  
Solid Waste Management,  
Municipal Police and Public Safety,  
Accountability and Participation



# Public Service Provision in Municipal Unions in Lebanon

Solid Waste Management, Municipal Police  
and Public Safety, Accountability  
and Participation

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# Public Service Provision in Municipal Unions in Lebanon

## Solid Waste Management, Municipal Police and Public Safety, Accountability and Participation

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## Executive Summary

Lebanon has 1,038 municipalities, around 75% of which co-operate within unions (also called “federations”) of municipalities that pool and co-ordinate resources to deliver public services, such as infrastructure, strategic planning, economic development, health, environmental protection, solid waste management, public safety, etc.

The number of unions has grown considerably: from 13 unions in 1998 to 57 in 2017. After surveying 37 municipal unions on three policy areas (solid waste management, security and municipal police, and accountability and participation), this appears to be the current state of play of these unions:

### The Role of Municipal Unions

The 1977 Municipal Act does not specify the size of the unions (population, area, number of member municipalities) nor does it identify specific areas of action as it does with municipalities. Hence, there is a large variation in terms of unions’ size, area, population, urban/rural contexts, institutional capacity, etc. This variation impacts on the unions’ resources and their capacity to provide services and is reflected in the wide differences in budgets (ranging from USD 0.3 million to USD 26 million), number of employees (ranging between 1 and 161), number of departments (ranging between 0 and 7) and number of specialised committees in the union’s council (ranging between 2 and 19).

This leads to different understandings among municipal unions as to their role. The responses of the 37 union presidents whom we interviewed fell in two categories. One group believes that the work of the union is primarily technical, pushing for specialisation, expertise building and good governance. They view the union as a leading institution in terms of development and planning and, as such, call for a broader mission in managing local affairs in all sectors.

The other group believes that the work of unions is an extension of the work of municipalities, hence based on the personal and direct relationship between municipal officials and citizens. They insist on maintaining most services at the municipal level while assigning to the union a minimal coordination role for common affairs.

In both cases, most of the unions are filling policy gaps that result from a developmental vacuum at the national level. While central government institutions are facing major political, financial and organisational challenges limiting their capacity of intervention, local authorities have been taking the lead in responding to the demands of the population, especially in the provision of

infrastructure and social services. The rapid growth of unions is, by itself, revealing of the need for advanced services at the local level. This development is particularly observed in the case of the three policy areas addressed in the survey.

### Unions and Solid Waste Management

Before the infamous “waste crisis” of 2015, solid waste management was mainly the responsibility of central government, particularly in the provinces of Beirut and Mount-Lebanon. After the crisis, local authorities were suddenly left alone in dealing with the issue, which was further aggravated by the increasing number of refugees from Syria.

Today, we observe that all surveyed unions consider solid waste challenges a priority and are increasingly involved in finding local solutions. However, only 54% of them are able to play an active role in this regard. This is because solid waste challenges are financially draining (in one reported case, the budget allocated for solid waste management reached 60% of the union’s total budget). They are also a considerable burden for the unions’ administrations. Over 80% of the unions have voiced their need for additional staff in this sector, 33% of which estimate it at more than the double of their actual staff. To overcome this, some unions try to pool their resources and efforts to develop a common service and strategy. Delegating part of this task to the private sector could also constitute an efficient policy choice.

In the unions that are active in solid waste management, presidents tend to be directly involved. The degree of intervention of the unions varies from direct involvement in waste collection and management of treatment facilities to organising awareness campaigns for waste reduction and control of waste management processes (which are managed by the private sector, municipalities or civil society organisations). The interviewed presidents expect this role to grow and become gradually more organised. In fact, while two thirds of the unions that are active in solid waste management claim to already have advanced strategies and plans in this sector, others indicate that they are preparing such strategies in coordination with experts and civil society, often at the instigation of international organisations. The unions appear to prefer low-impact environmental solutions (such as reducing the volume of waste, sorting at the source) and/or large high-tech treatment facilities and, in majority, reject landfilling and incineration.



On the other hand, central government authorities (ministries, public agencies) remain strongly involved in providing oversight and, in theory, technical support. Their action is, however, fragmented and not sufficiently coordinated to assist local authorities in dealing with the waste challenges; central government authorities provide virtually no guidance or capacity-building to unions in this regard.

Overall, union presidents ask the central government for more resources, less red tape on cooperation with private and civil society organisations and clearer regulatory frameworks that allow them to take the lead in solid waste management.

### Municipal Unions and Public Safety

The major hurdle in the work of local police forces (a form of local gendarmerie at the union and the municipal levels) is the legal loophole surrounding their status as a judiciary police having a mandate to arrest and interrogate suspects, and the legal ambiguity regarding their often-overlapping prerogatives in relation to the municipal police and some security institutions run by the central government.

Because of this, some union presidents regard their role with scepticism and, even though the establishment of a police force at the level of municipal unions is mandatory by law, only half of the municipal unions dispose of a local police force.

Where present, union police forces are small. The largest ones reach a size of 25 individuals, which is comparable to the municipal police forces in medium-size municipalities. They lack proper and regular training, which is only sporadically provided by the state's Internal Security Forces. The curriculum remains, however, general in nature and is not tailored to the specific needs of the union police's mission.

Nevertheless, in some unions police play a special role in patrolling main roads in the area while municipal police would focus on inner roads, or give union police leadership in coordinating disaster and conflict response units, or a traffic management unit.

As for the curfews imposed on Syrian refugees, which have triggered a wide media controversy, half of the presidents interviewed have deemed it necessary, citing "justified" security concerns. The restriction on the mobility of Syrians after certain hours is usually left at the discretion of municipalities but it is sometimes applied at the union level.

### Transparency and Outreach to Citizens

There is a large disparity among unions in the use of communication channels and outreach mechanisms. As an indicator, only half of the surveyed unions have their own website and an official Facebook page and only 10% of them have dedicated units for communicating with the public and maintaining a presence through various e-communication tools, including social media and smartphone applications. Unions communicate about their activities, projects and plans but rarely provide information regarding their budgets and decisions (only in 10% of the cases). Hence, the very large majority of unions does not implement the Access to Information Act (No. 28, dated 10 February 2017) which requires that state administrations and local authorities publish their decisions and budgets online. What is more, only 12% of unions have a positive opinion of this law.

Municipal union presidents play a leading role in organising large public meetings to showcase the achievements of the union. 56% of the municipal unions engage in some form of public consultative meetings (such as town hall meetings), and they demonstrate different understandings of such mechanisms and their purpose. Their format varies in size (they count between 20 and 750 participants) but also in scope as most unions prefer controlled participation formats where participation is often limited to closed meetings with specialists and direct stakeholders on specific projects.

### Prospects for Decentralisation Reform in Lebanon

Based on the experience of municipal unions, we identify two mutually exclusive policy directions for reforming sub-national government. The first option is to reform the existing municipal framework in a way that strengthens the municipal unions and addresses the legal, financial and administrative shortcomings that cause their weakness. Municipal unions would also need guidance and capacity-building to fulfil their mission. This proposition acknowledges and reinforces the role of municipal unions as privileged agents of regional development and their added value as flexible institutions capable of carrying out a wide range of activities through pooled resources. It is possible to establish different categories (or tiers) of unions, each defined along standard tasks and prerogatives stipulated by law, depending on their environment (rural, urban, sub-urban) and size, to better reflect their diversity and the specificity of their performance on the ground.

The second policy option is to substitute the municipal unions with decentralised regional administrations comprising councils that are elected at the district (qada') level. This entails the adoption of the Administrative Decentralisation Bill that is currently discussed in the parliamentary sub-committee on Decentralisation. The creation of decentralised regional authorities should be accompanied by a revision of the boundaries of Lebanon's administrative districts. The mission and jurisdiction of the locally elected districts councils, foreseen in the draft law, must be clearly delineated and distinguished from that of the municipalities. It is recommended to assign them a strategic role in regional planning, service administration and empowerment of municipalities through pooled resources, while direct communication with the population and response to smaller-scale needs would be left at the discretion of municipalities. For this reform to succeed, legal and financial guarantees as well as central government guidance would need to be included in the new Decentralisation Bill so that the institutional shortcomings currently observed in the unions are not replicated.

Overall, whichever route the reform takes, the challenges will be to create a clear legal framework and to properly build the capacities of sub-national structures and to provide them with adequate resources.

## Introduction

This report depicts the state of play of public services provided by municipal unions in Lebanon based on a survey of 37 unions from all regions of the country. The survey was commissioned by Democracy Reporting International (DRI), which leads a coalition of organisations committed to “Al-Idara bi-Mahalla”, a campaign that promotes administrative decentralisation and pushes the debate towards improving the performance of local authorities in Lebanon. The study seeks to identify the needs and challenges of municipal unions in Lebanon while providing greater insight into the means necessary for the enforcement of legal and institutional reforms that would improve both the quality and the democratic aspect of public services at the local level.

Local authorities, i.e., municipalities and municipal unions, have been growing steadily in number and influence since 1998, the year that marked the return of the municipal elections in Lebanon after 35 years of discontinuation (1963–1998). Since then, the work of local authorities has covered various sectors including planning, infrastructure works, territorial management, economic development, environmental protection, as well as the provision of health, educational, social, cultural, and sports services, etc. By gradually filling the widening vacuum of central authority that was falling short of meeting the needs of citizens and residents, these elected local authorities have become key players in development and service delivery.

The expansion of the municipalities’ range of activity has attracted considerable attention from international and non-governmental organisations and development research institutions. In contrast, municipal unions have failed to draw such attention despite their rapid growth since 2004, their higher level of management and service delivery, and their unique prerogatives resulting in wider influence.

While the momentum is building around administrative decentralisation projects in Lebanon, including those that call for the abolition of municipal unions,<sup>1</sup> the “Al-Idara bi-Mahalla” campaign focuses on understanding the position of decentralised local authorities that currently exist in Lebanon and identifying their strengths and weaknesses in securing services and achieving local development.

This study draws specifically from the experience of municipal unions and sheds light on three areas of work in which decentralised local authorities play a prominent role: solid waste management, public safety (the role of the municipal police), and outreach to citizens (information-sharing and participatory governance).

What are the lessons learnt from the experience of municipal unions to improve the institutional and legal framework of local authorities?

Which of these lessons can be applied to improve the Administrative Decentralisation Bill that is currently discussed in the parliamentary sub-committee on Decentralisation established by the Administration and Justice Committee?

What reforms are needed to enhance the effectiveness of service delivery and development at the local level, thus promoting democracy and social justice?

<sup>1</sup> See, for instance, the Extended Administrative Decentralisation Bill released under the auspices of President Michel Sleiman in April 2014.



## Research Premises

Quality of service is widely recognised as the key indicator of the effectiveness of any institutional system. Therefore, to advocate a proper application of decentralised governance, the research proceeded from an exhaustive and thorough understanding of existing experiences, rather than adopting a principled approach that promotes administrative decentralisation as a cure-all for the ills of the Lebanese state. Public service is the direct manifestation of the development options implemented by public authorities. It is the most tangible part of their work and performance; hence the need to understand the challenges and constraints that weaken the quality of service, and to explore avenues for improvement.

Quality of service reflects the effectiveness of the authorities and their commitment to responsibility. It promotes a culture of transparency and accountability by allowing them to build social justice and a democratic rule through serving more beneficiaries, giving them access to information, and involving them in decision-making.

The evaluation of the quality of public services in municipal unions in Lebanon entails a careful consideration of three basic issues:

- The obstacles facing the municipal union in service delivery.
- The relations between unions and other authorities and institutions at the local, central and international levels.
- The means to maximise justice and democracy in service delivery.

Accordingly, it is paramount, when analysing the three abovementioned areas of work, to consider the responsibility that local authorities assume in their regard, and their susceptibility to the political and societal developments occurring in Lebanon.

**Solid Waste Management:** In the wake of the so-called “waste crisis” that has been plaguing Beirut and Mount-Lebanon since the summer of 2015, the Council of Ministers has recommended that local authorities – particularly municipal unions – be given greater powers to manage and treat solid waste. Ever since, we have been witnessing a considerable rise in the number of municipal unions that developed their technical know-how and their performance to benefit from economies of scale by processing larger quantities of treated and collected waste. The survey conducted under the “Al-Idarabi-Mahalla” campaign investigated the procedures applied by municipal unions, i.e., waste collection and street sweeping (and sorting-at-source, where applicable), and waste disposal mechanisms (incineration, uncontrolled or sanitary landfilling, basic or advanced composting, recycling, and other advanced waste-to-energy techniques), to name a few.



Figure 1. General Analytical Framework.

**The Role of Local Police in Securing Public Safety:** The waves of displaced<sup>2</sup> Syrians seeking refuge in Lebanon have imposed a daunting challenge on the Lebanese government in general, and the local authorities in particular. Local authorities have suddenly found themselves thrust into the forefront of the crisis response and urged to provide housing and services to the displaced, against a backdrop of failing infrastructure. Amid such demographic and urban changes and the surfacing of yet another challenge that threatened security, stability, and public safety, the question on the role of local police in municipalities and municipal unions was raised.<sup>3</sup> The deteriorating security situation has led some municipalities and municipal unions to deploying more police officers and guards, expanding their prerogatives and intervention powers. Nonetheless, the prevailing perception of public security and safety is often associated with the distinction between the role of local police being limited to dealing with the locals, and the role of central government reserved to handling “large-scale” security issues (such as organised crime, terrorism, and drugs, etc.), without forgetting the role of the judicial police. The efforts exerted by local authorities to establish their presence in the face of the displacement crisis raises the question on the status of local police and their role in legislations and daily practice.

**Accountability and Participation:** The need for outreach mechanisms to share public information and engage people in decision-making has become one of the major challenges in the work of local authorities in Lebanon and worldwide. Municipalities are undeniably the public institutions that are closest to the people. People turn to municipalities to submit petitions or propose projects and activities. Mayors and municipal councils are part of the very structure of the society and in daily contact with it. Nevertheless, municipal unions are making consistent efforts in this area. The adoption of the Access to Information Law (No. 28 of 10 February 2017) heralded a breakthrough in the relationship between citizens and state institutions, especially local authorities, being the elected bodies closest to the people. Indeed, the Circular No. 13236 issued on 6 September 2017 by the Minister of the Interior and Municipalities requested local authorities to take the decisions, measures and procedures necessary to implement the Access to Information Law. Hence, it is relevant to examine to what extent this law was applied, and to identify the hurdles that are obstructing accountability. More generally, the survey studies the performance of municipal unions in reaching out to people, and the mechanisms used to this end.

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- 2 The use of the term “displaced” instead of “refugees” in this report does not imply a denial of the right of asylum to the Syrians who fled their country to escape the war and its repercussions. Refugees in Lebanon are registered with the United Nations and acquire, as a result of such registration, a specific status that allows them to benefit from specific services provided by the competent international organisations. This report, however, refers to all displaced Syrians, regardless of them being registered or non-registered.
- 3 The term “local police” is used to refer to “municipal police” and “municipal unions’ police”.

## Methodology

In view of the limited theoretical and experimental knowledge on municipal unions and their services in Lebanon, it was necessary to collect structured data through a survey and elaborate an analytical framework specific to the role and work of the unions. To optimise the output of the survey, a dual methodology was adopted to combine both quantitative and qualitative analysis tools.

Between April and July 2017, the survey covered 37 out of 57 municipal unions, about two-thirds of the total number of municipal unions in Lebanon today. To truly reflect the reality of the unions, the sample was designed in a way that represents the different regional, sectarian and urban-rural distributions as well as other distributions based on institutional size, population, and political affiliation.

The survey was initiated by an official letter, delivered to 49 unions, that emphasised the existing coordination with the Ministry of the Interior and Municipalities and their interest in the results of the survey. The 49 selected unions were then contacted again to confirm their participation in the two-phase study, which began by responding to questionnaires filled by assistant researchers who visited the participating unions. The survey was concluded with the participation of union presidents and officials in four regional consultative sessions held in July and August 2017 to discuss and validate the preliminary results of the survey and elaborate on the issues that could not be accurately covered in the questionnaire.

