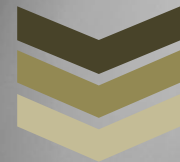


Watchful eyes



PROF. DR. SYED OMAR SYED BIN AGIL

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WATCHFUL EYES (CASE STUDY)

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ABSTRACT

This case captures the problem of police corruption in Libya as one of the most challenging issues that is developing in the country. Fighting corruption in the Libyan police force is going to be a hard task to complete and raising the pay rate is not going to solve the problem. The problem can only be solved by watching officers' progress, keeping a good pay rate, keeping up-to-date equipments and by praising the officers when they perform well. In today's society we are surrounded by the negative views shown by the media and of others about the way the police are doing their work. However to keep the police officers motivated and away from engaging in corrupted activities, you must show them that even the simplest arrest or enforcement of laws that they may not fully agree with will cause the betterment of the society that they are serving and protecting.

Keywords: Corruption, Police force, Ethics, Leadership, Money seized, Drugs.

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PROLOGUE

Officer Ahmad Salem(GhadamesPolice Department)GPD

Ahmad graduated from the police academy as a police officer in December 1997. Ahmed was a uniformed officer who signs on for duty after graduation. Ahmad endup to be one of the five officers who were informed by the General People's Committee for Public Security (internal Minister) to work in the Ghadames Police Department (GPD). Ahmad and his friends form an integrated team. Colonel Adel Taher is the Head of Narcotics Unit in GPD and an officer in charge for the operations on drugs cases.



Source: <http://www.sfari.com/forums/sfari86/travel54997/>

Ghadames is a beautiful and ancient city in Libya, which used to be known by the foreign tourists and also at the same time known to many of the Narcotic Drug dealers in North and South of the Sahara. In 1998 Ahmad and his friends requested to handle the Narcotics unit.

One day, they received a call about a car which has been driven by someone who arrived at the Ghadames city. The car was not the problem, despite the fact that the model of the car is modern and made in 1998. But the question that comes into their mind is that what is the real motive of this visit on a very cold day? Therefore, their mission here initially is to search for the answer to this ambiguous question. The officer in charge for the operation told Ahmad and his team that the investigation resulted that, the purpose from this visit is to purchase a quantity of drugs. While they attempt to arrest the suspect, the deal was cancelled and they decided to catch the suspect while he was trying to escape through the main entrance of the city and then interrogate him. During the interrogation and searching for the car, it shows that the suspect has in

his possession a large amount of money estimated about ninety thousand of Libyan dinars. Here they realized that the amount of the transaction to be held was huge.

When the money was initially seized, it must be transported to the police station and counted. At the police station they count the size of the money in the case and after they have completed it, they made sure that the amount of money is ninety thousand Libyan dinars. Then they decided to deposit the amount in the bank. During the transaction, they realized that the amount had minus three thousand Libyan dinars. Therefore, every one of them becomes a subject of the case. In the theft of the missing money, the investigation resulted that the money was stolen while it was in custody of the police, thus the responsibility falls on the officer in charge of the operation. The officer in charge for the operation was a Colonel Rank and the Head of Narcotics Unit, consequently, no actions were taken against them.

The most important thing is that, after the completion of the preliminary investigation with the suspect and the willingness to refer the convict to the court, the convict tried to bribe Ahmad by saying, "You can take my money, and just release me".

(Drug dealers believe that they can bribe the police, once they fall in the hands of the police).

Here Ahmad and his friends decided to take him back to the investigation room and added another matter to him for trying to bribe a police officer.

Background of the Libyan Police Force

The Libyan police force LPF is governed by the legislation law Act No 10 of 1992 (Police Law) and regulations issued by the General People's Committee for Public Security. The General People's Committee for Public Security determines the structures and mandates of the police. Under the police law, the functions of the police are to maintain state security, public order and protect the lives and honor of citizens. Police officers are subject to internal oversight, under the police law. The law also grants the General People's Committee for Public Security the right to set up a tribunal to consider when there is police misconduct. The police are also explicitly subject to judicial oversight under the police law. The law also sets out a series of penalties for misconduct, including warnings and dismissals.

Corruption Perception Index in Libya

Based on the report to the United Nations Program of Governance in Arab countries called Corruption Perception Index, Libya recorded 2.5 points in 2009, while in 2008 it recorded 2.6 and was ranked 130th among 180 countries in the world behind Syria; but was in better position than Yemen. In 2008, it was ranked 126th among 180 countries in the world, behind Egypt and Lebanon. In 2007 Libya recorded 2.5 points and was ranked 131st among 180 countries, tied with Iran, Yemen, and slightly ahead of Syria. Libya recorded 2.7 points in 2006 and was ranked 105th together with Iran among 163 countries. It also, ranked 117th among 159 countries in the world and recorded 2.5 point in 2005. Libya recorded 2.5 point in 2004 and ranked 108th among 146 countries in the world, while it recorded 2.1 point in 2003 and ranked 118th among 133 countries in the world (see Figures 1, 2).

