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REGIONAL WORKING GROUP ON

Citizens, Civil Society, and Public Sector Reform in the Arab Region

First Meeting

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Beirut, Lebanon

Workshop Report

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I. Introduction

Within the *Arab Initiative on Governance for Development* (G*f*D), the First Regional Meeting of the Working Group on *Citizens, Civil Society, and Public Sector Reform within the Arab Region* was held at the invitation of the Ministry of State for Administrative Reform (OMSAR), Lebanon, and in coordination with the United Nations Development Program - Program on Governance in the Arab World (POGAR) and the support of the Organization for Economic Co-operation and Development (OECD). It was held on 29-30 September 2005 in Beirut, Lebanon, under the patronage of the Prime Minister of Lebanon, H.E. Mr. Fouad Saniora.

The meeting was attended by more than 80 representatives from ministries concerned with public sector reform and from the non-governmental sector from Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunis and Yemen, and by researchers and practitioners from European countries. The meeting was addressed by H.E. Mr. Jean Oghassabian, Minister of State for Administrative Reform (Lebanon) Ms. Mona Hammam, Resident Representative of the United Nations Development Program (UNDP) and UN Resident Coordinator, Lebanon, as well as by H.E. Mr. Patrick Renauld, Head of the European Delegation, Lebanon. The OECD was represented by Mr. Rolf Alter, Deputy Director for Governance and Territorial Development.

II. Objective of the meeting - Setting the Context

The meeting was opened with an outline of the *Arab Initiative on Governance for Development* (G*f*D), which was launched by 18 Arab states in conjunction with the UNDP and the Organization for Economic Cooperation and Development (OECD) on 6 and 7 February 2005 in Jordan, under the patronage of his Majesty King Abdullah II. The initiative represents a partnership between Arab and industrial countries, and focuses on the exchange of knowledge and experiences in order to promote Arab good public governance. The initiative is structured around three main points: Governance, Public Finance and the Judiciary, and is based on the formation of six regional working groups on the following themes:

1. Civil service and integrity
2. Role of the judicial system and implementation of court judgments
3. Electronic government, simplification of administrative procedures and regulatory reform
4. Provision of public services (relationship between the private and public sectors)
5. Administration of public finance
6. Role of the citizens and the civil society in public sector reform

Six Arab countries were chosen to preside together with members of the OECD industrial countries over the regional working groups.

Within the framework of the *Arab Initiative on Governance for Development (GfD),* the Lebanese government was selected to coordinate the sixth working group on the *Role of Citizens, Civil Society, and Public Sector Reform*, jointly with the European Union. The objective of this first meeting of the working group was to provide a regional framework for the interaction between representatives of the Arab relevant ministries involved in public sector reform, heads of the civil society organizations (NGO), and experts in public sector reform and in relationship of citizens with the public administration.

Specific objectives were to address the challenges of public sector reform in the Arab countries and the means for its development following examples of international experiences on the basis of the participation of all concerned persons - in particular citizens and civil society organizations - in improving the performance of the public sector and providing citizens with the best services. Furthermore, the meeting included an outline of successful experiences of Arab and European countries in this respect. It also discussed suggestions for improving citizens' and civil society organizations' contributions to the establishment and development of the policies and services of the public sector in Arab countries. These suggestions will be the basis of a draft reform action plan to be developed in the light of national studies and meetings carried out at a later stage by the Arab working group.

This first regional meeting was introduced by explaining the purpose of involving citizens and civil society in public sector reform. While several Arab countries have embarked on projects to reform various areas of public administration, poor public accountability and governance has hampered progress. In order to achieve effective and sustainable administrative reforms, greater participation of the citizenry, including NGOs and civil society organizations in general, is required. The key to public sector reform, it was maintained, is to take into account that the public sector is at the service of the people. The premise of the initiative is that the reform of the public sector requires especially the participation of those who are affected, namely the citizens and civil society. They should play a role in improving the performance of the public sector and the delivery of best services to citizens.

Furthermore, effective reform requires not only the political commitment of the public sector, but also the support of the private sector and civil society. The latter is in particular important, because of its proximity to society and its responsiveness, innovation and capacity to stimulate broad-based participation and to articulate local views and concerns.