The questionnaire included questions on: 1) the union and its structure, 2) the region covered by the union, and 3) the services provided by the union in the three areas studied. Since the questionnaire did not require more than three hours to complete in each union, and since completing a three-hour questionnaire in a single interview with each of the union president and the union director was possible, the questionnaire was divided into three separate sections. The first section is addressed to the president of the union who represents the union and is qualified to answer questions on its general policy and strategic vision. The second section is addressed to a delegate appointed by the union president from among his assistants (director of the union, engineer in the union, etc.) and solicits information, details and facts not related to the general vision and strategic orientation of the union. The third section solicits information that the assistant researcher can collect and verify with the union (such as the Facebook page and official website of the union). The interviewers were asked to prepare an additional document, attached to the questionnaire, to clarify reported answers and document side conversations that the questionnaire could not accommodate.

After collection of the questionnaires, the information provided in the additional documents was integrated into the statistical database for analysis.

The questionnaire phase was followed by four consultative sessions in the North (Tripoli, 29 July 2017), the South (Tyre, 5 August 2017), the Beqaa (Chtaura, 12 August 2017), and Mount-Lebanon (Beirut, 19 August 2017). Some of the interviewed union presidents, or their representatives, were in attendance. These sessions generated clarifications on specific responses or contradictions identified in the results of the questionnaires, and provided greater insight on some issues that require qualitative open-ended answers. The sessions also discussed the possibility of building on the questionnaire results to improve the quality of services provided by the unions.

It should be noted, however, that the study encountered certain limitations, most importantly the reliance on the statements of union representatives, and the impossibility of verifying the accuracy of the information collected in view of the time required to conduct a field survey with secondary interviews and a thorough examination of the documents shared.

## The Legal and Administrative Framework of Municipal Unions in Lebanon

### The Municipal Union: Between the Current Legal Status and an Ever-Growing Role

According to the Municipal Act (No. 118 of 30 June 1977), a municipal union is composed of several municipalities and is established – or dissolved – by virtue of a government decree that the Minister of the Interior and Municipalities advises, on his own initiative, or at the request of the member municipalities. The union is a financially autonomous legal personality that manages its own finances and is free to act on its own budget. However, it is not administratively autonomous, since the union council is not directly elected by the people, but rather composed of representatives of member municipalities. The term of office for the union council is six years ending with the expiry of the mandate of its constituent municipal councils. A staff body headed by an administrative director is composed of engineering, health staff, administrative, financial, and the police staff. They shall all assist the head of the executive power of the union in managing its affairs.

### The Structure of a Municipal Union

The law gives every municipal union a policy-making power to lead joint programs and projects that benefit all or some of its member municipalities. To this end, the union council issues a decision that is binding on its member municipalities (Art. 128 of the Municipal Act). The municipal council also plays a coordinating role among its member municipalities and supports those lacking the necessary equipment and specialised machinery.

Similarly, municipal unions may have joint projects and organise their participation therein. Disagreements between municipal councils on any such projects must be referred to the Minister of the Interior and Municipalities.

The law has designed the municipal union as a flexible framework for cooperation and coordination between municipalities. It has not set any requirements with regard to the number of members, the geographical area, or population size of the union, thus allowing the formation of unions of different sizes and conditions. Moreover, the law did not limit the work and interventions of municipal unions to specific sectors or matters (Art. 49, 50 and 74 of the Municipal Act). This gives municipal unions a large margin of freedom to develop their work in various disciplines, even though the limits of influence of a municipal union remain conditional to the disposition of its member municipalities to expand its role.

**The Policy-Making Power: The Council of the Union (One representative for every member municipality, with the representatives electing the president of the union)**

- Approves a joint plan and public projects that offer shared benefits to all or some of the member municipalities, and may cover more than one union, such as projects pertaining to roads, sewage, waste, slaughterhouses, firefighting and all infrastructure works.
- Organises transportation, cooperatives, popular markets and others.
- Prepares site plans, expropriation procedures, and technical specifications.
- Coordinates between member municipalities and decides on the disputes arising between them.

**The Executive Power: The Main Administrative Units of the Union Headed by the President of the Union**

- The administrative and financial units.
- The engineering and health unit:
  - Processes the building and housing license applications, organises technical inspections.
  - Prepares the technical specifications for the procurement of equipment, works, and services.
  - Prepares the plans and the required technical studies and consultations.
- Sanitary control.
- The police (joint police units, patrol or guard units, firefighting units, and rescue units may be formed and jointly staffed by two or more municipalities).
- Additional specialised units may be formed by a decision of the union, subject to the approval of the Minister of the Interior and Municipalities.

Accordingly, the municipal union as per law can be defined as a highly flexible institution with specialised units that provide the necessary and required support to member municipalities, especially the more disadvantaged ones. Hence its role:

- In coordinating shared public affairs or the affairs that do not belong to one particular municipality within the union, such as the management of common property, landfills, educational and health services and facilities located within the union area, and the preparation of development plans and the like.
- In developing new services, considering its capability in creating a local leadership that is competent to lead on development issues through planning and strategic coordination.

The drawback that is often claimed against municipal unions, when compared to the existing decentralised systems in many countries, is the fact that the municipal union's popular legitimacy is conditional to its constituent municipalities, thus preventing the union, in some instances, from overriding the individual decision of its member municipalities. In some others, unions are subject, with varying degrees, to the control of these municipalities and their approval of the details of the union work prior to its implementation.

Nevertheless, this has not prevented a number of unions from establishing large institutions that provide various services and develop strategic plans for their regions. In fact, municipalities are considered the most dynamic institutions today in terms of their rapid growth and expansion of services, although most of them are still in search of a role that distinguishes their work from that of municipalities and central authorities.

The sample is clearly illustrative of the crisis and challenges that municipal unions are currently facing in terms of their role. It suffices to look at the genesis of municipal unions to see that one fourth of them were established after 2010, and more than half after 2004, while 29.7% date back to earlier than 1998.

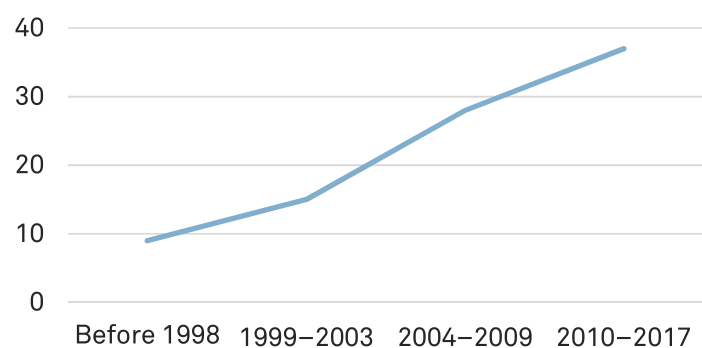


Figure 2. The growing number of municipal unions in Lebanon based on the date of establishment of surveyed unions.

This demonstrates the municipalities' increased interest in the municipal union as a higher institutional authority that opens the door to larger-scale projects and additional services.<sup>4</sup> However, the figures also reveal the limited experience of several union councils that have not had more than one or two electoral sessions, and therefore, have not yet been able to develop their various units and organisational structure. Moreover, a significant number of unions contain a small number of municipalities with limited capacities and resources.<sup>5</sup> More than 20% of unions do not have independent headquarters; instead, they use the premises of member municipalities, especially the larger ones, which causes confusion in representation, and impedes the process of obtaining funding for the implementation of projects in the absence of legal texts regulating such situation.

Despite the rapidly increasing number of newly established municipal unions, these have proved to be viable and sustainable institutions; 65% of municipal unions comprise ten member municipalities or more. This number indicates a population weight and geographical area that enable the unions to possess a special economic dynamism and, consequently, become a space where resources are available and where the issues addressed are generally of a higher calibre than those addressed within the limited scope of the municipality. This explains why 18% of union councils hold meetings twice or more per month.

## The Structure and Work of Municipal Unions

### The Administrative Units

Administrative units are the backbone of the work of any institution. In the municipal union, the president of the union council ("President of the Union") heads the policy-making power, while an administrative director heads the administrative units. The survey, however, reveals the inadequacy of the number of units required by law, which, in practice, ranges from 3 to 5. This may be related to the administrative and bureaucratic intricacies linked to the creation of such units. Indeed, the tasks of establishing a new administrative unit, organising its staff, and determining its pay scale require the approval of the Minister of the Interior and Municipalities, let alone the financial burden they entail.

<sup>4</sup> Political forces are showing a growing interest in the work of municipalities in general (political parties are establishing special offices for municipal work), and particularly municipal unions, considering their role in developing services that meet the needs of people within a wider geographical area.

<sup>5</sup> For example, the Union of Municipalities of Al-Shallal (5), Hermel (5), and Dreib al-Gharbi (6). As the sample shows, the Union of Municipalities of Fayha' – Tripoli has the lowest number of municipalities (3), yet is an exception because it is the demographically largest union and the richest in resources.



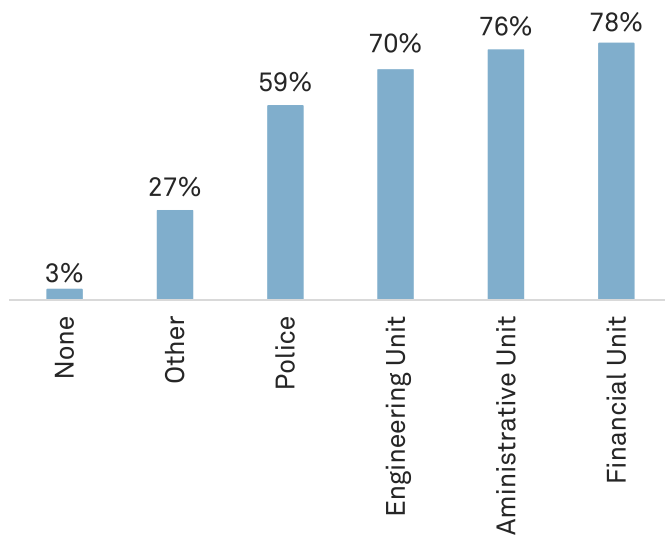


Figure 3. The most common administrative units in surveyed unions.

The administrative and financial units required by the Municipal Act remain the most common (existing in 78% and 76% of the unions respectively), followed by engineering units (70%), and police units (59%). Other units or entities deal with areas such as health, environment and agriculture (existing in 27% of the unions) and have different appellations.

The absence of administrative units required by law is remarkable, especially in the governorate of Akkar (Dreib al-Awsat, Dreib al-Gharbi, Nahr al-Ustwan, Al-Shaft, Akkar al-Shemali), in the Beqaa (Deir al-Ahmar, Shamal Baalback, Sharq Zahlé, and Jabal al-Sheikh), in the Upper Aley district (Al-Gharb al Aa'la – Aley, Al-Jerd al Aa'la – Bhamdoun), due to the rural nature of these municipal unions, their small demographic size, or their recent establishment<sup>6</sup> (with the exception of the Union of Municipalities of Al-Jerd al Aa'la – Bhamdoun). These factors are both a cause and a result of the scarcity of staff in the unions.

Another remarkable result is the wide employment gap. The Union of Municipalities of Fayha' (Tripoli) reported having 161 employees compared to only one employee in the Union of Municipalities of Akkar al-Shemali. The employment status of union employees who can be permanent, fixed-term employees, or daily workers is not less disproportionate. For instance, the results have shown that all the employees working for the Union of Municipalities of Batroun have a permanent employee status, as opposed to 14 unions not having a single permanent employee. There are even unions, such as the Union of Municipalities of Shamal Baalback and Rashaya, operating exclusively through daily workers. Women's presence among union employees is rather modest (20% of the total), or non-existent, such as in Dreib al-Gharbi (in Akkar), Jabal Amel and Saida-Zahrani.

6 Al-Shaft (2006), Sharq Zahlé (2009), Shamal Baalback (2011), Deir al-Ahmar (2011), Al-Gharb al-Aa'la (2011), Nahr al-Ustwan (2012), Dreib al-Awsat (2012), Dreib al-Gharbi (2012), Jabal al-Sheikh (2013), Akkar al-Shemali (2016).

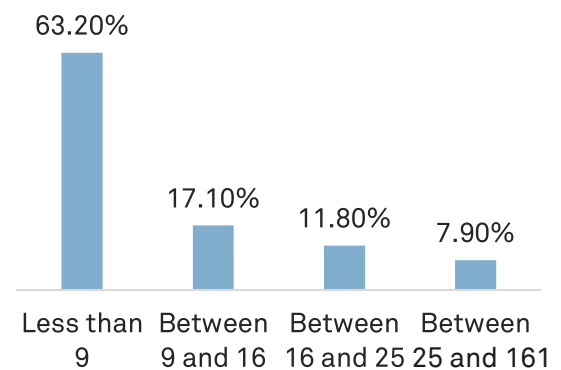


Figure 4. The percentage of unions with varying numbers of employees.

Recruitment is a major source of complaint for the majority of union presidents, mainly due to the administrative and bureaucratic hurdles and difficulties imposed by the subjection of recruitment-related decisions to the approval of the Ministry of the Interior and Municipalities (and, in some cases, the Civil Service Board) as well as to the capacity of the two deconcentrated authorities (namely the Governor (muhafez) and the District Chief (qaimaqam)) to respond to recruitment requests (see Art. 60 and 62 of the Municipal Act). Since the law does not set a time limit for the approval of the recruitment decision, local authorities continue to be caught up in red tape, while permanent staff members are decreasing and being replaced by daily workers.

The survey revealed that 68% of union presidents complain about a shortage of human resources<sup>7</sup> and consider the need for recruitment as urgent. The figure below illustrates the recruitment needs of the surveyed unions.

7 There are three categories of employees: permanent, fixed-term employees, and daily workers. The regional disparities are clear, with %58 of the unions in the North (the governorates of Akkar and the North) lacking permanent employees as opposed to the South (the governorates of the South and Nabatieh), where the number of permanent employees in the unions ranges from 1 to 8, with the exception of isolated cases. There are two cases where permanent employees are non-existent and fixed-term employees and daily workers make up %90 of the total staff. In the Beqaa (the governorates of Beqaa and Baalback-Hermel), the number of employees generally varies between 18 and 26 – the vast majority of whom are daily workers – with the exception of Sharq Zahlé (6 employees), Baalback (4 employees), and Al-Bohaira (3 employees). In Mount-Lebanon (Mount-Lebanon governorate), the number of employees exceeds the average of the total sample. However, while all the employees of Shouf al-Aa'la are permanent, %95 of the employees of Iqlim al-Kharroub al-Shemali are daily workers.

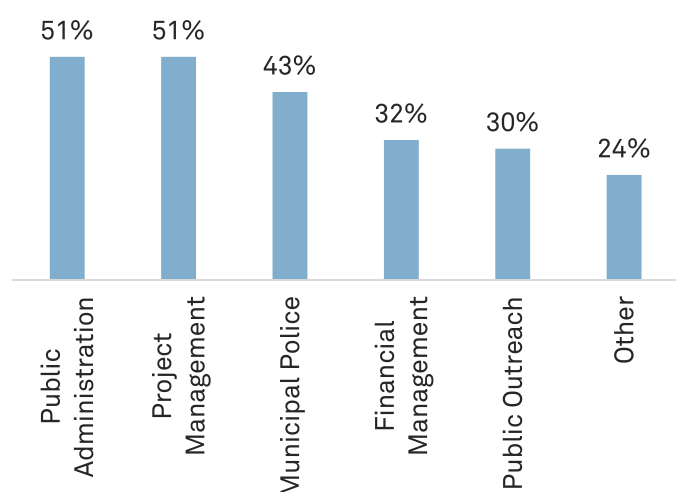


Figure 5. Recruitment needs by field of activity.

The fact that 51% of the unions are interested in human resources for project management and 30% in public outreach is a positive indicator of change in their perception of the nature of their work, a change that drives them to improve their performance in project implementation through reaching out to individuals. This is where the need for staff training and capacity building comes into play.

