GOOD GOVERNANCE
FOR DEVELOPMENT
IN ARAB COUNTRIES
INITIATIVE



Programme of Work for GfD II (2008-10)

OECD-MENA Governance Programme

UNDP GfD Programme on Anti-Corruption & the Rule of Law

Third Steering Group Meeting

at Ministerial Level

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OECD-MENA Governance Programme

A.I. OVERVIEW

1. This Programme of Work reflects the priorities of the OECD-MENA Governance Programme in 2008-10. The OECD-MENA Governance Programme is the support of the OECD Secretariat to the Good Governance for Development (GfD) in Arab countries Initiative. This Programme of Work has been developed in consultation and close co-operation with GfD stakeholders from Arab and OECD countries to ensure that OECD support for the GfD Initiative is in line with national and regional priorities. The evaluation of the survey on Arab countries' thematic priorities for the regional policy dialogue in 2008-10 provides further information on the planned activities and expected results of the OECD-MENA Governance Programme.[1]

2. GfD stakeholders and the OECD External Relations Committee provided the following recommendations relevant to the implementation of the Programme of Work. In 2008-10, emphasis could be placed on: (1) deepening policy dialogue, knowledge and capacity building at the regional level, (2) fostering peer advice and partnerships for reform at the national level, (3) monitoring and measuring progress, and (4) anchoring the programme in a regional framework of institutions and networks for reform. These recommendations lead then to the development of four strategic directions, which are further described in the document on achievements and strategic directions of the GfD Initiative.

3. This Programme of Work is fully in line with the OECD Council concerning its agreement on 10 May 2007 to extend the OECD support to the OECD-MENA Initiative on Governance and Investment for Development until the end of 2010 (MENA II).

4. The focus of the OECD-MENA Governance Programme for the period 2008-10 is public governance and public sector management. Its Working Groups aim to focus on: (1) Public Sector Integrity (in close co-operation with UNDP POGAR) and Human Resource Management, (2) E-government and Administrative Simplification, (3) the Management of Public Expenditure, and (4) Regulatory Quality, Public Private Partnerships (PPP) and Public Service Delivery (in close cooperation with the Working Group on E-Government and Administrative Simplification). The relations between central, regional and local levels of government should be addressed horizontally in all Working Groups. The possibility of establishing a separate Working Group to focus on regional policies and territorial governance could be considered by the Steering Group.

5. The OECD-MENA Governance Programme is implemented in close co-operation with UNDP POGAR and the MENA-OECD Investment Programme.

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[1] *For participants at the GfD Steering Group Meeting at Ministerial Level, the evaluation of the survey on Arab countries' thematic priorities for the regional policy dialogue in 2008-10 will be available on a CD ROM.*

A.II. EXPECTED RESULTS (IMPACT, OUTCOMES AND OUTPUTS)

*6. The expected **impact** of the OECD-MENA Governance Programme is the enhancement of Arab countries' public sector performance, transparency and accountability. The programme aims at ensuring gradual progress on public sector and governance reform, which in turn would lead to an improved environment for social, economic and human development in the Arab region. By addressing cross-cutting issues such as participation, gender and environment, the GfD policy dialogue can become a decisive tool to promote common values between Arab and OECD countries.*

*7. At the **outcome** level, the expected results are: (1) progress in public sector and governance reform, and (2) better monitoring of reform progress and impact. To this end, the OECD-MENA Governance Programme aims to (1) continue to support Arab countries in the implementation of their Country Action Plans, (2) continue to provide capacity building and training, (3) support data collection and evaluation to enable benchmarking and self-assessment.*

*8. At the **output** level, the expected results are:*

- ***Sustained networking of reform drivers**: The policy dialogue in the Working Groups would lead to a sustained and extended regional networking between OECD and Arab public sector experts. GfD II intends to increase partnerships with other international organisations (EU, WB, UNODC) as well as bilateral and multilateral actors working on governance issues in the Arab region. The visibility and involvement of reform drivers within their national administrations should be strengthened. At the same time, national networks of reform drivers should be reinforced,* e.g. *through national co-ordination committees.*

- ***Enhanced reform capacities**: The capacity of reform drivers for designing, implementing and monitoring public sector and governance reforms should be enhanced. The policy dialogue intends to lead to a better understanding of governance arrangements in other Arab and OECD countries and their relevance for the national context. At the domestic level, the policy dialogue can foster awareness on the need of public sector modernisation and extend the engagement of different stakeholders.*

- ***National adaptation of policy tools for reform and monitoring**: Technical know-how and tools for public sector and governance reforms from a variety of Arab and OECD countries could be available to participating Arab countries. Arab governments would be able to adapt policy designs, tools and instruments for reform implementation, data collection and monitoring to their specific national context.*