It was further pointed out, that while the initiative is an Arab regional endeavor to promote public sector reform on the basis of citizen and civil society participation, specificities of each country will be taken into account. Given that there is no single model, the aim of the initiative is to develop a reform plan on the basis of the national context and specific experiences and circumstances. Furthermore, it was highlighted that the participation in the initiative by various Arab states is voluntary.

The major issues relating to ways of improving citizen and civil society participation in public sector reform were integrated into an analytical framework, which was presented at the meeting. The framework consists of two parts. The first part deals with assessing the relationship between the citizen and the public sector and is divided into the following sections:

- Fair treatment of citizens: This involves the simplification of administrative procedures, the provision of high-quality services, the respect of professional ethics by civil servants and fair and objective attitude towards citizens.
- Determination of the citizens' obligations: This includes the respect of civil servants, no recourse to extra-legal forms in the process of their administrative procedures by citizens, the disclosure of any contravention or fraud, settlement of due fees and taxes, compliance with public administration regulations, and the respect of public properties and premises.
- Citizens' access to relevant information: This implies the access of citizens to public documents, formalities and procedures, to information about public sector programs, to work procedures of ministries and public administrations, and to budgets of public administrations, institutions and municipalities. The provision of access could involve reception offices, publications and information campaigns, and websites.
- Acknowledgement of the citizen's right to recourse: This provision is specifically related to rights to initiate legal proceedings, by all citizens to reducing deadlines for judgment pronouncement, to acknowledging citizens' right to file petitions to the public institutions, and to putting in place complaint offices within the different administrations as well as with ombudsmen.
- Consultation with the citizen: Consultation is via public bodies within the ministries, via public administrations, committees or associations composed of citizens; via surveys and referenda carried out by state on the public sector policies and their impact on citizens; and through the establishment of a system allowing citizens to submit their proposals in order to improve the administrative procedures.
- Promoting citizens' participation. This involves the participation in public policies and services, through for example their participation in conferences on public services, their invitation to test new services and the organization of projects between municipalities and citizens to offer public services.

The second part deals with the means of encouraging civil society organizations to participate in public sector reform. Such participation involves:

- The improvement of the relationship between state and civil society organizations by facilitating access of civil society organizations to licenses, by giving the right that allows civil society organizations to operate on the basis of a fair legal framework, by supporting civil society organizations financially and by prompting them to fulfill their obligations towards state and society.
- Support of consultation with civil society organizations on legislation and formulation of public sector policies: This is achieved by activating the role of Consultative Councils and the Economic and Social Councils, by organizing workshops and seminars, by forming

working groups between governmental and non- governmental parties, by providing civil society organizations with government project and law proposals, and by inviting them to discussions of parliamentary and ministerial committees.

- Enabling civil society organizations to participate in the delivery of public services by setting up regulatory frameworks for this participation as follows: drawing up national and sectoral plans for distributing tasks among service providers, by providing the relevant organizations with financial support, administrative facilities and training programs, by setting up networks of non-governmental organizations that provide services within the same sector such as health, education, environment sectors and others.

The framework will form the basis for the national studies carried out in nine Arab countries on the relationship between citizens, civil society organizations and the public sector. These studies will be carried out within a period of 3 months following the meeting and will also involve the development of the most important ideas and propositions for reform.

Upon the completion of the national studies, the UNDP-POGAR will organize a second regional working group meeting during which results of the national studies will be presented and shared characteristics of the public sectors in the Arab world identified. On the basis of the findings a draft platform for reform will be developed.

III. The citizen, civil society and the public sector in the Arab world – Insights from conference discussions

Throughout the meeting participants explored and discussed the concepts of civil society, the citizen and the public sector in the Arab world as well as their role in the larger context of democratization and political reform.

Several participants highlighted the limitations of the use of the concept of *al-mujtama al-madani* (civil society) in the Arab world. According to them, civil society in the Arab world can only be understood along two dimensions, namely that of civic organizations representing broad societal interests based on citizenship and that of *al-mujtamaa al-ahli* (communal society), which consists of organizations based on narrow ethnic, tribal or sectarian representation. They further noted that, in general, civil society organizations in the Arab world suffer from several weaknesses, ranging from lack of independence from the governments or from international donor agencies to in some instances inefficiency and lack of transparency. These characteristics have often undermined the capacity of civil society organizations to represent society at large. In this context, some participants emphasized that civil society should also include parties and professional unions, as these have in some instances a considerable level of political impact and are to some extent more representative than other societal organizations, in particular non-governmental organizations (NGOs).