Figure 1: Corruption Perception Index (Values)

Source: United Nations Program of Governance in Arab countries (P.O.G.A.R, 2009).

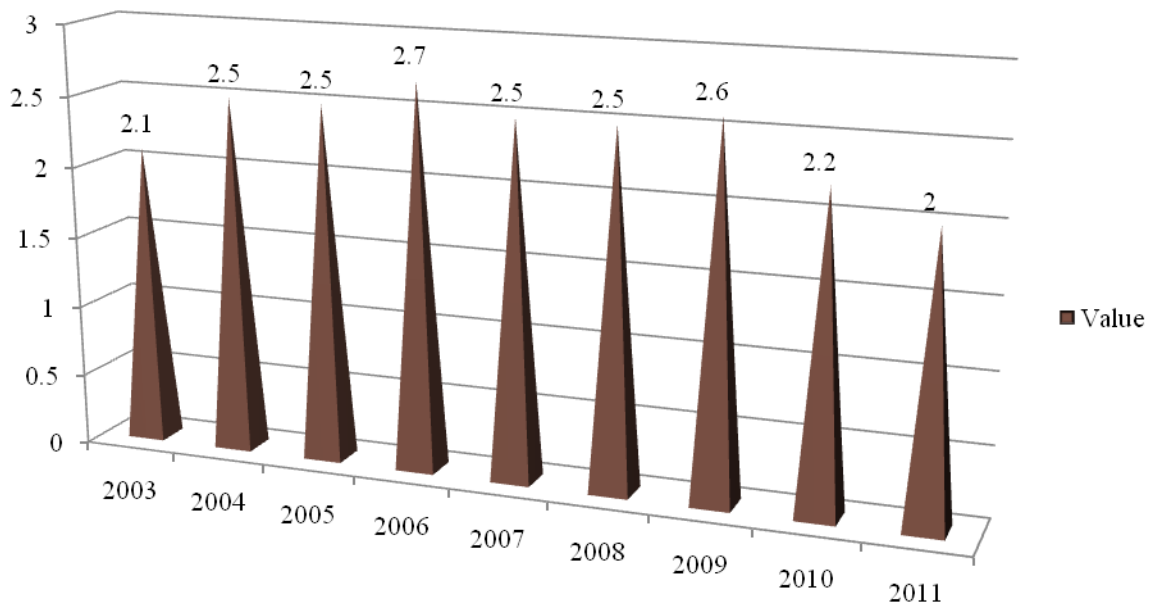
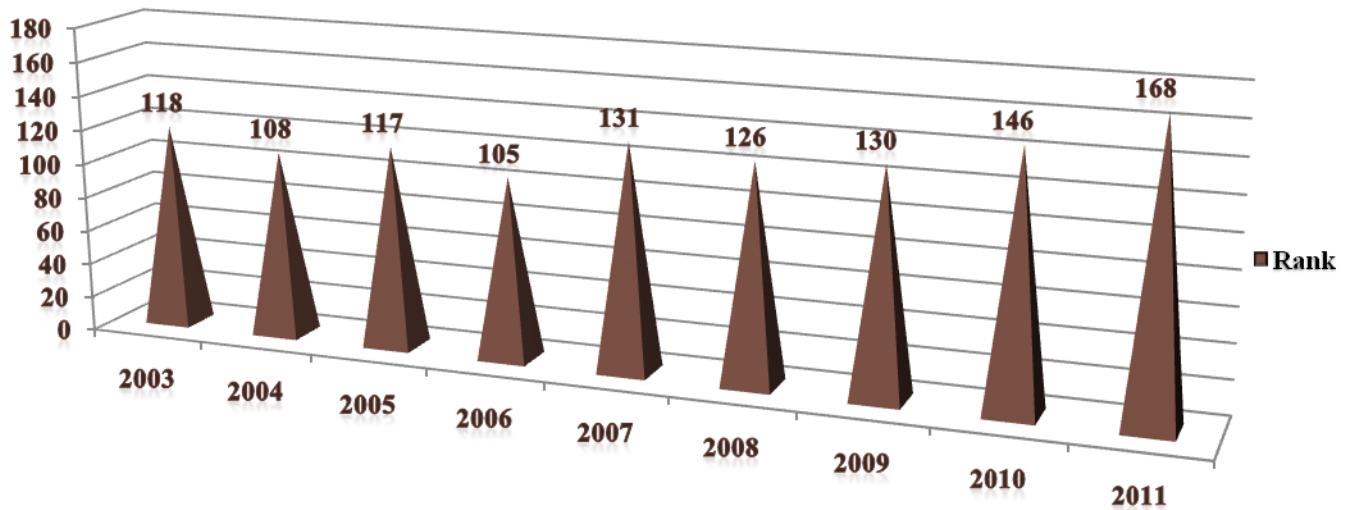