A.III. PLANNED THEMATIC ACTIVITIES

9. The general orientation of GfD II is based on the importance of reinforcing implementation and benchmarking as a way to ensure measurable impact and successful reform. A variety of activities are anticipated in the framework of the different focus themes identified by the GfD partners. These activities draw upon a large set of tools and instruments defined in the strategic directions for the period 2008-10 (i.e. capacity

building seminars, policy dialogue forums, peer advice and assessment initiatives, pilot projects, etc.). The Working Groups would play a key role in the identification of activities and the streamlining of their implementation. During the first months of 2008, the four Working Groups supported by the OECD Secretariat intend to meet in order to identify the main activities to be implemented in the coming period and to define a calendar for their development. Identifying these activities would be guided by the priorities set by the partner countries regarding the different focus themes.

10. In the framework of the ***Working Group on Civil Service Reform and Integrity****, the GfD Initiative aims to support Arab countries in their efforts to establish an efficient civil service inspired by strong ethical values.*

- ***Focus theme "Human Resource Management"****: The GfD exchange on good HRM strategies supports the development of fair human resource policies, based on the principles of performance, merit and diversity. GfD aims to contribute to the improvement of the performance of the public sector in HR planning, recruitment, placement, promotion, compensation, and remuneration. In the long term, the GfD policy dialogue can lead to a more balanced employment composition, increasing the efficiency of the public sector.*

- ***Priorities****: for 2008-10, in the focus area of Human Resource Management, Arab countries have given priority (in descending order) to: (1) designing and implementing HR planning, management, and control strategies in order to reduce wage expenditures and to enforce ceilings on staff numbers, (2) designing and implementing pay and grading reforms in view of evaluating and classifying jobs, designing pay scales, introducing performance-related pay, (3) strategies for managing the appointment, performance, promotion and retirement of senior civil servants, (4) designing and implementing recruitment, promotion and performance evaluation systems in the public sector, and (5) defining the role of central HR bodies and HR units in line-bodies.*

- ***Focus theme "Integrity in the Public Sector"****: GfD action in this focus theme is based on the assumption that the likelihood of either the ethical or the corrupt conduct of civil servants is determined primarily by institutional factors. Adequate action taken in regard to these factors can increase the transparency of the public sector and enhance the accountability of civil servants. In particular, the GfD regional policy dialogue intends to focus on codes of ethics, standards of integrity, regulations and incentives to promote an ethical civil service.*

- ***Priorities****: in the focus area of Public Sector Integrity, participating Arab countries have identified the following work priorities (in descending order) for 2008-10: (1) the functions of anti-corruption agencies: institutional design, implementation and coordination of anti-corruption policies across government, (2) formulation and dissemination of national anti-corruption strategies and action plans, (3) mobilising public opinion for fighting corruption: designing and implementing public awareness campaigns and ensuring whistleblower protection, (4) formulation and implementation of codes of conduct, monitoring their compliance, definition of sanctions, (5) identifying and regulating conflict of interest situations in the public service, and (6) information of citizen, public consultation and participation in integrity policy making. Additionally, Arab delegates have expressed a strong interest in the issue of integrity in public procurement as an area of future work.*

*11. In the framework of the **Working Group on E-government and Administrative Simplification**, the GfD Initiative aims to support Arab countries as they move forward with the implementation of e-government and administrative simplification procedures. The Working Group on Public Service Delivery, Public Private Partnerships and Regulatory Reform intends to co-operate closely in the area of administrative simplification.*

- ***Focus theme "E-government"**: the GfD policy dialogue on e-government can help countries to set up an inclusive and enabling online environment. The implementation of ICT tools can lead to improved public service delivery and can promote participatory decision-making. E-government reforms can be a means for bridging the digital divide and for building trust in government.*

- ***Priorities**: In the focus area of e-government, Arab countries have ascertained the following priorities for 2008-10 (in descending order) to: (1) define and implement institutional arrangements and tools for e-government, (2) e-services, sectoral initiatives and shared applications, (3) e-government strategy formulation, implementation and monitoring (for central and local government), (4) the use of e-government applications to simplify administrative processes, (5) the technical infrastructure for e-government, (6) e-government training and capacity building, (7) the legislative infrastructure for e-government, (8) measurement and evaluation of e-government strategies and implementation, and (9) service delivery channels to overcome the digital divide barrier and marketing e-services.*

- ***Focus theme "Administrative Simplification"**: the simplification of regulations and administrative procedures aims at making the relationship between citizens and business with government more transparent and direct by eliminating or streamlining the complexities of regulations.*