There was also some discussion on the role of civil society and its relationship with governments in the process of public sector reform. Participants highlighted that not all parts of civil society are suitable for a partnership with government. Moreover, the role of some of civil society organizations is to monitor public sector performance, rather than to form partnerships. In cases where partnerships exist, they often take the shape of contractual agreements through which governments choose a select number of civil society organizations to provide public services. In other cases, governments establish relationships with civil society organizations with the particular aim to involve them in the formulation of relevant public policies.

According to several participants, an important factor determining the relationship between the public sector and civil society is the legal framework, which outlines the legal requirements for the registration of civil society organizations, and the national constitutions, which determine the relationship between states and citizens. Participants pointed to the need for the reform of the legal framework, in light of the fact that most legal requirements of civil society registration are restrictive. Similarly, they established that there is a need to develop a new social contract between governments and citizens, which will be reflected in the national constitutions.

Participants agreed, however, that, while in many Arab countries civil society is weak, it can potentially play an important role in the process of reform, in particular in setting developmental priorities and the national agenda for reform. Moreover, given its proximity to the people, governments can learn from civil society, as is the case in Palestine and to some extent in Lebanon and Morocco, where in several areas of public governance civil society is more active than the government.

Participants also discussed the notion of citizenship in the Arab world. They maintained that the relationship between governments and citizens is undermined by the fact the affiliation of citizens to their governments is in many instances weak and often affiliations to family, tribes, sector or ethnic groups supersede those to the state. Furthermore, according to them, citizens' capabilities of exercising their rights and of participating in public life is frequently restricted by existing laws, such as those regulating access to information or freedom of expression. The resulting lack of participation is exacerbated by the absence of a civic culture which forms the necessary ingredient for developing the notion of citizenship, according to participants.

In addition, participants explored the notion of public sector in the Arab world. They noted that the public sector in several Arab countries is controlled by authoritarian governments and by exclusive bureaucracies and as a result cannot be considered by its nature to be in the service of the people. Participants agreed that there is need to enhance knowledge of legal obligations of public sector officials, in order to enable them to provide public services for citizens. In support of this, the development of a legal framework promoting accountability and transparency is required.

Participants also discussed the general context of public sector reform and pointed out that in some Arab countries public sector reform is initiated as part of a larger economic reform program, as is the case of Jordan. There, the public sector has become an agent that has facilitated and enabled the development of the private sector, as the latter has become the most important agent in providing public services to citizens.

Participants agreed that public sector reform constitutes part of a larger ongoing process of political reform and democratization in the Arab region. This process, they maintained has been characterized in some instances by violence and upheavals which in some cases has threatened social cohesion. There was recognition among participants that in the process of reform, the Arab world can learn from experiences of other countries in transition. It is important, according to them, that the process of reform be initiated internally and adopted by a large segment of society as well as the political class. There was also agreement that the agenda for reform has to be in compliance with national needs and priorities, rather than implanting sophisticated modes of public sector operations, which would not comply with national needs and capabilities. In the process of reform, it was maintained, special attention has to be directed towards including the youth and women as important agents of change.

Furthermore, participants highlighted the prerequisite of an enabling environment for developing and consolidating the relation between the public sector, civil society and the citizens. To this end, representative institutions, such as parliaments need to be strengthened, in order to improve access to them by citizens.