According to the Municipal Act, the Ministry of the Interior and Municipalities is responsible for the training of municipal and municipal unions' employees (Art. 92–94). The Minister selects a team of employees from the central and local authorities with expertise in municipal affairs to train and guide municipal and municipal unions' employees in periodic training courses to be scheduled by the Minister. However, the Ministry's failure to fulfil this role prescribed by law has redirected local authorities towards non-profit institutions and projects funded by international organisations, as well as other training and guidance providers such as the municipal affairs offices of political parties and advisory offices.

Archiving practices are yet another indicator of organisation and institutionalisation in municipal unions. The results have revealed that more than 75% of municipal unions use archiving systems, while 16% use filing systems,<sup>8</sup> and two municipal unions do not use any.

8 The difference between filing and archiving is that the first ends at the point where information is kept and stored, while in archiving systems, all information is linked together, and reference to the relevant documents is possible using a special encryption system.

43% of the surveyed unions own an archiving software connected, in 30% of the cases, to an intranet system specific to the union. The technological shift that is unfolding in an increasing number of unions raises the importance of capitalising on information technology in the work of unions, both in terms of providing data accountability through electronic archiving systems and developing e-government services. It goes without saying that the journey to achieving e-governance at the local level will be a long one.

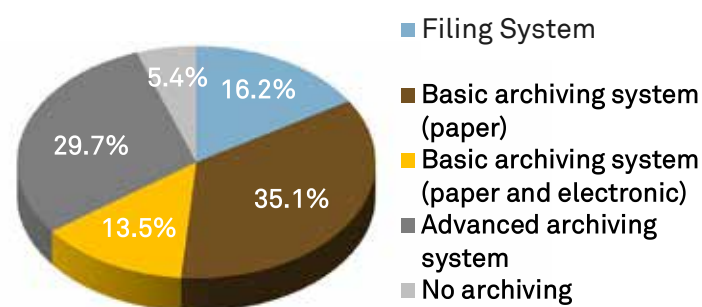


Figure 6. Archiving practices in municipal unions.

Inadequate financial resources are one of the main obstacles to the work of several municipal unions. The funding sources of municipal unions and their allocated revenues from the Independent Municipal Fund vary according to the size of their population, the number of registered citizens in their member municipalities, the nature and volume of their economic activity, etc. In fact, many have reservations on the fairness of the method by which the Independent Municipal Fund assets are calculated and the standards by which they are distributed. For instance, the distribution of revenues based on the number of citizens registered in the personal status records of each local authority allocates additional revenues to rural areas affected by depopulation at the expense of overpopulated cities that accommodate larger numbers of citizens who are not registered in them, and so incur a greater need for resources to meet the needs of their population and organise urban growth.

#### Funding Sources of Municipal Unions

- Ten percent of the actual revenues of member municipalities.
- An additional percentage of the budget of member municipalities benefiting from a joint project.
- Aid, loans, grants and bequests.
- Common property proceeds.
- The Independent Municipal Fund revenues.
- The central government's contribution to the budget of some unions, with the aim of funding development studies and projects for the recovery of areas in need.

Source: Article 133 of the Municipal Act.

Regarding budget size, the sample indicates a total average rate of LBP 2.5 billion. While this figure is generally acceptable, it limits the operation of unions to a minimum. The results have shown that 36% of the 33 unions that have responded have budgets below half the average rate of the total sample (less than LBP 1.49 billion), while 33% of the unions have a budget that is more than twice the average rate (more than LBP 4 billion). The Union of Municipalities of Fayha' (Tripoli), which scored the highest budget surpassing LBP 40 billion, stands in striking contrast with the Union of Municipalities of Baalback al-Shamali, Sharq Zahlé, Chouf-Sweijani, and Akkar al-Shemali, whose budget nears only LBP 0.5 billion.

Union budget size
4 unions: No answer
33% of unions: budget > LBP 5 billion
Average rate: LBP 2.5 billion
36% of unions: budget < LBP 1.49 billion

It is clear from the foregoing that the budget size disparities are significant among the municipal unions of the North, with 55% of budgets below half the average rate, and less than 20% of the budgets above the average. In the South, half of budgets are below average. In the Beqaa, most unions have budgets below the average. In Mount-Lebanon, the results were found to be similar to those of the overall sample, since the budget size is about twice the average rate in over 10% of the unions, and less than half the average in about 20% of them.

Regardless of their varying levels of financial health, all unions have voiced complaints about the difficulty of dealing with central authorities in this regard, not because of the slow administrative routine which delays the approval of budgets and other administrative and financial procedures, but because of the central government's discretionary use of the Independent Municipal Fund revenues when distributing them to the local authorities. This prevents proper financial planning and expenditure on local services and projects, and obliges local authorities to resort to external financing, loans and grants to be able to carry out their work.

## Union Committees

The law provides for two core committees in each elected local authority: the Bids Committee, which reviews all bids for works, supplies and services, and the Acquisitions Committee, which evaluates the works, supplies and services and verifies that the contract was carried out in accordance with the technical specifications. Acquisitions committees may be formed on an ad hoc basis.<sup>9</sup> The council of the union may as well elect from among its members, or other than its members, additional committees to examine specific issues mandated to it.<sup>10</sup> These committees play a specialised auxiliary role that includes elaborating proposals and recommendations. They reflect, in one way or another, the vision of the union and its areas of intervention. The authority to decide on the proposals submitted by the committees rests solely with the council of the union. The ease of establishing and dissolving such committees provides unions with a wide and flexible margin that allows them to determine their priorities and work towards achieving them.

The sample varies in terms of the number of committees per surveyed union. There are unions with only 2 committees and others with 19, but the number of committees in 75% of the unions is less than 6.

Most Common Committees		
Bids Committee	90%	Core Committees
Acquisitions Committee	81%	
Procurement Committee	90%	
Public Works Committee	65%	

<sup>9</sup> The proper public procurement mechanism requires forming a special acquisitions committee for every contract so as to ensure the efficiency and accuracy required to supervise it. Most local authorities in Lebanon find this mechanism difficult to apply.

<sup>10</sup> Article 53 of the Municipal Act applies to both municipal councils and union councils. According to Article 129, the union council shall follow the same rules and regulations applicable to the work of municipal councils.

The figures above indicate a lack of proper management of bids between 10% to 19% of the unions. This may be due to the recent establishment of these unions, their weak administrative capacity, and/or poor oversight and guidance by the deconcentrated and central authorities.

On the other hand, the survey has shown that some unions have administrative committees specialising in finance (3 unions, 8%), legal affairs (1 case, 3%), and police affairs (1 case), etc. In relatively rare cases, unions have committees that deal with health and environment affairs (5 cases, 13%) and, to a lesser extent, culture, education, sport, and social affairs. In specific cases, unions have committees that deal with a sector, scope or project, such as the 'Assi River Committee, the Waste Committee, etc.

Here as well, regional differences are remarkable: the unions of the North, where the results are similar to the overall sample, are the only ones that have formed committees specialised in education and sports. In the South, unions differ considerably in terms of the number of committees. Some unions have 3 committees, while others have 11. In the Beqaa and Mount Lebanon, the number of committees is below the overall sample average. This is a surprising result for Mount-Lebanon, where the very first municipal unions were established.

Another interesting observation is the absence of planning committees except in two cases, although an essential part of the role of municipal unions consists in the preparation and approval of joint development plans, a task that entails special efforts and takes considerable time. This result implies that the unions are unable to play their leading role in planning, much less institutionalise this role, despite their critical responsibilities in this area. In the meantime, development plans are being generated by other players, such as the Council for Development and Reconstruction, central government authorities, the international bodies, or the municipal affairs offices of political parties.

The wide disparities that the survey results among municipal unions in Lebanon have revealed do not only tell how unions are different in size and characteristics, but also serve as an indicator of the unions' priorities, institutional structure and potential for development. Of all the various factors influencing the effectiveness of municipal unions, the date of establishment seems to have the greatest impact. Indeed, older unions are generally the most institutionally developed (number of employees, employment status, number of departments and committees) and the most capable of providing effective services. The unions established earlier than 2005, or those that have already had two or more electoral sessions, include major cities and district centres, which makes them richer in resources than younger unions, most of which are concentrated in rural areas far from the capital. Other influencing factors not covered by the survey but worthy of recognition are the personality of the union president, the quality of his/her interactions with people, and the political and technical support he/she receives from political forces active in state institutions or from other localities. It is thus safe to say that municipal unions are promising institutions with a role in development that is likely to expand in the future, against all odds.

## The Role of Municipal Unions in Waste Management, Public Safety, and Outreach

### Solid Waste Management

Lebanon is still staggering under the weight of the waste crisis that erupted in the end of 2015, while the concerned actors and decision-makers keep tossing the responsibility onto each other. In July 2015, the Lebanese government attempted to avert the risks and repercussions of the crisis by forming a ministerial committee tasked with finding solutions to the crisis.

The committee recommended the application of an administratively decentralised approach where local authorities are given greater powers and capabilities to manage solid waste within their scope. This, however, does not necessarily mean that the central government has given up on its role in this area. In the last two years, a number of ministries have also been active on this front.

Centralised and Decentralised Authorities Involved in Solid Waste Management	
The Ministry of Environment	The solid waste issue falls within the purview of the Residential Environment Department of the Ministry of Environment. <sup>11</sup> The Ministry has taken the following steps: <ul style="list-style-type: none"> <li>■ The preparation of a draft law on solid waste treatment (2005). It has yet to be approved by Parliament.<sup>12</sup></li> <li>■ The development of a National Plan for Solid Waste Management (2006).</li> <li>■ The development of a set of standards for the establishment of sanitary landfills and waste sorting and composting stations.</li> <li>■ The dissemination of guidelines on the integrated management of solid municipal waste among municipalities and municipal unions.<sup>13</sup></li> </ul>
The Ministry of Public Health	Supervises the regional health councils and is responsible for licensing waste treatment facilities, <sup>14</sup> with assistance from said councils.
The Ministry of the Interior and Municipalities	Is currently overseeing the waste issue, since waste management has been entrusted to municipalities and municipal unions.
OMSAR (Office of the Minister of State for Administrative Reform)	Launched a solid waste management programme to improve solid waste services in rural areas. <sup>15</sup> Works for the implementation of projects for the construction and equipping of waste treatment facilities, in preparation for the operation and maintenance of these facilities at a later stage.
The Council for Development and Reconstruction (CDR)	In addition to being tasked with the implementation of the emergency plan for solid waste treatment in Greater Beirut, the CDR contributes to the development and implementation of waste treatment projects in other cities including Tripoli and Zahlé. <sup>16</sup> The CDR is a member of the Central Technical Team that is responsible for reviewing and implementing any waste treatment project prepared by municipalities or municipal unions. <sup>17</sup>

11 The responsibilities of the Ministry of Environment include, but are not limited to:

- Defining the set of legally binding environmental conditions, standards and permissible limit values for the establishment, equipping and operation of non-hazardous solid waste treatment centres.
- Reviewing the studies and technical specifications relating to the establishment, equipping and operation of non-hazardous solid waste treatment centres, regardless of the entity preparing them; preparing technical specifications, awarding works contracts, and providing an opinion thereon;
- Participating in the acquisitions committees specialised in the construction and operation of solid waste treatment centres and sanitary landfills.
- Determining the limit values relating to non-hazardous solid waste and wastewater discharged into water and/or soil, by virtue of a decision issued by the Minister of Environment at the proposal of the Director General of the Environment after consultation with the Council of State.

12 Published by Decree No. 8003/2012.

13 Circular No. 8 issued by the Ministry of the Interior and Municipalities on 16 November 2015.

14 In accordance with Decree No. 8377 of 13 December 1961 and Law No. 546 of 20 October 2003.

15 In the framework of the EU-funded ARLA Programme (Assistance to the Re-Establishment of the Lebanese Administration Programme), 2004.

16 The CDR reports to the Presidency of the Council of Ministers. It is a public institution established in 1977.

17 Pursuant to Decision No. 1 of the Council of Ministers, issued on 9 September 2015.



In addition to solid municipal waste, the waste sector covers slaughterhouse waste, construction works' waste, wastewater, and chemical waste, which draws attention to the role of line ministries including the Ministries of Industry, Health, Energy and Water.

Apart from the key role played by many actors at the central government level, municipalities and municipal unions<sup>18</sup> are making every effort to weather the crisis with the financial and human resources available to them. However, the state of confusion that is paralysing governmental institutions, and the absence of a clear framework – be it a strategic plan, a law, or a long-term government policy – are preventing union presidents from undertaking their roles properly. The surveyed union presidents have evaluated the state interventions, which they deem appropriate in this area, as the following:

Although the close figures in the chart may suggest varying attitudes among unions, the majority of unions accept the special responsibility that the central government has entrusted to local authorities. Indeed, municipal unions are making every effort to secure the necessary resources and legal coverage while pressing for the development of standards and procedural frameworks to regulate the sector in an environment-friendly manner that can deter harmful practices such as uncontrolled waste burning.

In practice, the local authorities' attempts at waste management have, in some cases, achieved success and, in other ones, resulted in dismal failure. While the Syrian exodus to Lebanon has deeply aggravated this crisis, it has attracted numerous donors and international organisations that have worked to provide relief to the displaced and support the Lebanese state and local authorities in withstanding the crisis by finding solutions and facilitating the implementation of their plans.

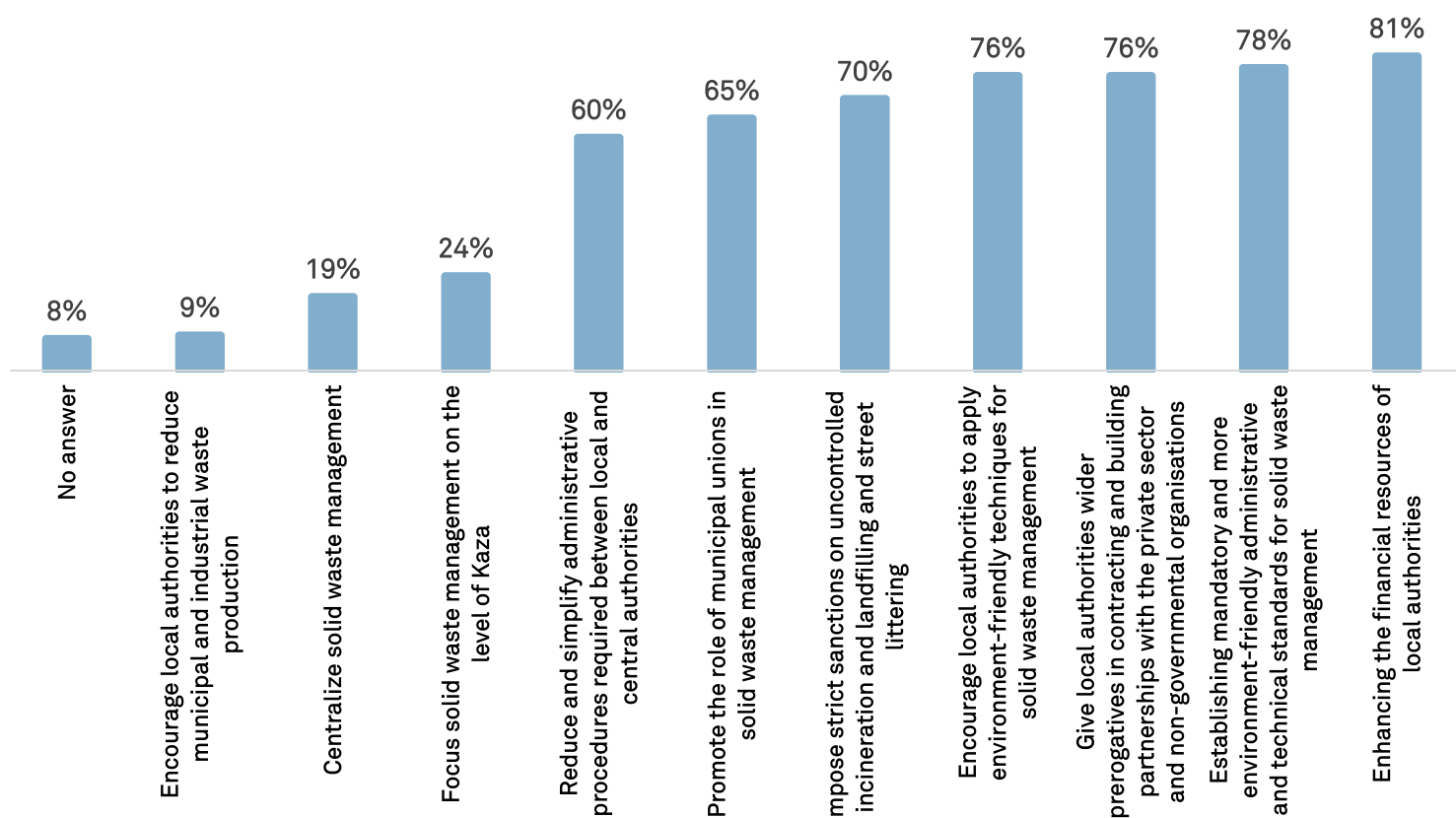


Figure 7. The union presidents' perception of the roles of central government in waste management.