- ***Priorities**: for 2008-10, participating Arab countries have accorded priority in the focus area of Administrative Simplification (in descending order) to: (1) the simplification of administrative procedures for citizens and businesses through one-stop shops, licences, and the re-engineering of procedures, (2) designing, implementing and evaluating administrative simplification policies in view of reduced regulatory burdens, (3) policy tools for administrative simplification (simplification of the stock and flow of regulations, impact analysis of administrative burdens, use of ICT), (4) working towards behavioural change and the self-assessment of administrative procedures in the public sector, (5) simplification of the legal system, and (6) roles and responsibilities of institutions in charge of administrative simplification.*

*12. In the framework of the **Working Group on the Governance of Public Finance**, the GfD Initiative aims to support Arab countries in the sound management of public expenditure. With support of the Working Group, the Steering Group of the Initiative will consider for the period 2008-2010 the possibility of setting up an Arab Senior Budget Officials network (SBO).*

- ***Focus theme "Management of Public Expenditure"**: Enhancing the management of public expenditure aims at increased public sector performance, enhanced transparency of the government's expenditure objectives, strategies and forecasts and increased accountability of the government regarding the use of public funds.*

- ***Priorities**: participating Arab countries have identified the following work priorities for 2008-10 (in descending order): (1) implementation and use of performance budgeting, (2) implementation and*

use of medium-term expenditure frameworks, (3) debt management and management of temporary revenues, (4) legal frameworks for financial management reforms (organic budget laws, audit laws, control regulations), (5) market mechanisms and their use for public service delivery, (6) long-term budget projections, (7) cash management and allocation systems, (8) budget comprehensiveness (comprehensive expenditure classifications, programme budgeting, social funds/social projects), (9) Public Private Partnerships for public expenditure management, and (10) financial risk management.

13. In the framework of the ***Working Group on Public Service Delivery, Public Private Partnerships and Regulatory Reform****, the GfD Initiative is supporting Arab countries in improving regulatory quality, law drafting procedures, public service delivery and frameworks for using public private partnerships.*

- ***Focus theme "Regulatory Quality"****: there is a strong relation between the performance of the public sector and the quality of regulations, compliance and the government's ability to enforce them. The GfD policy dialogue in this area can increase the institutional capacity to design and enforce regulations and, thereby, improve management as well as promote citizens participation.*

- ***Priorities****: for 2008-10, Arab countries have given priority (in descending order) in the focus area of Regulatory Reform to: (1) improving (multi-lingual) law drafting through capacity building, guidelines and by integrating transparency principles and public consultation in the law drafting process, (2) the assessment of the social and economic impact of regulations and regulatory decisions, (3) design and implementation of whole of government regulatory policies, also in view of promoting economic growth, (4) roles and responsibilities of regulatory institutions, (5) regulatory frameworks for economic sectors, (6) regulatory policy tools, and (7) the training of juri-linguists.*

- ***Focus theme "Public Service Delivery and PPP"****: The GfD policy dialogue on public service delivery and PPPs can lead to improved and citizen-focused public service delivery.*

- ***Priorities****: In the focus area of public service delivery and PPP, Arab countries have ascertained for 2008-10 the following priorities: (1) capacity building on international benchmarking mechanisms and good practices for PPPs and public service delivery, (2) designing and implementing guidelines and procedures for better public service delivery, (3) the appropriate institutional frameworks and regulatory arrangements for PPPs in order to improve public service delivery, (4) use of PPPs in specific economic sectors (*e.g. *public infrastructures, health), and (5) good practices for liberalisation and privatisation processes in different economic sectors.*

14. GfD partner countries have expressed their interest in addressing a number of cross-cutting issues in the second phase of implementation of GfD. In particular, the impact of ***multilevel governance*** *in public administrations will receive special attention following the priorities expressed by Arab countries.*

- ***Focus theme "Relations between Central, Regional and Local Levels of Government":*** *GfD II is aware of the importance of including a territorial focus in the management of the public sector, particularly in view of the decentralisation policies that most of the participant countries have implemented or are intending to implement. Decentralisation processes imply the transfer of authority, functions, responsibilities and resources to sub-national administration levels. Decentralisation can provide a*

structural framework to: (1) improve public sector performance and public goods delivery, and (2) empower local communities legally, technically and financially. In the period 2008-10, the relations between central, regional and local levels of government should be addressed horizontally in all Working Groups. The possibility of establishing a new working group to address this issue could be considered by the Steering Group.