IV. Successful experiences from the Arab region

A. The Lebanese Experience in Access of Citizens to the Public Sector and Civil Society Consultation

During this session the successful experience of Lebanon in providing citizens with the access to the public sector was presented. An official from the Lebanese Ministry for Administrative Reform (OMSAR) summarized an initiative that has aimed at improving citizen access to the public sector. The OMSAR based this initiative on the needs of Lebanese citizens and on the objective to make good quality public services more cost-effective. The initiative itself involved various components. One component related to the improved citizen access to information on administrative procedures and documents. In this context, the OMSAR has unified administrative forms in their appearance and will in the future aim at simplifying the content of the various forms. It furthermore made these forms available on the various websites of the concerned government departments. In addition, the OMSAR has posted information on documents for certain administrative documents and procedures on the relevant websites, which can be downloaded by citizens. Furthermore, in order to evaluate the success of the new services, the OMSAR conducted a citizen opinion survey. The OMSAR plans to further improve citizen access

to public services by establishing a reception counter in each of the public administrations through which citizens can complete all administrative requests.

The OMSAR also prepared a draft law guaranteeing the rights of citizens' access to administrative documents and their right to a justification from the administration in relation to the administrative decision, which would make recourse to legal proceedings redundant. Another draft law was developed which addresses among others extra-legal measures taken by public sector officials.

An important objective of the initiative was to determine the relationship of the citizen with the public sector. To this end, the OMSAR has developed with the help of experts and the involvement of civil society a citizen charter. While not a legal text, the citizen charter provides guidelines, which outlines the relationship between the public sector official and the citizen and lays down responsibilities and rights of both. Thousands of copies were distributed to schools, associations and universities as well as posted on the website. In the future, the OMSAR plans to develop additional citizen charters covering various areas, such as public health, cultural tradition, education and public safety. Furthermore, the OMSAR has within this initiative identified the need for an ombudsman.

Additional supporting activities implemented by the OMSAR include the training of public sector officials on good governance and strategic planning.

In another initiative, the OMSAR has launched with the funding of the European Union a project, *Afkar,* which aimed at improving civil society-public sector relations. This one-million Euro project has been implemented to promote innovative NGO initiatives that address the fields of citizenship and the rule of law, dialogue and reconciliation between the different Lebanese communities, and socially and legally marginalized groups. *Afkar* also aims at consolidating dialogue among civil society organization and provides the opportunity for OMSAR to acquire comprehensive knowledge of civil society. As such, the project constitutes a learning resource for the public sector.

The project is based on a partnership between NGOs and OMSAR. This is reflected in the transparent project selection process as well as in the technical assistance provided by the OMSAR in the form of management training, general capacity building and the promotion of networking among NGOs. The OMSAR also organized for NGOs a series of dialogue sessions on, for instance, the internal governance of NGOs.

In addition to the above two initiatives to improve citizen access to the public sector and to improve civil society-public sector cooperation, a speaker presented the case of involving civil society organizations in the formulation of public sector policies through parliamentary committees. The opportunity for civil society organizations to participate in policy making is provided for by the internal statute of the parliament and the Lebanese constitution. Through this provision, civil society organizations can submit petitions on

certain policies, proposals or complaints. These petitions are presented by Members of Parliament at the beginning of each parliamentary session.

Civil society involvement in public policy formulation is for example evidenced in its previous contributions to the development of legislation with regards to environmental protection and the areas of health services and disability. In a more recent example civil society organizations played an important role in the formulation of the election laws. In that case the National Committee on Electoral Law gave civil society the period of one month to put forward its proposals.

The speaker emphasized that participation of civil society does not reduce the role of the parliament as the final decision taker. Moreover, civil society participation is not only welcomed by civil society itself, but also by the government, in that it is given the opportunity to take into account the diverse opinions of civil society in the formulation of public policy.

B. Arab Experiences in Citizens' Access to the Public Sector and Participation in Policy Making – the cases of Jordan, Morocco, and Tunisia

Examples from Jordan, Morocco and Tunisia were presented to highlight the experience of providing access of citizens to the public sector and to promote their participation in the formulation of public policy.

During the last 15 years, the Jordanian government has carried out a public sector reform program as part of a larger economic reform project, implemented in cooperation with the World Bank and the IMF. The principle aim of the project was to reduce the public sector, which as a major employer has become inflated and as a result inefficient in providing good and cost-effective services to citizens.

In Jordan, public sector reform has been based on three fundamentals: the improvement of public services, the reform of the structural set-up of the public sector and the development of human resources.