18 According to Articles 49, 74 and 126 of the Municipal Act, local authorities are responsible for the works and projects relating to waste collection and disposal, public cleanliness, and rubble removal.

The survey results reveal a pronounced discrepancy in the municipal unions' actual role in this sector: only 20 municipal unions (54% of the sample) are active in solid waste management, while 17 (46%) are completely inactive in this area. It should be noted, however, that even the interventions of active municipalities are at varying levels, particularly in terms of the mechanisms and technical options adopted.

In terms of reducing the volume of waste production through awareness-raising and encouraging sorting-at-source, 60% of the active unions in the sample appear to play a role, albeit limited, to supporting other actors, such as municipalities (50%), international institutions (60%), and local communities (55%). For example, eight unions (40% of the active unions in the sample) undertake street sweeping and waste collection because the role of municipalities is predominant in this area (in the case of 85% of the unions in the sample). The same applies to monitoring uncontrolled landfilling and waste burning, where unions generally rely on municipalities (25% of the total sample) and only five unions undertake such monitoring, which practically means that monitoring is non-existent in the overwhelming majority of cases. As for sanitary landfilling and incineration, the role of municipal unions is restricted to monitoring and only applies to a few cases (four unions overseeing sanitary landfills and two overseeing specialised incinerators). This is also the case for monitoring basic waste management techniques, such as open-air composting and recycling of recyclable materials, where municipal unions play a key role in monitoring these techniques (45% and 55% of the active unions, respectively), in parallel with municipalities that monitor recycling practices (20% of the active unions).

Certain unions (27% of the total sample) focus on suppressing random waste dumping and burning by issuing tickets against the violators in 90% of the cases. Most of these unions are either rural, such as Dreib al-Gharbi, Dreib al-Awsat and Nahr al-Ustwan in Akkar, Qalaat al-Istiqlal – Rashaya and Deir Al-Ahmar in the Beqaa, Jabal Amel – Marjeyoun, and Jezzine, or on the coastline, where agricultural and non-built areas are still prominent, such as Batroun and Minieh to the north, and Sahel al-Zahrani to the south.

## Police and Public Safety

The intensifying crises and security risks in Lebanon in the past decade have resulted in a steady growth of security apparatuses at all authority levels, in terms of personnel, training and arming. These developments have even reached the police units of local authorities, both municipal and union, to the extent that the growing need for police and patrol personnel in recent years has created major opportunities for employment in municipalities. Central authorities have provided municipalities with convenient frameworks, such as daily workers' contracts to recruit such personnel, and have allowed police officers to carry weapons.<sup>19</sup> Nevertheless, significant challenges that limit police effectiveness in local authorities remain to be solved. According to a study conducted by the National Program for Supporting Lebanese Municipalities,<sup>20</sup> the most salient of these challenges are the negligence of procedural texts, most importantly the Code of Criminal Procedure,<sup>21</sup> and the fact that the Municipal Act mandates the municipal police to undertake the role of judicial police (Art. 74), which stirs confusion and causes municipal police officers to avoid pursuing and arresting offenders who disrupt security and

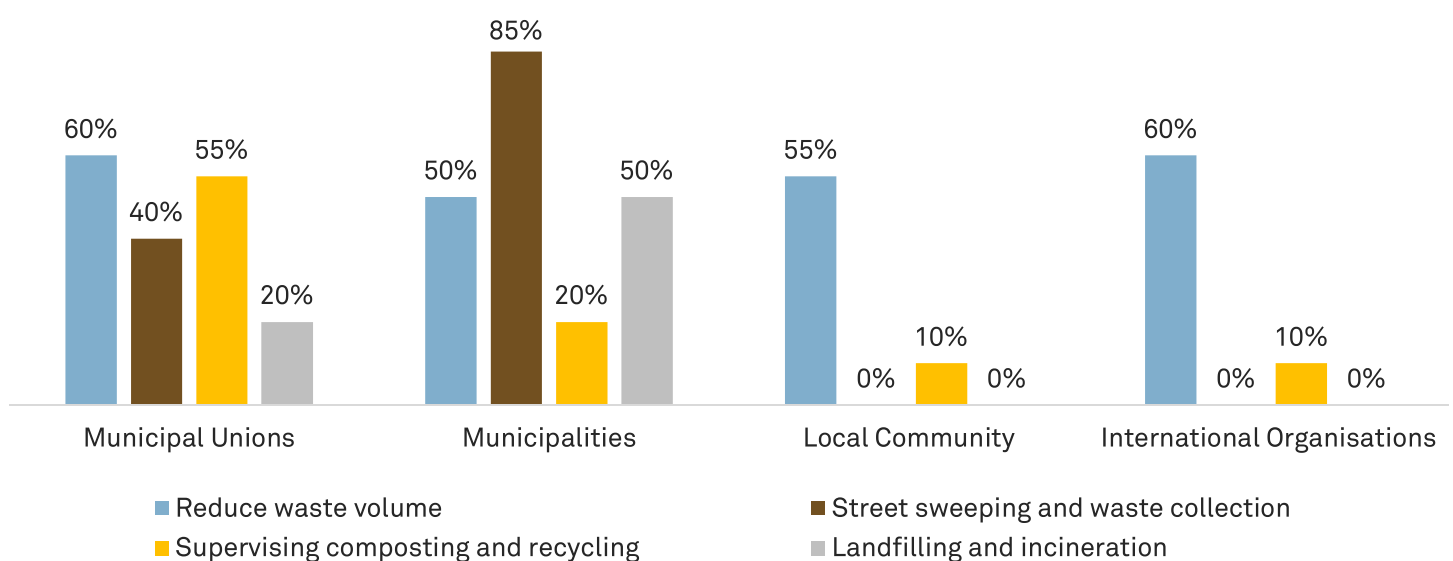


Figure 8. The role of different actors in waste management.

19 According to the circulars issued by the Ministry of the Interior and Municipalities in 2012 on arming municipal police officers in small and medium-sized towns.

20 Cités Unies Liban (BTVL). (2015). *Projet d'appui aux municipalités libanaises dans le domaine du renforcement du rôle et des compétences de la police municipale au Liban. Étude de pré-diagnostic*. Mars 2015.

21 See Articles 39–38 on judicial police.

public safety.

Multiple and diverse internal regulations are applied by local authorities to organise their police units. Unlike central public administrations that have a fully-fledged police unit, local authorities lack a unified legal framework that regulates the work of their police units. It should be noted that developing SOPs and special internal regulations for local authorities requires the approval of the Council of State (majlis shura al-dawla) and the Ministry of the Interior and Municipalities. This could entail significant disparities in the administrative and organisational status of police units in municipal unions, including the degree of competence, the pay scale, and social benefits, given the specific situation of every union.

Notwithstanding the enormous challenge that the Syrian displacement has posed to local authorities and the work of the police, the role of the municipal police – the security apparatus that is closest to people in their daily lives – has been evolving steadily. Admittedly, the police units of municipalities and municipal unions share a lot of characteristics and challenges. However, this does not preclude the existence of significant differences between them, especially in terms of the roles they play in security.

While the law requires all municipal unions to establish their own police units, and lays down specific prerogatives for them, only 59% of the surveyed municipal unions have a police unit. Additionally, although union presidents often emphasise the recruitment of police staff as one of the major opportunities for local employment, the unions' limited capacities and their recent date of establishment have prevented the development of police units thus far.

The number of police officers in unions remains modest compared to the number of those in many medium-sized and large municipalities in Lebanon. The highest number of police officers, both permanent and daily, belongs to the Union of the Municipalities of Kesrouan-Ftuh (24), followed by the Union of Municipalities of Qalaat al-Istiqlal – Rashaya (20), Al-Juma and Sahel al-Zahrani (18), while the Union of Municipalities of Batroun has one police officer only.

As for the employment status of police officers, the survey results have shown that the number of police officers is not related to the size of the union or its population (eight unions – 22% of the total sample –

have only two permanent police officers<sup>22</sup>). For example, the Union of Municipalities of Fayha', the most densely populated in Lebanon, does not have a police unit and relies instead on the police units of member municipalities. On the other hand, municipal unions in rural less populated areas, such as Qalaat al-Istiqlal – Rashaya, have 20 police officers. This gap reflects the varying perceptions that municipal unions have of the role of their police units.

With regard to the functions of municipal union police, Article 124 of the Municipal Act states the following:

- Sensitise citizens to compliance with the applicable laws and regulations.
- Report irregularities occurring within the scope of member municipalities and submit them to the mayor concerned through the president of the union.
- Conduct preliminary investigations into witnessed crimes and crimes against public safety until the arrival of the judicial police.
- Securing municipal police functions in municipalities whose budgets do not allow for the recruitment of their own police officers.

According to the survey results, the police units of municipal unions are acting in areas beyond their legal prerogatives and very similar to those of municipal police.

Nowadays, police officers of municipal unions are increasingly seen carrying out tasks such as driving vehicles, supporting security forces (49%), and providing disaster relief work (51%). Traffic management is among union police units (49%), especially in major events where municipalities request the assistance of municipal unions in managing the crowds. Other interventions include suppressing building violations (41%), banning random waste dumping<sup>23</sup> (38%), providing food safety control (32%), removing illegal

22 Regarding regional differences: In the North, the number of non-permanent contractors is 18 times the number of permanent employees. The disparities between the unions are significant in terms of the number of security officers: from 18 police officers in Al-Juma – Akkar to zero in Batroun. In the South, the number of non-permanent contractors is 4.5 times the number of permanent employees. Numerical disparities between the unions are also significant: from 18 non-permanent police officers in Sahel al-Zahrani to two in each of Tyre and Jezzine unions. In the Beqaa, the number of non-permanent contractors is 14 times the number of permanent employees. The numerical disparities between the unions are significant: from 20 non-permanent police officers in Qalaat al-Istiqlal – Rashaya to only one in Baalback. In Mount-Lebanon, the number of non-permanent contractors is 4 times the number of permanent employees. Again, the numerical disparity between the unions is significant: from 13 non-permanent police officers in Iqlim al-Kharoub al-Shamali to one in Upper Shouf.

23 Preventing waste dumping in random spots: the police officers may either issue tickets against the violators, or in other cases, confiscate the vehicle used for dumping.

advertisements (38%), and suppressing attacks against individuals (5%) and the environment (27%). These examples involve two thirds of the municipal unions that have a police unit. In contrast, only one third of municipal police units are involved in interventions that normally fall under the powers of security forces, such as arresting individuals (22%), setting up security checkpoints (22%), and resolving disputes between community members (19%). The results have also shown that municipal unions have poor interest in, or limited capacities for suppressing noise pollution (16%) and air pollution (11%). Unions also rarely intervene to resolve issues that communities still regard as private, such as domestic violence (5%).

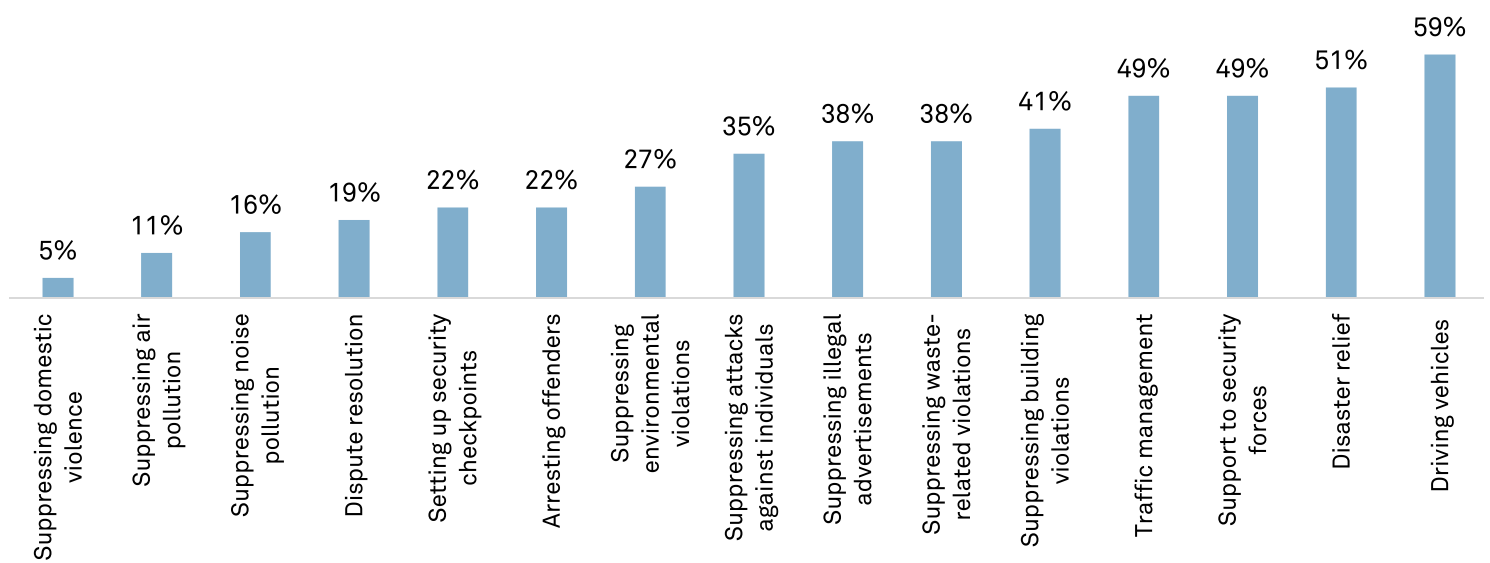


Figure 9. Current interventions of municipal union police units.

These figures show the legal ambiguity surrounding the concept of the judicial police, seeing that the largest number of union police avoid tasks including raids, security checkpoints, and dispute resolution that could result in arresting individuals. Even municipal unions that have their own police force (59% of the total sample) do not intervene to protect individuals from assaults, except in one case only. Similarly, the environmental responsibility of municipal unions entitled to suppress environmental violations is still far from being achieved. Indeed, municipal unions<sup>24</sup> that are active in suppressing air pollution and noise pollution account for only 11% and 16%, respectively.

Another issue worth considering is how the municipal union police units are dealing with the challenges caused by the Syrian displacement. This is particularly evident in the decision that some local authorities have

taken to impose a curfew on displaced Syrians. The curfew decision has sparked controversy and strong reservations among local and international organisations for violating laws and the Human Rights Charter.

At the sample level, only three municipal unions have implemented the curfew decision: two by a decision of the council of the union, and one at the sole discretion of the union president. However, the results have also shown that some member municipalities belonging to two-thirds of the unions made the curfew decision unilaterally, and that only three municipal unions do not have any member municipalities implementing such decision. Moreover, the presidents of municipal unions hold conflicting opinions regarding the curfew: 49% of them consider it necessary, compared to 19% who consider it inhumane, and 16% who find it ineffective, while 19% declined to answer the question.