- ***Priorities:*** *Regarding this thematic area, Arab countries have identified the following priorities for 2008-10: (1) setting (input, output and outcome) standards for the provision of public services, infrastructures and networks across level of governments, (2) managing Human Resources across levels of government, (3) management of public expenditure across levels of government, (4) regulatory quality in multi-level contexts, and (5) multi-level considerations for administrative simplification.*

A.IV. PARTNERSHIP STRATEGY AND TARGET BENEFICIARIES

15. The OECD Governance Programme is working in close partnership with UNDP POGAR to ensure the implementation of the Programme of Work. The OECD intends to maintain existing co-operative relationships and to foster new ones with international organisations, in particular the League of Arab States (LAS), the Arab Administrative Development Organisation (ARADO, LAS's specialised sub-organisation), the Organisation of the Islamic Conference (OIC), the Arab Monetary Fund (AMF), the European Commission (European Neighbourhood Policy), the World Bank, the International Monetary Fund (IMF), UNDP ICTDAR, UN ESCWA, UNDESA and UNODC.

16. The partnership strategy builds on the notion that the contribution and ownership of Arab and OECD countries is fundamental for the attainment of the outputs. Close co-operation with bilateral development actors is crucial to ensure maximum synergies between reform design and support for reform implementation. In keeping with the principles of the Paris Declaration on Aid Effectiveness, the OECD-MENA Governance Programme aims at strengthening co-operation among bilateral donors. Networking between different donors could also contribute to better resource mobilisation, and facilitate links between promising reform projects and relevant donor programmes.

17. The OECD-MENA Governance Programme aims at enhancing public sector performance, transparency and accountability in Arab countries. It also seeks to improve the environment in the Arab region for social, economic and human development and to contribute to political and economic stability. Direct target beneficiaries are public sector specialists and officials from national, regional, and local government authorities as well as representatives of the civil society. Indirect target beneficiaries are the population of Arab countries as well as the domestic and international business community.

UNDP GfD Programme on Anti-Corruption and the Rule of Law

B. I. OVERVIEW

*18. This Programme of Work – **UNDP GfD Programme on Anti-Corruption and the Rule of Law** ("Programme") – reflects the priorities of Arab countries on anti-corruption and the rule of law for the second phase of the Good Governance for Development in Arab countries initiative (GfD Initiative) which will be implemented in 2008-10 ("GfD II"). The Programme has been developed in consultation with GfD Stakeholders from Arab and OECD countries and under the leadership of the Chair and Co-Chairs of the Working Group on the Judiciary and the Enforcement of Judgments. It also builds on the recommended strategic directions[2] for the implementation of GfD II: (1) deepening policy dialogue, knowledge and capacity building at the regional level, (2) fostering peer advice and partnerships for reform at the national level, (3) monitoring and measuring progress, and (4) anchoring the programme in a regional framework of institutions and networks for reform.*

19. The UNDP GfD Programme on Anti-Corruption and the Rule of Law is the result of an intensive process of regional policy dialogue and a number of stocktaking exercises that were carried out by UNDP's Programme on Governance in the Arab Region ("UNDP-POGAR") during the first phase of the Good Governance for Development in the Arab Countries Initiative which took place in 2005-2007 ("GfD I"). During that time, UNDP's Rule of Law Unit in the Programme on Governance in the Arab Region (POGAR) evaluated the survey of Arab countries' thematic priorities with a view to identifying the specific areas of reform that should be addressed during 2008-2010. The Rule of Law Unit also engaged in intensive discussions with Ministers of Justice, senior Judges, Chief Public Prosecutors, senior anti-corruption officials, senior officials from different public sector institutions and representatives of the civil societies in 12 Arab countries during that same period of time to ensure that each of the planned activities that are set out here reflect the national priorities for reform.

*20. The focus of the UNDP GfD Programme for the period 2008-10 is anti-corruption and judicial reform. It will support Arab stakeholders and benefit from the Working Group structure, whenever needed, to address the following **focus themes**: (i) supporting the implementation of the United Nations Convention Against Corruption; (ii) building the capacity of judicial systems to deal more effectively with economic disputes; (iii) encouraging a fair and effective mechanism for the enforcement of judgments; and (iv) enhancing the independence and integrity of the judicial system.*

21. UNDP is determined to build on the success that was engendered during GfD I and to implement future activities on the basis of that success and in partnership with each of the participating countries, the OECD's MENA Governance Programme, the MENA-OECD Investment Programme and other international partners, specifically, the United Nations Office on Drugs and Crime ("UNODC").