Figure 2: Corruption Perception Index (Rank)

Source: United Nations Program of Governance in Arab countries (P.O.G.A.R, 2009).



Transparency international issued its annual report on Corruption Perception Index in 2010, and Libya recorded 2.2 points and ranked 146th among 178 countries on the CPI 2010. In 2011, Arab Spring countries and many Eurozone countries particularly those affected by the financial crisis are doing worse and worse, based on a recent report issued by transparency international in Corruption Perception Index, accordingly, Libya scored 2 points and ranked 168 amongst 182 countries in the CPI 2011. The reports published by Transparency International about Corruption Perception Index showed deterioration of the corruption index in Libya from 2003 to 2011. This indicates a serious corruption problem in Libya that must be addressed to build public safety, stability and development.

Police Corruption in Libya

Unfortunately, the police force in Libya also faces a serious corruption problem. Moreover, literature and empirical studies that describe these practices prevailing in the police force are very limited. Most of the information about police corruption in Libya is available in the daily newspapers (electronic and paper) published in Libya. Departments of Research and Studies of Organization for Transparency Libya and Libya Human and Political Development Forum in 2007 discussed an analysis of the results of a questionnaire on corruption in the Regime's apparatus, state institutions and people's organizations in Libya in 2006. Among the major results of the questionnaire analysis was that the police force comes in the first state institutions suffering from the spread of corruption based on respondents' opinion. In 2010, the Secretary of the General People's Committee for Public Security (internal Minister) confirmed that the police force in Libya is suffering a lot of mutilation, falsification and the spread of corrupt practices such as cronyism (wasta), nepotism, bribery and courtesy.

Transparency Libya Team in 2009 indicated the spread of the culture of extortion is at all levels. How many citizens or businessmen have been the victims of this type of extortion from a senior officer in the Security? For example; not surprisingly, if the traffic cop stops some drivers to extort them for having seized on driving licenses or some documents of the car, and the extortion will be in the form of a swap driver's license or the amount of money or packet of cigarettes, or sandwich, or code the phone. Also in 2010, Transparency Libya, published some information on a range of corrupt practices committed by a chief of the police department, which included bribery, embezzlement, nepotism and extortion.

National legislation, policy and action

Libya Government issued Law No. (7) For the year (1990) on drugs and psychotropic substances based on the Penal Code and Criminal Procedure Law. The law stated that (The penalty shall be life imprisonment and a fine not less than ten thousand dinars and not more than fifty thousand dinars if the offender is a staff or the public employee which assigned to combat crimes of narcotics and psychotropic substances or control of the circulation of materials and possession). In November 2009, the Libyan Government signed an agreement with UNODC to open a UNODC sub regional office in Tripoli for the Maghreb countries. The new office, which is to be opened in December 2010, will focus on promoting cooperation between Algeria, Libya, Morocco and Tunisia in strengthening drug and crime control at their national borders. According

to the United Nations Report in 2011, a growing number of Cocaine and Heroin seizures have been reported in North Africa, notably in Libya and the Egypt. Capacity-building initiatives have been launched in Algeria, Egypt, Libya and Morocco to provide a comprehensive response to drug abuse including community outreach services for drug abusers, drug abuse prevention services and treatment services for drug abusers, including prison inmates.

Discussion Questions

- 1- What was the impact of the corrupt behavior conducted by a Head of Narcotics Unitas (police leadership) on Ahmad and his team?
- 2- How can the police department prepare their members for the ethical dilemmas that they face in their future work?
- 3- Why didn't the police department take any action against the Head of Narcotics Unitas (police leadership) who stole from the sized money?
- 4- Why was it difficult to suspect police leadership of serious corruption?
- 5- Discuss how Ahmad and his team will receive this message from their leader in the operation?
- 6- Discuss how could the police department keep their employees away from engaging in corrupt practices?
- 7- What would be the way forward to ensure that the repetition of these corrupt practices would not happen?
- 8- If you werethe Head of Ghadames Police Department, what would be your next step against the Head of Narcotics Unit?

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