Prior to the implementation of the public sector reform program the Jordanian government carried out a survey and field studies. In addition, the government, upon completion of the program, conducted a satisfaction and needs assessment survey to assess the success of the reform program in the specific public sector areas. Further improvements were carried out on the basis of the findings.

Reform of public services involved the improvement of their quality as well as improving access to them by citizens. This involved the simplification of administrative procedures. In order to illustrate the process of simplification, the speaker gave examples of two departments within the Ministry of Interior: that in charge of personal status and the department responsible for issuing transportation licenses and regulating transportation.

In both cases improvement of services included in addition to the simplification of procedures, the de-centralization of such services and their availability in local areas.

The speaker underlined the fact that the Jordanian government has always been keen to consult civil society and citizens in selected policy areas in its endeavors to reform the public sector. This consultation, according to the speaker, has however generally not been formalized, but consists rather of an informal process.

In a recent case of civil society consultation, the Jordanian government chose to involve civil society in the formulation of Jordan's National Agenda of 2005. Civil society organizations were represented in the various committees set up to discuss specific aspects of the agenda. According to the speaker, however, the presence of civil society in these committees did not imply that their views were taken into account by the Jordanian government. A more successful case of civil society participation in public policy making is its involvement in the formulation of a national strategy for women. Consultation here was extensive and prolonged and implemented at several levels, from the Jordanian capital to remote regions and conducted in public meetings.

The speaker concluded that public sector reform in Jordan has been challenged by several obstacles. One consists of the lack of sustained political will for reform. A second obstacle is the existing corruption and the current weak accessibility of the public sector by citizens. While Jordan has attempted to address the issue of corruption by providing training for public sector officials, it has been successful to only a limited extent in eliminating corruption and favoritism, according to the speaker.

In Morocco, the government with the support of international cooperation has also embarked on a public sector reform program which has focused on citizen and civil society participation as an important component of the public sector reform.

According to the speaker, two central aspects characterize the process of reform in Morocco: de-concentration and decentralization of services on the one hand, and the simplification of administrative procedures on the other. By decentralizing and de-concentrating public services, the government aimed at reaching an extended number of citizens. De-concentration and decentralization have implied the transfer of human resources and technical expertise from higher public sector echelons to lower ones and from major cities to smaller towns and villages. This has resulted in increased proximity of public services to citizens. Accessibility of services to citizens has also been improved by the simplification of procedures and regulations in addition to employing technology. However, according to the speaker, these innovations have not affected all citizens and target groups equally. Access to the public sector has been for example more simplified for the private sector than it has been generally for citizens. The private sector has also been privileged in that public services are delivered to them faster than to citizens. In all cases the public sector is required to provide justification for decisions related to citizens' administrative procedures. In contrast to Jordan, the Moroccan government has not

conducted a survey about the satisfaction of citizens of the use of new forms or procedures to date.

In addition to the improvement of public service delivery, the involvement of citizens in the formulation of public policy has increased. This is reflected, according to the speaker, in the representation of both citizens and civil society in consultative committees, such as that on human rights, which is composed of citizens as well as civil society and public sector representatives. The Moroccan government has also offered sectoral policy dialogues in which it consults with for example professionals or labor representatives. The speaker pointed out that higher levels of participation of citizens and civil society in the formulation of policies are more prevalent at the local level. There, the participation of citizens is even regulated in the law on local government.

The speaker concluded that, in general, participation of both civil society and citizens in policy formulation depends on the area of the public sector. In areas relating to social welfare there is a high participation of citizens and civil society. In those areas that are considered 'political', participation is less. Generally, participation is more developed at the local level than at the national one.

In Tunisia, the relationship between the government and civil society has undergone a considerable development shaped by the will of successive Tunisian governments to modernize civil society. According to the speaker, an important step of the Tunisian government has been the promulgation of the association law in 1959 to regulate this relationship. Part of the legal provisions involved the requirement of civil society organizations to acquire government approval and a license to operate.