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[2] *The four strategic directions are further described in the document on achievements and strategic directions of the GfD Initiative.*

B.II. EXPECTED RESULTS (IMPACT, OUTCOMES AND OUTPUTS)

*22. The expected **impact** of the UNDP GfD Programme on Anti-Corruption and the Rule of Law is the enhancement of Arab countries' capacity to develop and implement policies that support the fight against corruption and strengthen the rule of law in line with international norms and standards and taking into account national needs and priorities. The programme aims at ensuring gradual progress on governance reform, which in turn would lead to an improved environment for human development in the Arab region. By addressing crosscutting issues such as participation, gender and environment, the GfD policy dialogue can become a decisive tool to promote common values between Arab and OECD countries and the international community at large.*

*23. At the **outcome** level, the expected results are:*

- ***Sustaining and advancing mechanisms to help policy makers identify priority areas for anti-corruption and judicial reform.** The Programme is designed to help the Arab partners to: (i) establish mechanisms that will monitor and report on the state of selected institutions and generate empirical data on a regular basis; and (ii) build capacity for policy makers and practitioners to analyse the generated data and develop policies and practices that responds to national needs and priorities and that are in line with international norms and standards.*

- ***Achieving progress towards increased implementation of good governance practices by Arab governments:** The Programme is designed to help the Arab partners to: (i) build knowledge and capacity related to governance reform at all levels of government; (ii) increase the capacity of the judicial sector to uphold the rule of law; and (iii) reduce opportunities for corruption through the effective implementation of the United Nations Convention against Corruption ("UNCAC").*

*24. At the **output** level, the expected results are:*

- ***Sustained networking of reform drivers:** GfD II will deepen policy dialogue, on the various focus areas of the proposed UNDP GfD Programme on Anti-Corruption and the Rule of Law in the context of working groups, networks, and other forums. This will also be enhanced by activities aimed at supporting networking at the national level between representatives of government, the private sector and civil society. GfD II also intends to increase partnerships with UNDP, OECD and other international actors (EU, WB, UNODC, etc.) as well as with bilateral and multilateral actors working on governance issues in the Arab region. These activities will lead to a sustained and extended regional networking between committed policy makers and practitioners from Arab countries, OECD member countries and various international actors.*

- ***Enhanced capacities to fight corruption:** GfD II will support Arab countries in building capacity to design and implement policies and measures that will support UNCAC implementation, with the aim of reducing opportunities for corruption at all levels of government. The Convention is the principle international instrument for anti-corruption reform, and several participating Arab countries have stressed the fact that there is a need to concentrate on implementing its provisions in each of their jurisdictions. The Programme's activities will lead to a better understanding of the related arrangements in other countries and their relevance for the national context. It will also foster*

awareness on anti-corruption reform needs and priorities and will extend the engagement of different stakeholders in the reform process. It will also develop and make available technical know-how in relation to a wide ranging number of anti-corruption reform topics.

- ***Enhanced capacities strengthen the rule of law:*** *GfD II will enhance the capacity of justice officials in each of the participating countries (senior officials from Ministries of Justice, senior judges and prosecutors, senior enforcement officials) to design and implement policies and measures that will promote judicial reform and strengthen the rule of law. The Programme's activities will introduce international norms and standards and best practices from the region and beyond throughout the judicial system. It will build knowledge and capacity on means to reduce opportunities for corruption therein. It will also develop and make available technical know-how in relation to a wide ranging number of judicial reform topics.*

- ***Systematised process to facilitate benchmarking:*** *GfD II will help Arab countries develop a systematized process to facilitate the production and exchange of information on governance reform and support related benchmarking. Both UNDP and OECD will support this technical process. Despite the natural synergies that exist between them, judicial and other public officials throughout the Arab region often have no contact with each other, which prevents peer-to-peer learning, amongst many other things. The Programme's activities will develop and make available technical know-how in relation to monitoring and reporting on the state of selected institutions. It will support Arab countries if they wish to adapt policy designs, tools and instruments for data collection and monitoring to their specific national context. The Programme will also help Arab stakeholders establish a number of regional networks that will bring together leading subject matter experts and officials from throughout the region within the context of structured networks or working groups. This will permit each country's institutions to learn from the experience of others, and to initiate efforts to reform.*

B.III. PLANNED ACTIVITIES FOR THE FOCUS-THEMES

25. The general orientation of GfD II is based on the importance of reinforcing implementation and benchmarking as a way to ensure measurable impact and successful reform. A variety of activities are anticipated in the framework of the different focus themes identified by the GfD partners. These activities draw upon a large set of tools and instruments defined in the strategic directions for the period 2008-10: capacity building seminars and activities, policy dialogue forum, peer advice and assessment initiatives, pilot projects, etc.

26. Arab stakeholders will continue play the key role in the identification of activities and the streamlining of their implementation, in the context of working groups, networks, and other forums. So far, the GfD Secretariat has worked closely with Arab stakeholders to identify the priorities, which have been set below. During a recent Chair and Co-chair meeting, held in Paris (France) on 4 August 2007 the main activities to be implemented in the year 2008 were also identified. The Secretariat will continue to work with the existing partners and new partners to identify new priorities and related activities, which will be guided by the results of the policy dialogue conducted in the context of the GfD.