<sup>24</sup> This does not necessarily mean that other municipal unions are inactive in this area. For example, the Union of Municipalities of Fayha' (Tripoli) has an environment and development monitoring centre that works specifically on the air pollution issue.

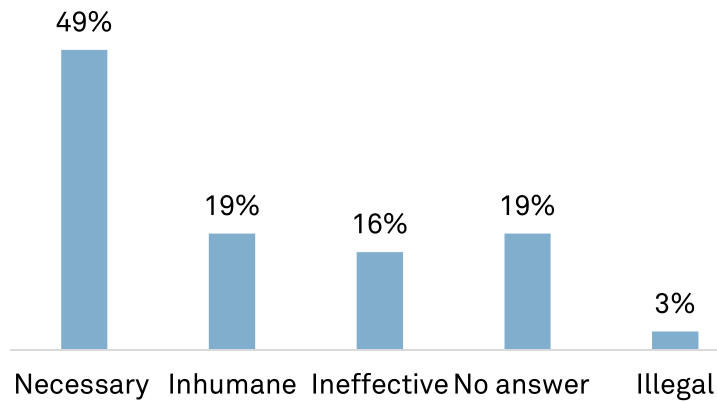


Figure 10. The opinions of municipal union presidents on the curfew decision against displaced Syrians.

Due to the shortage of human resources, six municipal unions (16% of the total sample) have set up neighbourhood watch committees to take over police functions in maintaining public safety. According to the municipal unions, the work of these committees is meant to complement and not compete with police interventions. As a result, 19% of municipal unions that have a police unit coordinate with neighbourhood watch committees and local associations in security matters, while 19% coordinate with political parties, 8% with international bodies, and 3% coordinate with private security companies. However, the strongest coordination partner to 65% of municipal unions is the Lebanese Internal Security Forces.

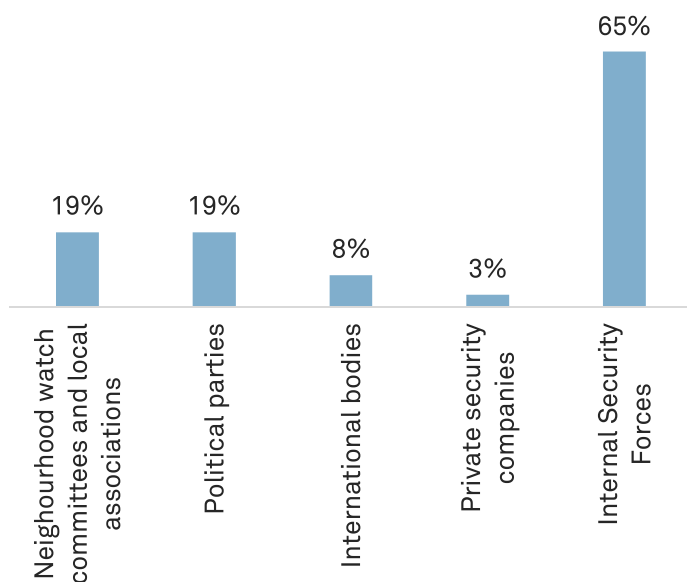


Figure 11. Coordination partners of municipal unions' police units.

## Public Outreach

Public outreach, a service to which people are entitled, is divided into (a) accountability and information-sharing, and (b) participatory decision-making.

The perception of outreach as a service stems from the adoption of the Access to Information Law (No. 28 dated 10 February 2017), which both establishes the right of any natural or legal person to access information, and recognises the responsibility of both central and decentralised public authorities in making such information accessible. Prior to the promulgation of this law, access to information on the work of local authorities was provided for in Article 55 of the Municipal Act, which states that public decisions should be posted on the door of the municipal headquarters, and Article 45, which entitles every voter in the municipal district and every stakeholder to request a copy of the municipal council's decisions.<sup>25</sup> The law specifies that the copy will be certified by a competent municipal officer, but fails to set out a time limit for delivering the requested copy.

While the Municipal Act maintains the confidentiality of the municipal council meetings (Art. 35), the Access to Information Law guarantees access to the minutes of these meetings after they have been formally organised and approved. Yet, during the consultative meetings held in July and August 2017, many union presidents confirmed that administrative and financial documents, particularly budgets, are confidential.

Although the Minister of the Interior and Municipalities issued Circular No. 13236 dated 6 September 2017 requiring all municipalities and municipal unions to take the necessary decisions, measures and procedures to implement the Access to Information Law, a more controlled mechanism that binds local authorities to implement the Law appears to be lacking. The Law provides for the creation of a National Anti-Corruption Commission that would ensure the implementation of the Law, and resolve issues where requests for information are not answered. Since this Commission has yet to be established, questions arise on the availability of an alternative, and a possible role for the Council of State in this regard.

In general, municipal unions appear to be active in information-sharing. However, their motivation to disseminate information does not originate from a commitment to the Access to Information Law, which most unions ignore, if not publicly oppose. Information-sharing stems from a need to take ownership of their accomplishments, let alone garner public support that secures further validation to their policies and projects.

<sup>25</sup> The same applies to the decisions of the union council, the mayor, and the union president, in accordance with the second paragraph of Article 76, and Article 129 of the Municipal Act.



The Access to Information Law at a Glance	
Who?	Every natural or legal person.
What?	Written and electronic documents issued by a public authority, including but not limited to: reports, studies, files, minutes, statistics, directives, correspondence and decisions (including budget and budgetary accounts) and contracts.
When?	Within a period of up to 15 days, renewable for an additional 15 days subject to conditions.
What needs to be published on the Website?	All the decisions, directives, circulars, memos, and documents relating to any expenditure of public funds exceeding 5 million LBP, provided that the published information mentions: the amount disbursed, the method of payment, the purpose of the disbursement, the vendor or supplier, and the legal reference under which the disbursement was effected (bid requirements, technical specifications, contract).

Municipal unions generally use four communication channels: electronic media, publications, traditional media, and on-demand documents:

1. Electronic media: Municipal unions are becoming increasingly interested in electronic communication platforms: 73% of unions have an e-mail address (30% use e-mail service providers such as Gmail, while 40% use private domain e-mails), about 43% have an official website and Facebook page, only two municipal unions (5%) use YouTube, Twitter, and Instagram, and four municipal unions (13.5%) have smartphone applications. All electronic pages and platforms are reportedly active and up-to-date. Mailing lists are compiled by 32% of unions and SMS lists are used by 51% of the unions.

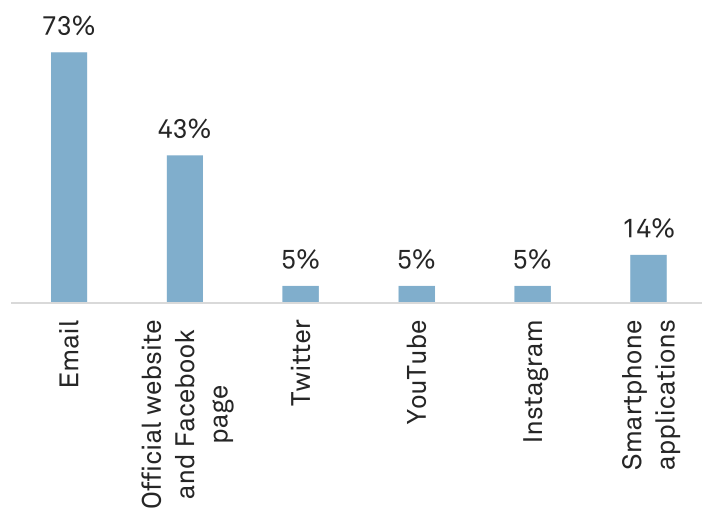


Figure 12. Municipal unions and e-communication.

2. Publications: 30% of municipal unions publish bulletins more than once a year. Paper printing remains the most reliable form of publication, alongside e-publishing (usually on the union’s website) in a number of unions. Full reliance on electronic platforms was noted in only one municipal union. In addition, 63% of the unions have other types of publications including informative or promotional brochures on the municipal union or the region, development studies, and only rarely, maps and advertisements for businesses in the region. Publications focusing on administrative procedures, laws and citizens’ rights are very few.

Traditional media: Municipal unions use press releases (78%), radio and television interviews (84%), and billboards (32%).

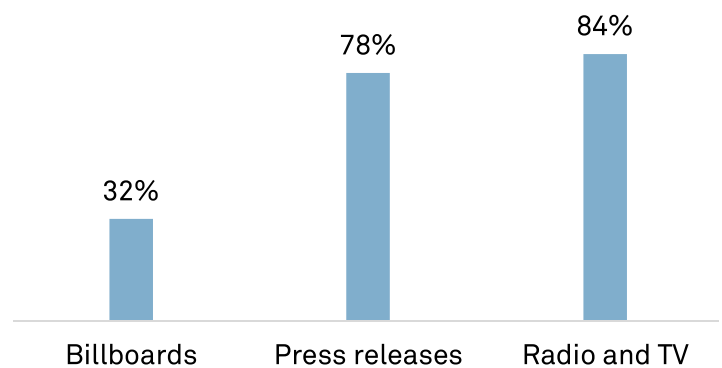


Figure 13. Municipal unions and traditional media.

The most common content includes an overview of the union (date of establishment, highlights of the region, etc.), an introduction to the union president and members of the union council, a presentation of the union’s projects and activities, and public invitations to events. In the case of smartphone applications, unions take special interest in presenting the businesses and commercial activities of the region. Radio and television interviews are used either to showcase projects and achievements, or to respond to an event or controversy. Municipal unions seldom use billboards because of their

high cost. Instead, they opt for posting advertisements in different locations to promote festivals and other events.

By and large, electronic platforms have allowed new and more dynamic engagement with citizens by creating spaces for comments, complaints and requests, thus leading to the expansion of electronic administrative services.

**On-demand documents:** All municipal unions confirm that they provide documents to all who request them, but most provide only a few to the public. Municipal unions publish only 10% of the information relating to their budgets and decisions, and the percentage of unions that view the new law positively does not exceed 12%.

Documents that may be directly obtained on demand (by order of popularity):
1. Ministerial decisions, circulars and decrees.
2. Full bidding requirements
3. Decisions of the union council.
4. Decisions of union's president.
5. Annual budget final accounts.
6. Annual budget.

The availability of budgets and detailed final accounts of the unions upon request but their infrequency on electronic platforms raises questions about the overall accountability of municipal unions' performance.

Participation, or participatory governance, is yet another facet of public outreach. It is every initiative that aims to involve people in the decisions of the municipal union and allow them to express their opinion on any project, plan or policy, even though they are not direct decision makers. Accordingly, the survey focuses on the participation of citizens in town hall meetings where they discuss the work of the union, and the inclusion of citizens in union committees as members entitled to partake in deliberations alongside the union council members.

Unlike access to information, the concept of participatory governance is practically non-existent in Lebanese legislations. While numerous developed and developing countries have instituted participation through town hall meetings and other participatory processes and approaches, Lebanon is far from achieving the full scope of participatory governance.<sup>26</sup> Local authorities have

been sustaining the growth of participatory initiatives since the 1990s. Clearly, international organisations and donors have had a significant role in establishing this phenomenon, as they normally make their support and funding to any project development conditional on the implementation of participatory mechanisms. In this context, the participatory approach is seen as an effective guarantee of project sustainability. It should be noted, however, that many members of local authorities, inspired by the experiences of other countries, have also contributed to the application of participatory approaches in their regions.

Despite the continued growth of participation channels, the survey results have shown that only half of the unions actually use participatory approaches: 51% hold town hall meetings to discuss projects and works with the citizens and take their views (43% of them hold more than one meeting per year, and 11% hold only one general meeting per year). Town hall meetings vary in size: Upper Metn union meetings bring together approximately 1,250 individuals, while Hermel union meetings gather around 20. As for the inclusion of non-council members in union committees, almost one-third of the unions engage non-council members in their committees. In most cases, these are local experts, representatives of civil society organisations, or members of one of the union's administrations or municipalities. In fewer instances, people from the private sector and central authorities may be invited to join the union committees. In one third of the cases, non-council members constitute less than one-fourth of committee members, while in the other third, they constitute over half of committee members. These figures raise questions about the municipal unions' perception and understanding of the concept and purpose of participation, and the means to develop and improve its effectiveness and inclusiveness.

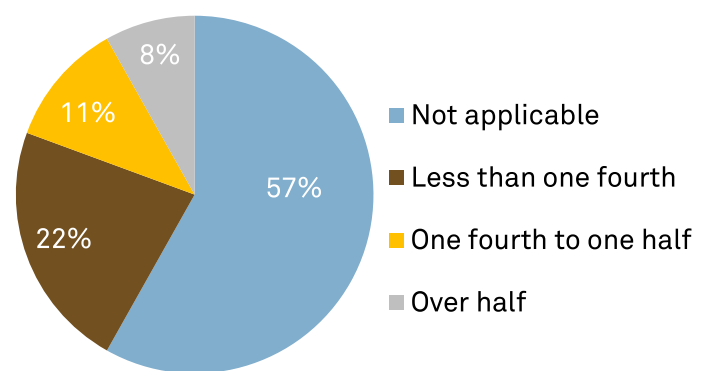


Figure 14. Percentage of participation of non-council members in the union committees.

<sup>26</sup> In addition to the possibility of including non-council members in committees, the Municipal Act authorises the head of the executive power of local authorities to invite any person to attend and address the meeting of the Council (Art. 35, paragraph 2).

## Success Stories of Municipal Unions in Public Service Provision

### Police and Public Safety

#### Traffic management on the main roads connecting different towns of the Union

While municipal police focus on traffic management within municipalities, the main roads connecting towns often fall off the radar. For this reason, the Union of Municipalities of Sahel al-Zahrani took the initiative of assigning some of its police officers to traffic management on these roads.

#### Smartphone application for patrollers

The Union of Municipalities of Jabal al-Sheikh succeeded in employing 16 night patrollers in the police unit. It also developed a smartphone application that allows the monitoring of the patrollers' tasks, movement, duty hours, and location tracking in real time. This application enables different patrol units to identify risks and call competent authorities for backup.

#### Risk Management and Disaster Mitigation Unit

This unit provides a coordination, planning and training framework for risk management and rapid response to possible natural or security-related disasters. It is based on assembling all concerned parties, including civil defence, rescue, police and security forces, as well as medical personnel and volunteers to coordinate, develop plans, and conduct exercises and training on these issues. The Union of Municipalities of Tyre, among other unions of the South, have developed such units.

### Public Outreach

#### Full transparency

While several unions are reluctant to publish their financial statements, some union presidents adopt transparency as the main motto of their work. Examples include the unions of municipalities of Jabal al-Sheikh and Dannieh, which publish all their decisions, budgets, final accounts, bids, technical specifications, names of bidding contractors, as well as the contract price offered by the winning bidder, either on their official website or Facebook page.

#### Development of electronic services

Eight municipal unions allow applications to be submitted through their websites (the Union of Municipalities of Dreib al-Awsat – Akkar, the Union of Municipalities of Dannieh, the Union of Municipalities of Minieh, the Union of Municipalities of Kesrouan-Ftouh, the Union of Municipalities of Jabal Amel, the Union of Municipalities of Sahel al-Zahrani, the Union of Municipalities of Iqlim al-Tuffah – Nabatieh, and the Union of Municipalities of Tyre). These unions vary in terms of size, age and availability of resources.

#### Public Outreach Units

Some unions such as al-Fayha', Sahel al-Zahrani, al-'Arqub, and Dreib al-Gharbi have devised public outreach units within their administrations, to communicate with the people and share information.

### Waste Management

#### Participatory planning

The Union of Municipalities of Tyre has set an example for proper management of the solid waste issue. Its technical office has been and is still supervising the waste treatment and sorting facility in Ein Baal. The union played an important role in organising open coordination meetings for all stakeholders and assisting actors, including international organisations and local associations and municipalities, to develop an integrated waste management plan. It often succeeds in channelling the funding to its identified needs and priorities.