27. In the framework of the focus-theme ***supporting the implementation of the United Nations Convention against Corruption ("UNCAC")****, GfD II aims to support Arab countries in their efforts to prevent and combat corruption in line with the UNCAC and with a view to promoting integrity, accountability and proper management of public affairs and public property.*

- ***Rationale for focus-theme****: The UNCAC provides a global framework for addressing a wide range of anti-corruption measures requiring sustained efforts to implement its provisions. The Convention has been signed by 16 Arab States, 11 of which have also ratified it. It therefore presents an important entry point to anti-corruption efforts in the Arab region. Arab countries participating in the GfD Initiative specifically requested assistance to implement the UNCAC and UNDP has responded by developing this project in consultation with the different stakeholders. This focus theme will be addressed in partnership with OECD and UNODC.*

- ***Priorities****: the priorities which have been identified under this focus-theme are: (1) preventive anti-corruption bodies, (2) ethics and conduct in the public sector and the judiciary, (3) criminalization and enforcement, and (4) asset recovery.*

- ***Planned Activities****: activities planned under this focus-theme include:*[3]

  (a) Supporting information gathering and self assessment on UNCAC implementation: This will be done primarily through the UNCAC Self-Assessment Checklist supported by adjunct tools, such as specialized questionnaires or specific analytical reports which will complement the results of the checklist. The effective implementation of this process will require the organization of a number of regional and national workshops to help build capacity for Arab stakeholders and provide the needed technical support to conduct thorough and comprehensive assessments. This process will: (i) address the status of UNCAC implementation in each country; (ii) review national laws and regulations to detect and analyze gaps as compared to UNCAC's provisions; and (iii) contribute to the making of clear recommendations for specific reform actions for the future.

  (b) Organizing regional conferences to build knowledge and capacity for Arab stakeholders: Regional conferences will discuss the results of the self assessment process and explain technical requirements for UNCAC implementation and related best practices. The conferences will encourage peer-advice and peer-learning. They will focus on the selected priorities and will address other priority topics that emerge in the course of project implementation over the next three years.

  (c) Training on the enforcement of UNCAC provisions: A series of specialized training sessions and joint learning studies focusing, for example on specialized anti-corruption authorities and asset recovery will be organized. Other areas requiring specialized training may be identified by participating Arab countries. These activities will allow the trainees to benefit from the experiences of other countries, enhance the exchange of expertise and support the potential for future cooperation.

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[3] *A detailed calendar of events has been suggested for 2008 – please refer to the Calendar of Events available on the CD ROM.*

(d) *Supporting the development of national-level technical assistance programs: GfD II will support Arab countries in developing national-level technical assistance programs and matching them with technical assistance providers based on the results of the self assessment process and the regional conferences.*

(e) *Supporting regional cooperation mechanisms such as a regional anti-corruption network: This will be done in close cooperation with the OECD-MENA Governance Programme. Arab countries have expressed a desire to establish a regional anti-corruption network that will serve as a regional platform to support national efforts for UNCAC implementation in complementarity and in support of the UNCAC Conference of State Parties. GfD II provide the needed technical know-how and support to establish this network and will develop the workplan for its establishment based on consultations with the concerned Arab stakeholders and in coordination with UNODC.*

28. In the framework of the focus-theme ***building the capacity of judicial systems to deal more effectively with economic disputes****, GfD II aims to support Arab countries in their efforts to strengthen the rule of law, in line with emerging international and national legal norms and standards in the area of economic law, with a view to promoting an environment conducive to development.*

- ***Rationale for focus-theme****: During the course of GfD I, a number of Arab countries identified the challenge of ensuring that a stable, predictable and well informed judiciary is at hand to provide a reliable mechanism for resolution of economic disputes. Although a number of countries in the Arab region have already passed new laws that establish the requisite type of business environment, scant attention has been given to ensure that the judiciary in each of these countries has been informed of how these new rules should be applied in practice, and of how they should be enforced in court*

- ***Priorities****: the priorities which have been identified under this focus-theme are: (1) the formation of new types of corporations (joint ventures and others), (2) the implementation of mechanisms to protect shareholders rights, (3) the protection of intellectual property rights; (4) the formation and enforcement of selected commercial contracts, (5) enforcement of arbitral awards, and (6) competition law.*

- ***Planned Activities****: activities planned under this focus-theme include:*[4]

  (a) *Designing and implementing expert surveys: A series of specialized surveys will be designed and implemented over the implementation period of GfD II to ensure that capacity building activities will be as relevant as possible for the judges and judicial staff that will be participating given the rapidly-changing environment of economic law. These surveys will help identify (i) which specific areas under the selected priorities should capacity-building activities focus on; (ii) what the applicable laws are in each of the participating countries; (iii) gaps between national legislation and either international best practice or applicable international law rules.*

[4] *A detailed calendar of events have been suggested for 2008 – please refer to the Calendar of Events available on the CD ROM.*

(b) *Developing technical know-how and training materials: The GfD secretariat will support a process aimed at developing the needed technical know-how and training materials making use of existing materials and working with Arab stakeholders and practitioners from Arab countries and OECD member countries to produce new ones as needed. This will involve a number of activities including: (i) all the relevant documentation in relation to the subject matter areas identified in the survey will be gathered; (ii) a number of regional and international experts will be retained for the purpose of overseeing the drafting of the training materials, and actually carrying out the training modules themselves; and (iii) a computer based training programme will be developed with a view to ensuring that the training materials will be as interactive and relevant as possible.*

(c) *Organizing regional and sub-regional capacity-building activities: Capacity-building activities will be organized at the regional and sub-regional levels, both for the purpose of ensuring that each training module will have as large an impact as possible.*

(d) *Disseminating the technical know-how and training materials: In order to ensure that this project will affect the largest number of beneficiaries possible, the technical know-how and training materials will be published and distributed throughout each of the participating countries and will be made available to each country's judicial training institute.*

29. In the framework of the focus-theme ***encouraging a fair and effective mechanism for the enforcement of judgments****, the GfD Initiative aims to support Arab countries in their efforts to strengthen the rule of law, with a view to enforcing citizen rights, promoting legal certainty and improving access to justice.*

- ***Rationale for focus-theme****: A number of Arab countries have identified the need to strengthen the enforcement of judgments as a priority area for reform. This stems from the recognition that all the efforts that are currently being made to train judges and court staff to render decisions in an equitable and expeditious manner will have a limited impact if such decisions are not enforced in an equitable and expeditious manner as well.*

- ***Priorities****: the priorities which have been identified under this focus-theme are: (1) capacity-building on aspects of existing enforcement procedures in civil and commercial matters; (2) formulation of results-oriented country action plans to improve and simplify existing enforcement procedures, and (3) alternative enforcement mechanisms.*

- ***Planned Activities****: activities planned under this focus-theme include:*[5]

  (a) *Implementing comprehensive country studies: The first activity will be to implement comprehensive study/survey on the enforcement of judgments in participating countries. The study will serve to clarify a number of vital issues in relation to the enforcement of judgments in each of the participating countries, and will also serve to inform all the other activities that will be implemented.*

[5] *The development of a detailed Calendar of Events for 2008 is pending additional donor support.*

(b) *Training on existing enforcement procedures: The second activity will be to provide training to enforcement officials on existing procedures in at least two ways: (i) by providing on modern management techniques; and (ii) by ensuring that enforcement officials work as efficiently as possible within the confines of the existing system. This will be supported by a number of peer-learning activities at the national level and a number of join- learning studies.*

(c) *Improving and simplifying existing enforcement procedures: A third group of activities will be implemented with a view to improving and simplifying aspects of the existing system. These activities will contribute to the formulation of results-oriented country action plans and will include: (i) organising field visits to leading institutions in the Arab region; (ii) establishing a system that will enable the generation and collection of enforcement data and statistics; and (iii) providing technical know-how on simplifying existing procedures.*

(d) *Identifying and encouraging alternatives to the existing procedures: The fourth group of activities will be implemented with a view to create a platform through which Arab countries can explore alternative ways to operate a wholesale reform of the system for the enforcement of judgments that is currently in force in their countries. The activities that will be implemented in this context include: (i) encouraging negotiation in lieu of enforcement; (ii) preparing a draft proposal for a regional convention on the enforcement of foreign judgments and arbitral awards in cooperation with the League of Arab States (the "LOAS"); and (iii) suggesting new mechanisms for the enforcement of judgments.*

30. In the framework of the focus-theme ***enhancing the independence and integrity of the judicial system****, the GfD Initiative aims to support Arab countries in their efforts to strengthen the rule of law and enhance public confidence in the judicial system.*

- ***Rationale for focus-theme****: Arab countries participating in the GfD Initiative have identified the need to establish a more transparent and accountable government based on the rule of law with a focus on strengthening the independence of the judiciary as a priority area for reform. This includes building knowledge and capacity to implement reforms and related benchmarking. This is important because judicial independence is increased when the judiciary is capable of analyzing its own performance and suggesting as well as implementing areas for reform independently, and without having to rely on other branches of government. Activities planned under this focus-theme will be carried out in partnership with UNODC.*

- ***Priorities****: the priorities which have been identified under this focus-theme are: (1) development of benchmarks on judicial independence and integrity; (2) knowledge and capacity building for judicial institutions on judicial ethics and integrity, (3), regional cooperation and networking to enhance judicial integrity, and (4) public awareness and outreach on judicial independence and integrity.*

- ***Planned Activities****: activities planned under this focus-theme include:*[6]

[6] *The development of a detailed Calendar of Events for 2008 is pending additional donor support.*