#### "A union of unions" for waste management

The unions of Al-Sahl, Jabal al-Sheikh and Qalaat al-Istiqlal in the Beqaa have been able, through full coordination and concerted efforts, to obtain funding from an international organisation to establish a waste sorting and composting facility, according to the established selection criteria.

## Survey Findings

This section addresses: 1) the limitations at the level of perceptions, institutional capacity, and community response, 2) the democratic aspect of public service, and 3) the types of relationships that municipal unions have with other actors, including member municipalities, central authorities, private sector partners, and international organisations. The section concludes with a discussion of the prospects of legal and institutional reforms for a more effective decentralised provision of fair and democratic public services in Lebanon.

### The Limitations

In general, the ability of unions to provide services remains moderate despite the considerable amount of activity shown by some. The percentage of unions that provide services in the aforementioned three sectors is hardly half the number of unions: 54% of the sample unions in the waste sector, 59% in the police and public safety sector, and 43% in the public outreach sector.<sup>27</sup> Many of these unions are young, which may be one of the main reasons limiting their ability to provide services, but the availability of resources and experience would not be enough to develop the services of these unions if they continue limiting their role to monitoring and control, and relying on other local authorities, such as municipalities, private institutions and associations.

Municipal unions have different perspectives as to what they have achieved so far in the three sectors. In 75% of the unions, union presidents rate their effectiveness in outreach to people as good, while two of them rate it as very good (Upper Shouf and Sahel al-Zahrani). In terms of information-sharing, the presidents of surveyed unions evaluate their effectiveness as acceptable to good (they rated their performance with an average of 3/5). However, 20% of them consider their effectiveness to be limited and demanding additional effort. In the police and public safety sector, the union presidents' evaluation of their ability to ensure public safety is lower than in the outreach sector (2.8/5), with a clear disparity between the unions (5/5 in the Union of Municipalities of Upper Matn, and 3/10 in the Union of Municipalities of Kesrouan-Ftouh). On the other hand, union presidents rate the importance of the waste sector with an average of 9/10, which indicates a good level of awareness in a sector where experiences, in general, are still recent.

It is clear, then, that the unions recognise themselves as leaders in solid waste management but still have much to comprehend about their role in strengthening the police and ensuring public safety. In the public outreach sector, unions have different perceptions as to what is required of them, what can be achieved, and how their role is different from that of municipalities.

<sup>27</sup> If we use the percentage of municipal unions having an official website or Facebook page as an indicator.

### At the Level of Perceptions

The impact of perceptions is most salient in the subject of access to information: while some unions recognise the need for information-sharing as a basic right and an accountability mechanism, other unions consider this issue with caution and apprehension, and a small minority sees it irrelevant, or rather detrimental. Municipal unions may be bending the law to facilitate their work against the sluggishness of control bodies at the deconcentrated and central levels.<sup>28</sup> Some union presidents fear, in their search for pragmatic solutions, that transparency would be used against them if, for example, the information is used to attack them and take legal action against them for political or familial (“tribal”) reasons. Although union presidents are cognisant of the need to educate citizens on their rights and duties, their fear causes a preference for limiting information-sharing to the achievements of their unions (rated with an average of 4/5 for their importance), future projects (4.5/5), and development challenges in the region (4.5/5), and refraining from publishing their decisions, budgets and final accounts. As for participation, the evidence suggests that municipal union presidents favour controlled participation mechanisms that target selected persons, considering the 5/5 score they gave to meetings with local experts (engineers, specialists, etc.) and their inclination to engaging key local actors in specific projects.

Municipal union presidents take special interest in media and electronic communication channels as effective outreach platforms (4/5) and see publications as a communication channel that is rather useful for archiving purposes (2.5/5).<sup>29</sup> The results have also shown a remarkable interest among union presidents in public meetings as an effective outreach mechanism. However, their evaluations of the importance of direct meetings with the union president, whether by appointment or not, were conflicting. Some union presidents suggested other channels such as personal visits, telephone calls and attending social events, all of which are traditional channels of communication in Lebanon.

This reveals the divergence of perceptions between those who believe that public affairs should be based on institutionalising transparency and participation and achieving good governance as a mechanism for improving performance, and those who believe that public affairs are rather based on the personal and direct relationship between authority and the people. This is rather a divergence of perceptions between those who see public affairs as merely another type of

<sup>28</sup> An example of this is the deliberate fragmentation of expenditures so that the expenditure does not exceed the ceiling authorised by law for disbursement without the need for prior approval by the control bodies.

<sup>29</sup> As one municipal union president explained: “People do not read”.

institutional work that is based on specialisation and impartiality, and those who see the role of municipal unions as a natural extension of the work of municipalities that thrives on direct communication. Therefore, it is safe to say that the performance of union presidents is often driven by pragmatism. To preserve the union’s ability to control, they act cautiously on two parallel lines: maintaining traditional communication channels on the one hand and benefiting from new channels on the other.

In the same context, the results indicate varying perceptions as to the management and role of police units. Equal percentages were noted of union presidents who want to see their police units exercising a more developed role at the level of the union, and other union presidents who want to limit the role of police units to coordination, or rather abolish them altogether.

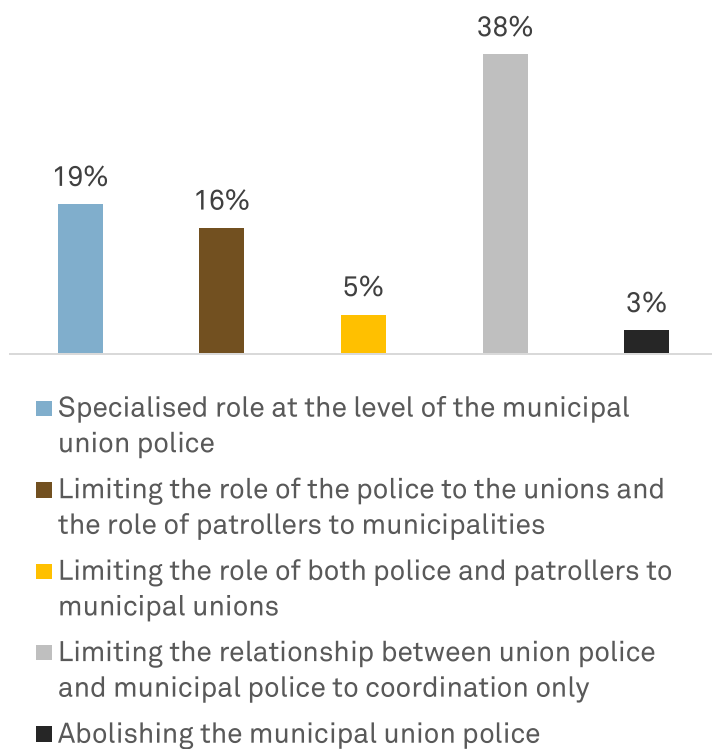


Figure 15. The role of municipal union police units according to municipal union presidents.

In the solid waste management sector, the focus is clearly on finding solutions, as the waste issue poses a daunting threat to health and the environment. While this pressing situation may be politicised and used by the local opposition to undermine the local authority council, it may also give unions a new opportunity to earn achievements, although the perspectives through which this problem is addressed vary from one union president to another.

With the growing experience that municipal unions are gaining in the waste sector and the challenges related to its management, many union presidents are persuaded to turn to the best processes available instead of focusing on sanitary incineration and landfilling. These alternative processes include recycling, open-air composting and other simple techniques, in addition to more advanced composting and waste-to-energy techniques (anaerobic digestion, RDF, biogas). There is wide concern and heated media debate surrounding the health and environmental risks associated with waste incineration, which some municipal unions regard as an inevitable solution, and the issue of sanitary landfills, which all municipalities refuse to accommodate on their lands.

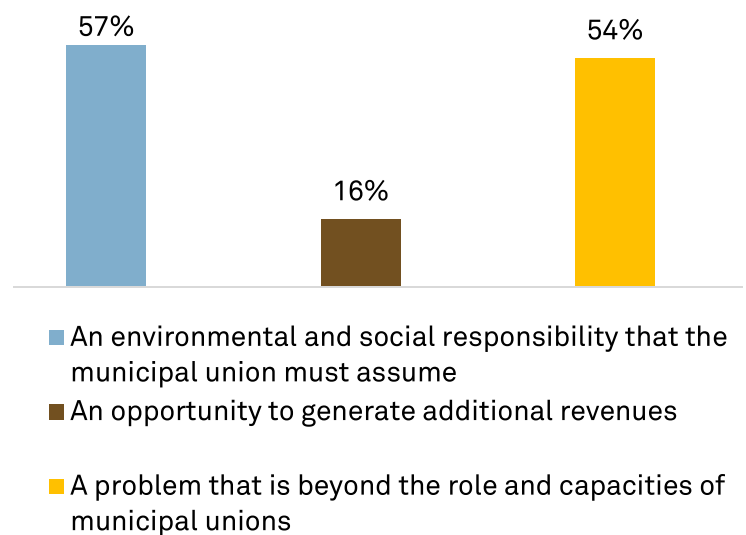


Figure 16. The municipal union presidents’ perception of their role in waste management.



### At the Institutional Level

Institutional capacity is the ability of an institution to play its role effectively, and generally involves the administrative structure of the institution, its material resources, financial and other, and human resources in terms of number of employees, their employment status, training level, and ability to plan.

Poor financial resources are a major challenge to service development. In municipal unions, the lack of financial resources is a significant structural weakness due to the increasing need for employment and investment (particularly in the waste sector) and the adoption of more modern technical mechanisms (especially in the public outreach sector). Solid waste management solutions may, in some cases, cost a municipal union more than its total budget. As a result, unions are trying to overcome this obstacle either by privatising some aspects of the service or by entering into partnerships with the private sector and associations, which allows them cover some of their expenses and use the support of international bodies to secure additional income for staffing and investment. Nevertheless, these additional funding sources are temporary and unreliable.

The lack of human resources has also limited the ability to provide services while needs are increasing, especially in the areas of police, project management and public outreach. Municipal unions tend to overcome this institutional obstacle by relying on the efforts of the union president and other volunteering members of the council, especially in administrative matters, without necessarily forming specialised committees and engaging local volunteers with relevant expertise. For instance, most union presidents are considered active in waste management (52%), while the number of staff involved is not enough to ensure a sound management of the sector. In this context, the results have shown that 17% of the union presidents active in the waste management sector believe that there is a need to increase the current number of employees, 33% stressed that the need to double the current number, and 17% said they were more likely to downsize their staff in this sector, mainly due to limited institutional capabilities. In the waste sector, the total number of permanent employees is 23 employees (14 of whom belong to the Upper Shouf Union alone), and the total number of daily workers is 123 (56 in Minieh and 25 in Chouf-Sweijani). This variation reflects the weight of the role that municipal unions are undertaking in waste management. However, in most cases, waste management is not handled by a separate unit but directly supervised by the union president with the help of some employees he chooses from the various units of the union.

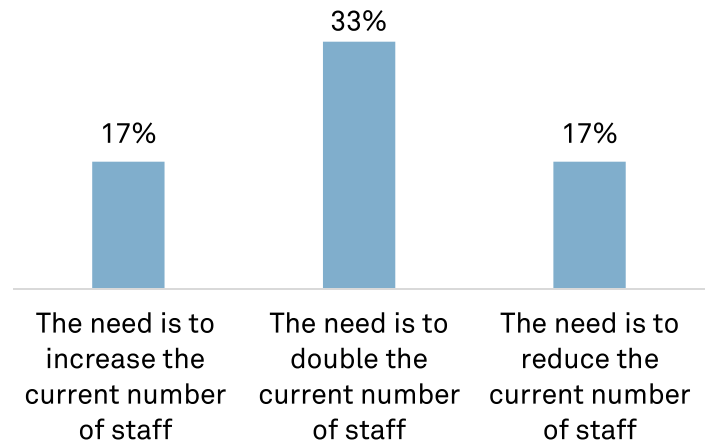


Figure 17. Employment needs in the solid waste management sector.

In the police sector, the need to cope with the population surge resulting from the Syrian exodus has brought about a significant increase in the number of police officers employed by local authorities over the last few years. Of the municipal unions that have a police unit, 52% believe that the current number of police officers is inadequate and 10% believe they need more than double the current number. Then again, the need for a large police unit may not be permanent and would cease as soon as the security and political conditions change.

In terms of public outreach, the unions that responded to the survey (22 out of 37, or about 60%) have different bodies managing this sector: an employee of the union, an administrative unit, a member of the union council or a paid third party. While some unions operate without an e-mail (8% operate without a landline phone number and 55% without fax), other unions have their own electronic system and units specialised in public outreach management. The unions' awareness of the importance of communication is increasing, with 10% of the sample unions having expressed a need for employment in this sector despite the weight of other needs. On the other hand, only 13.5% of unions have specialised public outreach committees.

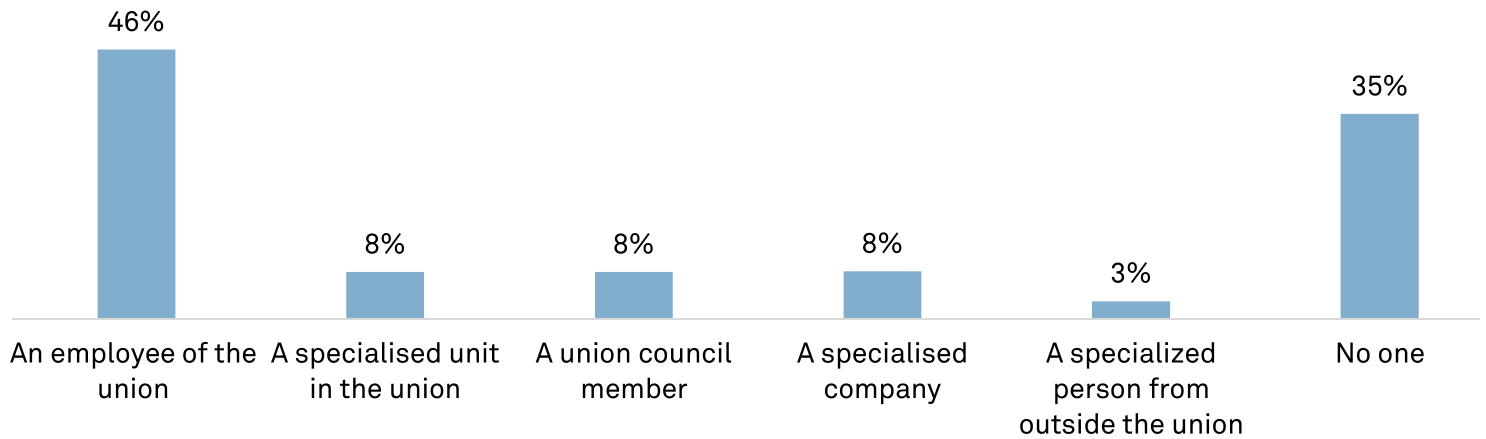


Figure 18. The body responsible for public outreach management.

In addition to the need for employment and administrative development, local authorities have expressed a need for training to develop their competencies and expertise. Although training needs are already receiving special attention from ministries, associations, international bodies and municipal affairs offices of political parties, municipal unions complain that the training courses provided by these bodies are not enough to provide their members and employees with the appropriate and sustainable qualifications required in their fields. Training areas vary from one sector to another. For example, the training courses offered by the Internal Security Forces in the police and public safety sector are neither mandatory nor sufficient since they cover only the security aspect (bearing arms and discipline) and do not consider the specificity of the role of municipal union police. Moreover, training is sporadic and irregular, occurring once a year, or every two to five years.

According to the survey results, 35% of the training received is an introduction to the laws and administrative mechanisms in force, and 32% is an introduction to public outreach methods, 16% conflict resolution techniques, and 24% major security threats in the region. The Ministry of the Interior and Municipalities appears to be the greatest training provider (35%), followed by non-governmental bodies (about 11%). While most municipal unions recognise the need to train their police units, the points of disagreement between them are centered on the content of training courses. Some emphasise the importance of training for emergency and crisis management (natural disasters, sectarian, political or clan-based conflicts, terrorist acts, criminal acts, etc.), while others consider that training should address the greatest challenge: the identification of common frameworks and mechanisms for municipal union police. In general, municipal unions do not perceive their police as a stand-alone security force, but rather as a support and back-up force to central security forces.