(a) *Establishing a systematic framework for monitoring and reporting on the state of judicial independence and integrity: This will be achieved by: (i) refining the first set of benchmarks developed by UNDP (in partnership with IFES and the Arab Center for the Rule of Law and Integrity – ACRLI) in 2005-07 to report on the state of the judiciary in selected Arab countries, (ii) preparing analytical reports in the participating countries based on the developed benchmarking system, (iii) implementing public opinion surveys and expert surveys in participating countries based on the developed benchmarking system, (iv) producing country reports on the state of judicial independence and integrity based on analytical reports and surveys, (v) synthesizing the findings of the reports to enrich regional policy dialogue, and (vi) diffusing the knowledge to various stakeholders through a series of national seminars at the national level.*

(b) *Knowledge and capacity building on judicial ethics and conduct: There is a specific need to build knowledge and capacity for sitting judges, as well as qualifying judges, on judicial ethics and conduct. In order to achieve this aim, a number of activities will be implemented including: (i) producing guidebooks on judicial integrity that include related policy designs, tools and instruments; (ii) developing a computer based training programme on judicial ethics and conduct; (iii) organizing capacity building activities at the regional level and national level; and (iv) disseminating the materials that will be produced in each of the participating countries, in hard and electronic format, and making them available online.*

(c) *Supporting the modernization of judicial institutions involved in enhancing judicial independence and integrity: The final group of activities will be dedicated to building the capacity of judicial institution involved in enhancing judicial independence and integrity in participating Arab countries. This mainly includes judicial training institutes ("JTIs") and judicial inspection bodies ("JIBs") This will be achieved by implementing a number of activities, including: (i) supporting regional policy dialogue and knowledge and capacity building for senior representatives of JTIs and JIBs, as well as other interested parties; (ii) preparing comparative studies on the status of JTIs and JIBs in the participating countries; and (iii) using GfD process to encourage each JTI to modernize its curriculum with a view to introducing modern concepts relating to judicial independence and integrity as well as related new teaching methods.*

(d) *Designing and implementing a public awareness and outreach campaign: raising public awareness on the rule of law and the role of an independent impartial judge is integral to enhancing public confidence in the judicial system and promoting security and predictability for citizens and businesses. Upon the request of Arab countries, UNDP will engage in partnership of the Ministries of Justice and higher judicial councils in designing and implementing a public awareness and outreach campaign that will benefit from the networks developed under working group on the judiciary and the enforcement of judgments and the working group on citizens, civil society organizations and public sector reform .*

B.IV. PARTNERSHIP STRATEGY AND TARGET BENEFICIARIES

31. The UNDP GfD Programme on Anti-Corruption and the Rule of Law is working in close partnership with OECD to ensure the implementation of the Programme of Work. UNDP intends to maintain existing co-operative relationships and to foster new ones with international organisations, in particular the League of Arab States (LAS), the Arab Administrative Development Organisation (ARADO, LAS's specialised sub-organisation), the Organisation of the Islamic Conference (OIC), the Arab Monetary Fund (AMF), the European Commission (European Neighbourhood Policy), the World Bank, the International Monetary Fund (IMF), UNDP ICTDAR, UN ESCWA, UNDESA and UNODC.

32. Furthermore, as a result of its unique position as a regional actor that is dedicated to promoting good governance in a number of areas, including anti-corruption and judicial reform, UNDP-POGAR is cognizant of the fact that a number of institutions in the region have actually developed to the extent that they have become leaders in their respective fields. Accordingly, where possible and appropriate, UNDP will partner with leading institutions from the Arab region to promote specific reforms. These partners include Ministries of Justice, Higher Judicial Councils Public Prosecution Offices and national judicial institutions.

33. The partnership strategy builds on the notion that the contribution and ownership of Arab countries and OECD member countries is fundamental for the attainment of the outputs. Close co-operation with bilateral development actors is crucial to ensure maximum synergies between reform design and support for reform implementation. In keeping with the principles of the ***Paris Declaration on Aid Effectiveness****, the UNDP GfD Programme on Anti-Corruption and the Rule of Law aims at strengthening co-operation among bilateral donors. Networking between different donors could also contribute to better resource mobilisation, and facilitate links between promising reform projects and relevant donor programmes. OECD/UNDP secretariat is developing a strategic approach towards appropriate resource mobilization so that such programmes could be implemented.*

34. The UNDP GfD Programme on Anti-Corruption and the Rule of Law aims at promoting anti-corruption policies and measures and enhancing judicial performance, transparency and accountability in Arab countries. It also seeks to improve the environment in the Arab region for human development and to contribute to political and economic stability. Direct target beneficiaries are justice officials from the executive and judicial branches of government, anti-corruption officials as well as representatives of the civil society.