In the waste management sector, no institutionalised training is available. This is partly offset by international cooperation projects that create spaces for the transfer of expertise and learning. In terms of public outreach, the minimal amount of work done, including the management of the electronic platforms of the union and the organisation of public meetings, indicates the need for specialised training in electronic technologies and modern platforms that allow unions to connect with people and involve them in decision-making.

Plans and strategic visions are among the most essential institutional factors that promote service development, as they link the objectives with the human and material resources available. In Lebanon, planning has become a more widespread practice, especially in local authorities, because of the improved institutional awareness of these authorities. Planning has also been influenced by the supporting bodies and international organisations increasingly tying their funding to the availability of such plans.

Most union presidents (67%) report that their unions have a waste management plan, and half of them consider their plan to be well-developed and adequate. In the development of their plans, 27% were supported by experts, 24% by international bodies, 24% by private companies, and 14% by the Ministry of Environment. Other unions are in the process of preparing their plans, with the exception of two (5.5%).

Only 35% of unions with a police unit have a general vision of the methods that can be used to develop the police and public safety sector and address its challenges. Their plans and visions mainly focus on coordinating with security forces and patrol units (night patrol units, in particular) on the issue of the displaced Syrians. Other unions are working to increase the number of their police officers, install surveillance cameras, and develop a contingency plan and a traffic management plan.

In the public outreach sector, approaches and priorities vary between creating an official website and Facebook page, and launching an official WhatsApp group for the union. In this regard, official websites and Facebook pages represent the minimum acceptable electronic presence and the very first interface of any institution or organisation today. Other applications offer even more modern platforms for interaction, information-sharing, complaint submission and requests, unlike WhatsApp groups, which facilitated direct communication but remain targeted and restricted, and do not allow the publication of documents and participation in decision-making.

### At the Level of Community Response

The performance of municipal unions is influenced by the community’s response to their projects. Community response expands in three directions. In the first direction, people lose interest in the service, thus weakening the union’s resolve to develop it. In the second direction, people show interest through accountability or the provision of parallel services, thus putting unions under pressure and pushing them to find solutions and coordinate with existing initiatives. These two directions are particularly observable in the public outreach and solid waste management sectors. In the third direction, the service affects the relations and power balance between the social and political forces, and is affected by local priorities, perceptions and norms. In sum, public service delivery is not a mere technical process. It is rather a space of action where relations are re-shaped, cemented, or institutionalised at the community level.

Municipal union presidents report the community’s indifference to their work as a foremost challenge, especially since the municipality is historically the local authority to which people turn to and whose work they closely monitor as direct voters. Most municipal unions, especially geographically large ones, do not enjoy such

proximity. People in Lebanon have shown high interest in the waste management issue, with 51% of municipal unions reporting local community and civil society initiatives relating to the sector and ranging from lobbying for action to seeking partnership and developing alternatives.

Political and social interests influence the development and distribution of public services to a large extent, especially in a country with severe structural crises such as Lebanon: the local authorities’ proximity to people, their direct relationship with them, as well as the electoral interests and expectations, sometimes result in privileging some people at the expense of the public good and good governance. While 32% of the unions that responded to the question believe that politics do not have any influence on the waste management issue, other unions believe that politics can secure funding and facilitate communication with the central authorities and local community.

On the other hand, unions consider that local political and social interference negatively impacts the work of police officers and their ability to suppress irregularities. The responses to the survey question are substantially inconsistent (between 1/5 and 5/5 for the impact on police work, and between 0/10 and 8/10 for the ability to suppress irregularities).

The complex relationship with dominant political and social forces can be understood through two levels. First, the complex relationship between political forces and local authorities in Lebanon: while political forces try to situate themselves as mediators with central authorities by taking over local authorities through elections, a number of local dignitaries who are involved in local authorities still enjoy a fair amount of autonomy and policy-making power. Second, the relationship with citizens and their right to transparency and accountability: to achieve good governance, unions must make public services more equitable and democratic.

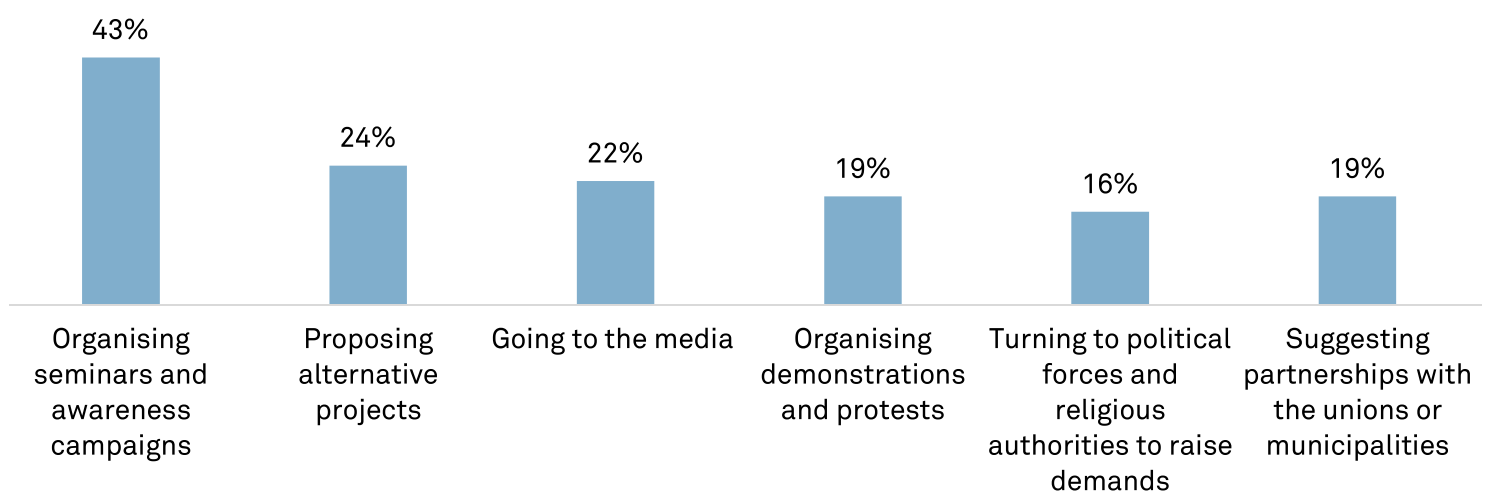


Figure 19. Community response to the waste management issue.

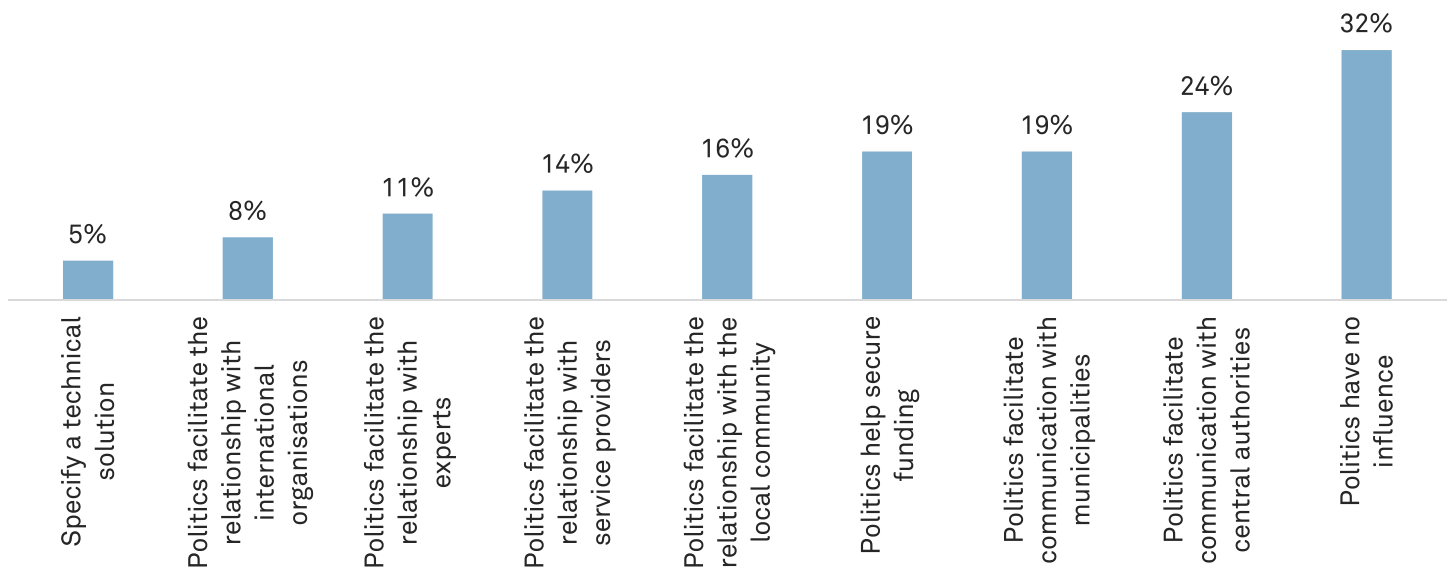


Figure 20. The perception of the influence of politics on the waste sector.

## On Democracy and Social Justice in Providing Services

Today, unions use a wide range of outreach and communication channels: electronic platforms, publications, media, public meetings, people's participation in committees, etc. However, it is essential to question the types and conditions of this participation. These instruments are initially subject to the logic of propaganda, as they aim at highlighting the activity, effectiveness and presence of the union. As such, participation here is synonym to receiving input and being notified, without being able to verify what is put forward. Even today, transparency is still not considered a priority for most unions. Some do not hesitate when declaring that giving people access to information and allowing them to get involved in the work of the union would limit its effectiveness.

This raises a question about the chances of implementing the law. Most union presidents remain indifferent to the law, despite the Minister of the Interior and Municipalities urging local administrations to apply it through Circular No. 13236 of 6 September 2017. The unions' understanding of transparency is still influenced by the working culture of municipalities, which is based on direct and organic communication with the people, where the citizen-individual does not represent an independent political unit with rights and obligations toward the local administration he or she elects. Municipalities would rather deal with representatives of the local community (head of family, sect, party, etc.) with whom they could have a relationship of alliance or

rivalry. Therefore, most local administrations operate as if they were closed governance authorities dealing exclusively with local dignitaries and political or economic players who carry development projects in their regions or partake the resources of the region the way they share the benefits of electoral victory.

In both cases, access to information will open the door to accountability and answer the demand for change. Fortunately, a growing number of elected officials have a more modern view of the citizens' right to participate in view of proposing alternatives. However, there is still a need to define the mechanisms of participation and public meetings in the law, as part of the most important foundations on which the democratic character of public institutions and service provision is based. There is also a need to provide technical and (occasionally) financial support to activate the tools of such participation.

In addition to transparency and citizens' involvement, the ways unions deal with Syrian refugees remain an important indicator of their policy of openness or marginalisation. If dealing with the consequences of a massive displacement constitutes a major challenge for countries, how can local administrations – with limited resources and often abandoned by the central government – face the problem alone? Despite the span of the problem and its effect on the work of municipalities, displacement did not directly alter the



work of unions. The latter have no channels dedicated to communicating with displaced persons, who are generally ignored in any communication medium generated by these unions. Regarding the waste issue, a general complaint surrounds the volume of generated waste from the displaced population and the pressure it puts on the infrastructure. While we often see internal management of camp waste, the unions do not handle the issue themselves. Additionally, union police do not deal with the displaced, leaving the task to municipalities and central security forces. If ever faced with the issue of displacement, unions treat the displaced as a source of pressure, a possible danger that must be controlled or a source of pollution that must be treated. Therefore, the displaced and their representatives, have no opinion and no place in union work.

## The Relationships of Unions with Other Actors in Service Management

### Unions and Member Municipalities

There are two widespread perceptions as to the role of the union and its relationship with municipalities: the first advocates a role of coordination among municipalities and providing support, while the second advocates a strategic and leadership role with the consent and support of member municipalities. These two principles have emerged in the discussion of the perceptions of union presidents when it comes to managing the police to safeguard public safety. Some presidents promote a leadership role based on technical specialisation, while others insist on unions solely providing a framework for coordination. A conflict and an integration in the type of services provided by the unions and the municipalities exists in the waste management sector. Some unions are involved in sweeping the streets, collecting waste, limiting the amount of waste by spreading awareness, encouraging sorting-at-source, sorting and sale of recycled materials, and proposing landfills, which are the duties of municipalities as well. However, the unions that use advanced technologies in the processes of composting and production of electricity differ in their adoption of awareness-raising techniques aimed at addressing as many people as possible. As for communication services, the perceptions of union presidents and their different understandings of the role of a union have the greatest impact in determining the relationship of the union with municipalities, a relationship ranging from competition to integration or total disregard.

### Union and partners

In recent years, numerous local authorities have succeeded in building strong relationships with partners from both the public (organisations and international parties) and private sectors. These relations vary and diverge from one place to another, with different and unexpected trends at times. Despite the increasing activity of international actors on the local level, their provision of financial and technical support, and their constant emphasis on the importance of communication with people, union presidents marked an average grade of (2.7/5) for their positive impact on communication and a similar score to civil society organisations (2.4/5). The activity of experts and private institutions received lower marks (1.9/5). The scores for the activity of specialists and private institutions indicate that unions, despite the increasing role of experts and their provision of specialised studies to improve communication, still consider the issue to be social, non-technical, and not requiring the intervention of experts. In the waste management sector, most unions express a clear reservation regarding the relationship with the private sector, from large companies to local contractors, whereas international bodies and local associations receive positive reviews and are considered partners or sources of funding. In the police and public safety sector, unions largely resist the involvement of the private sector (such as security companies) in the. The general trend, opposed by very few unions, is toward coordinating with local bodies, parties and committees, and excluding international companies and bodies from this field.

The results above indicate that the role of the private sector is somehow limited. International institutions focus on waste management and their involvement in the fields of communication and policing, but this remains negligible compared to the presence of local representatives of different civil, domestic, and political actors, albeit in varying degrees, in the three sectors. Although not as close to the community as municipalities, unions are, as the evidence suggests, local actors that consider themselves part of their local fabric, which makes their contribution primarily an in-house role. As for the relationship of unions with international organisations and the private sector, it is generally characterised by opportunism and caution.

The relationships, ranging from coordination to support and partnership, make the potential for action in the concerned sectors broader but more complex. This imposes on the unions a culture of action that creates certain frameworks for establishing relations, cooperation and contractual agreements that are not taken into consideration in the applicable laws. Hence, there is a legitimate question about the legal liability and the accountability frameworks that should regulate such a reality.



## Unions and Central Authorities

The relationship of municipal unions with the central authorities differs from its relationship with other parties. Central authorities exert control and oversight over local authorities. The Ministry of the Interior and Municipalities is the sole authority responsible for guiding the municipalities and training them to carry out their duties or obliging local authorities to obtain special permissions to carry out procedures that may have implications on some sectors (such as licenses from the Ministry of the Environment).

The relationship between the unions and the central authorities varies from one sector to another. Some authorities are totally absent. They do not deal with the unions and would rather communicate exclusively with the Ministry of the Interior and Municipalities and its security services to discuss police work and public safety. Others communicate closely with the unions on the issues of waste management, including the Ministry of the Interior and Municipalities, the Ministry of Environment, the Office of the Minister of State for Administrative Reform and the Council for Development and Reconstruction (CDR). These authorities mainly provide guidance and training. They also help municipalities obtain the necessary permissions and approvals for some infrastructure projects.

When it comes to waste management, clear discrepancies among unions stand out in terms of assessing their relationship with the central authorities, which tends to be a negative assessment in general. Some unions maintain close relations with certain ministries and not with others. The Ministry of the Environment, being the ministry that provides the utmost help and support in the waste management sector, usually maintains the best relationship with municipal unions. Next comes the Office of the Minister of State for Administrative Reform, followed by the Ministry of the Interior and Municipalities, while the relationship with the CDR is always negatively assessed. The kind of support received usually comes under the form of assistance in raising funds and training. Control and oversight, however, are weak in this respect.<sup>30</sup>

As for police work and public safety, the Ministry of the Interior and Municipalities is the authority with which unions communicate and work the most. There is a close coordination in this regard and the Ministry plays a primordial role in training local police personnel. Nonetheless, the dispute over the legal status of municipal police as judicial police has complicated the relationship between the two parties and limited the ability of the police and the central security forces to take action.

In light of the experience of municipal unions, what amendments should be made to the laws of local authorities for better local services?

It is clear that municipal unions form a flexible cooperation framework for municipalities. In some cases, they allow the emergence of a pioneering institution that leads development work in their regions. The main strength of the unions remains their ability to develop effective professional bodies while maintaining their roots in local, social and political relations. They are able to feel the pulse of their communities and recognise people's concerns. However, according to the current law, this strength can also be a weakness that limits the effectiveness of unions. If unions go too far in forging relations with the local community and catering to their daily needs, they might find themselves in a situation of competition with member municipalities. Their complex relationship with the central authorities can get more complicated if the latter consider that the specialised bodies of the unions as competitors in some areas of intervention. This raises the question of the status of unions and their eligibility to manage such issues. What causes so many different problems around one institution is the diversity in the form, size and reality of such institutions, which differ from one region to another. This diversity creates experiences which vary in quality and quantity among the different unions, despite all unions having the same fundamental problems and operating within one general legal framework.

Therefore, two divergent suggestions are made to improve the reality of decentralisation in Lebanon. The first proposal calls for preserving and developing this experience, rather than abandoning it or terminating it as suggested by some of the administrative decentralisation bills studied in Parliament nowadays. This calls for the adoption of reforms to the current Municipal Act focused particularly on municipal unions. Taking into account the current situation, the second proposal stems from the Administrative Decentralisation Bill that is likely to be adopted by Parliament. The bill foresees the establishment of district councils and the abolishment of municipal unions. Should the latter scenario materialise, it is essential that the draft law draws lessons learnt from the experience of municipal unions in a way that builds on their strengths and prevents the problems resulting from their weaknesses.

Whatever the scenario, some fundamental issues must be addressed.

<sup>30</sup> Some union presidents have mentioned the role played by the Office of the Minister of State for Administrative Reform, which sent consultants to control waste treatment facilities but did not control waste collection, street sweeping, uncontrolled waste burning and landfilling.

First, administrative measures and amendments to the current law should be introduced to solve many of the common challenges and constraints that plague the work of local authorities in Lebanon. To solve them, the law should:

- Confirm the responsibility of local authorities to automatically publish information and make it accessible to the public through print and electronic media.<sup>31</sup> In the same context, it is necessary to address the confusion surrounding the secrecy of meetings and its limitations as provided for in Article 45 of the Municipal Act, knowing that said article is in opposition with the Access to Information Act that confirms that any person may have access to the minutes of meetings.
- Settle the legal loophole concerning the status of the local police as judicial police, provided the establishment of more effective control frameworks by central administrations and a general legal framework that allows the unification of rules and procedures.
- Activate the training units of the Ministry of the Interior and Municipalities provided for by the Municipal Act and secure the necessary funds to enable these units to develop specialised and effective curricula and training courses.

Second, there are more complex measures that enable the central government institutions to secure a framework in which local authorities can better play their role, such as strengthening control and oversight agencies and conceiving a comprehensive strategic vision to be implemented. However, the hardest challenge to the work of local authorities is chiefly political and linked to the expected political role of municipalities and municipal unions. Central governments still view local administration through a narrow administrative framework and do not grant them the opportunity to acquire the necessary legitimacy to play a transformative political role, in every sense of the word. The most important limitation to the legitimacy of the representativeness of municipalities is the geographical gap between the voters' place of residence and their place of registration. The municipality of a town does not represent all its residents, for only the voters whose family is "originally from" the town concerned enjoy voting rights, even if they don't live there, while residents don't. The union, whose council is formed of the representatives of different municipalities, is not elected directly. Moreover, there is no legal mechanism that allows even a relative participation of the actual population in decision-making, as is the case in many countries of the world. Addressing these last challenges requires a profound change in the Lebanese political system that may not be forthcoming.

<sup>31</sup> Pursuant to Circular No. 13236 of the Minister of the Interior and Municipalities dated 6 September 2017.

### The First Suggested Path: Improving the Municipal Act

The first path focuses on municipal unions as a successful framework for the development of administrative decentralisation in Lebanon, which can strengthen local development and enhance public service if the multiplicity of their realities is taken into account and the necessary support frameworks are provided for them. Hence, the main recommendation of this report is to build on the multifaceted reality of unions and their organisation to create a legal framework that links the reality of the different types of unions with the terms, powers, responsibilities and incentives based on which unions are classified into specific legal categories. The aim of this approach is to give unions, each according to its unique reality, the chance to succeed in providing certain local services in a better way. It is also to preserve the flexibility – the underlying strength of unions – of this type of institution to combine a realistic recognition of the map of social and political relations as formulated by local players – and changed if they so desire<sup>32</sup> – with both the aspiration towards development and the ability to lead it. Such flexibility will allow the provision of need-based services, such as police, outreach, and waste services, through a close and direct relationship with the community. The flexibility will also allow the provision of services that require high technology and highly organised management that adopt new working methods through the development of specialised expertise and a vision to attract the necessary support to secure sufficient financial and human resources. The following is an example of what these categories can be in the anticipated laws on local administrations.

In this model, there are three categories of unions. Each category determines the responsibilities of the union, its powers, and its relationship with the central authorities. These categories are based on three elements: the reality of unions; their role; and the necessary mechanisms for the development of this role. The reality of unions is determined by two basic factors: the financial and human resources of the union and its socio-geographical situation, i.e., the area of the union, its population, its rural or urban nature, etc. The role, as mentioned above, is either a coordinating role between member municipalities or a leadership role that designs policies and pushes towards development, knowing that the fulfilment of this role remains subject to securing the necessary means of building up the institutional capacities of the unions.

The proposed categories are as follows:

<sup>32</sup> Some of the presidents of unions defend this view, in parallel with the idea of district councils that follow the administrative boundaries of the districts. Other projects of expanded administrative decentralisation are being introduced nowadays.

	First Category: Small Unions	Second Category: Large Rural Unions	Third Category: Unions Around Big Cities
The reality	<p>Low-income rural unions with a limited number of member municipalities.</p> <p>Limited financial and human resources (the same applies to its member municipalities).</p>	<p>“Large” refers here to the area of the union, its population, and its municipalities.</p> <p>Sufficient resources to build and sustain medium- and large-scale units.</p>	<p>Unions of a limited number of municipalities surrounding one of the major cities and its suburbs and having a limited geographic scope.</p> <p>Substantial resources available.</p>
The role	<p>Deliver the types of services provided by medium-sized municipalities.</p> <p>The small size of the population and geography, as well as the daily communication of the union administrations with people, allows the union to be aware of the daily social reality within the union and to intervene effectively despite the relatively modest available means.</p> <p>Reduce the current fragmentation of municipalities: a large number of municipalities with limited resources.</p>	<p>Draw development and strategic plans, implement projects, and operate facilities.</p> <p>Municipalities take care of the daily affairs of citizens, while unions manage strategic and specialised affairs. This includes the elaboration of plans and the establishment of specialised units dealing with developmental issues (Development Office).</p>	<p>Connect the city to its surroundings in a balanced manner, focusing on the organisation of urban expansion and the management of major services such as solid waste in these overcrowded areas.</p> <p>The municipality focuses on developing the city’s needs in terms of raising its capacity to attract investors and tourists and eradicate poor neighbourhoods from the city, knowing that this requires huge investments and budgets.</p> <p>It is important to distinguish clearly between the role of the union and that of the large municipality it surrounds.</p>
Prospects for development and the role of central authorities	<p>Cannot manage large facilities in a sustainable way. Hence, it is possible to coordinate with neighbouring unions of the same category to establish partnerships on joint development projects.</p> <p>Training of units.</p>	<p>Training of units.</p> <p>Providing the necessary resources for investment.</p>	<p>Despite its advantageous financial and human situation, these unions and their member municipalities face considerable challenges on the levels of services and administration, which consume their resources. Hence, the importance of the support of central authorities for major investments.</p>
On solid waste management	<p>Focus on the techniques of sorting-at-source, secondary sorting, basic composting, and recycling.</p>	<p>Member municipalities are engaged in street sweeping, sorting-at-source and basic composting, while the union works to develop a general plan for the sector, secure and manage landfills and treatment facilities, and monitor the general situation of the sector within the union.</p>	<p>Large cities do not have available areas for the establishment of plants and landfills and thus look for areas outside their borders for these services, while smaller municipalities refuse to bear the volume of a big quantity of waste produced by these cities. Hence the importance of the union’s coordination role.</p>

	First Category: Small Unions	Second Category: Large Rural Unions	Third Category: Unions Around Big Cities
On public security	Establishment of an effective corps to replace the municipal police.	The union police have a unit that regulates traffic on the main roads that connect different municipalities.  The municipal police are concerned with the traffic problems inside towns.  Establishment of a crisis and emergency management unit.	The role of the union police, if available, depends on the coordination and cooperation among the units of the member municipalities' police, which has enough specialisations in most cases.
On public outreach	The possibility of creating a dynamic volunteering movement in the local community to support the work of the union.	The union can secure e-municipal services, which relieves the population of the burden of moving to union centres that may be far from their places of residence.	

### The Second Suggested Path: Instituting Administrative Decentralisation Based on Elected District Councils

In case the Lebanese Parliament decides to adopt the expanded administrative decentralisation which foresees the establishment of elected district councils, the law should take into consideration the following main points:

- Any decentralised administrative framework should address the issue of development as a primary goal. Hence, there is a need to review the administrative boundaries of the districts, many of which are very different in nature, ranging from rural to urban, and therefore require different development plans.
- The law must distinguish clearly between the work of the new district councils and municipalities, as opposed to the current relationship between the municipalities and unions. District councils should be autonomous bodies whose functions do not overlap with those of municipalities. It will, therefore, be necessary to develop the Municipal Act, on an independent, parallel track. In terms of roles, municipalities should be assigned local roles based on direct communication with people and response to their needs first, while the role of district councils should include planning, running large facilities, and empowering the smaller municipalities to perform their best. This can be achieved by working within the districts to develop strategic plans and assigning human resources to manage these plans (for example through development offices). In the sectors examined in this research, planning would take the following form:
  - For waste management: Municipalities, with the support and guidance of the elected district councils and in coordination with the local community, promote sorting-at-source, develop plans to this end (to the extent possible), and oversee street sweeping and waste collection for the sake of secondary sorting and basic composting. District councils work in coordination with the municipalities and central authorities<sup>33</sup> to develop a general plan aiming to provide landfills and treatment centres, assign their management, and grant the necessary authorisations for their operation.
  - For public safety: Developing services similar to those mentioned under the “large rural unions” category (a unit that regulates traffic on the main roads that connect different municipalities; establishment of a crisis and emergency management unit, etc.). The most important issue when it comes to the police of district councils is to determine their relationship with the central security organs and regulate their activity in a special decree, so as not to turn them into a sort of “unchecked local militia.”<sup>34</sup>
  - For public outreach: Municipalities are in charge of day-to-day communication and outreach, while the union’s communication and outreach activities focus on its work and the rights and duties of citizens, as well as any changes on the level of the entire union area that may involve risks that need to be averted or opportunities that need to be seized. Electronic communication is undoubtedly an effective tool in this respect.

<sup>33</sup> Especially when it comes to abiding by the directives of ministries and providing the required means for the necessary investments foreseen in the plan of the district council.

<sup>34</sup> According to one of the participants who attended the consultative meetings.

## ABOUT DEMOCRACY REPORTING INTERNATIONAL

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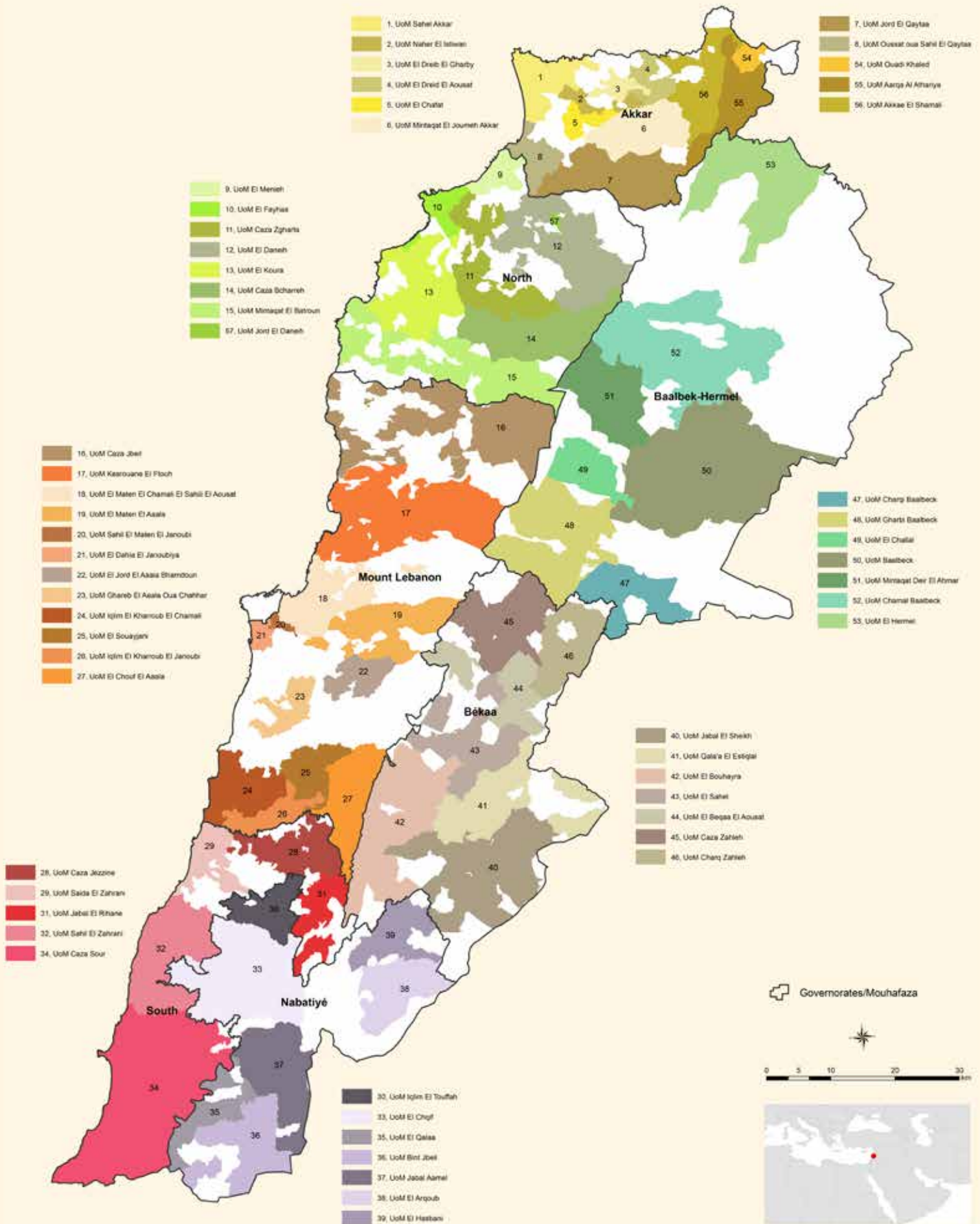


Federal Foreign Office



# Unions of Municipalities of Lebanon

## June 2017



**Data sources:**  
 Governorates: SCA/L  
 Unions of Municipalities (UoM):  
 Ministry of the Interior and Municipalities (MOM)  
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