The speaker outlined the evolving relationship between civil society and the Tunisian government over time. According to her, the early 1980s were characterized by government's efforts to consult with civil society. Thus, civil society organizations were invited to join national committees or to participate in the formulation of national strategies. The relatively close relationship, however, became, according to the speaker, more distant as time evolved. This is especially true for the relationship between government and those civil society organizations that consider themselves independent from government. As a result, government's consultation with civil society became more selective. This is for example illustrated in the case of the Tunisian *Organization of Democratic Women* which had launched a campaign on sexual harassment and campaigned for a relevant law. Given the self-declared independence of this organization, the Tunisian government chose not to officially consult with it. Rather, government chose to promulgate the law through its own channels. Thus, while government chose not to directly interact with this organization it has taken its views on a specific policy issue into account.

While the relationship between civil society and the government since the 1980s has generally become more distant, forms of cooperation with the government continued to exist for the majority of civil society organizations as reflected, for example, in

government's consultation with civil society organizations in the formulation of the 10-year national plan. Several NGOs participated in the setting of objectives and the plan itself. In another case, civil society organization participated in the development of the national strategy for rural women.

Continued cooperation is also evidenced in joint projects and programs between civil society and the government. However, according to the speaker, in all areas of cooperation those organizations that had classified themselves as independent have not been present or active. The speaker concluded that generally, the relationship between government and civil society has been characterized either by competition and conflict or by being complementary.

C. Arab Experiences in Civil Society's Consultation and Partnership with the Public Sector – the cases of Egypt, Palestine and Algeria

During this session, speakers presented the cases of Egypt, Palestine and Algeria to illustrate public sector consultation and the establishment of partnerships with civil society by governments.

As an introduction to the case of Egypt, the speaker outlined the general trend in the development of civil society in the Arab world and noted that there is a real growth of civil society in terms of numbers reflected in the expansion from 95,000 organizations in 1995 to 133,000 in 2005. According to her, the composition of the sector of non-governmental organizations (NGO) has also changed in that there is the emergence of advocacy NGOs reflecting the increased pressure for reforms exerted by civil society on governments. In addition, the relationship between governments and NGOs has improved as seen in several Arab countries, such as Palestine, Morocco, Yemen and Egypt where NGO laws have been relaxed. Furthermore, according to her, a new political discourse has emerged as a result of external pressures on addressing notions of participation, civil society and political freedom.

The speaker maintained that despite this growth and improvement in civil society development the space available for civil society remains limited and democratic culture and freedoms absent in many Arab countries. According to her, the provision of adequate space for civil society is essential for the development of a partnership with governments or the public sector. Existing partnerships are often characterized by an unequal relationship, in which governments select NGOs to whom they subcontract the implementation of certain services. While there are several dimensions of such partnerships between civil society and governments, especially in relation to the provision of basic services, partnerships of NGOs in policy formulation are limited, according to the speaker. Where consultation of civil society in policy making exists, the suggestions of civil society organizations are often ignored and laws or proposal of laws are often promulgated in complete contradiction to the suggestions and recommendation of civil

society. In this context a participant added that true cooperation exists only between the public and the private sectors in contrast to civil society.

Following the outline of existing conditions the speaker concluded by highlighting the ideal features of a partnership between civil society and the public sector. According to her, a partnership should reflect a consensus on objectives and be based on a relationship among equals. Furthermore, an important foundation for a successful relationship between civil society and the public sector is the notion that each partner has resources to contribute.

On elaborating on civil society and its relationship with the public sector in Palestine, the speaker highlighted several characteristics which make the Palestinian case different from other Arab countries. He introduced his elaboration by pointing out that Palestine is to date undergoing a process of state building. Given the concurrent building of national institutions, the public sector cannot be considered as existing and fully functioning. Therefore it would be, according to the speaker, more adequate to refer to a process of public sector development rather than of reforming an existing public sector. The speaker further underlined that the development of the public sector has to be viewed in the context of Palestinian national development and institution-building in general, which has been influenced to a great extent by several sides, ranging from the government of Israel, to members of the peace negotiation team to international donor agencies. External influences and in particular the Israeli occupation has had implications on the development of the institutions and has led to weak performance of public institutions. More specifically, each project of institution-building is tied to a political project or linked to a political agenda in which Israel and international donor agencies are involved. The speaker maintained that weak levels of institutionalization have not only been observed at the national level, but are also apparent in the civil society sector.

According to the speaker, the existing relationship between civil society and the public sector has been decisively shaped by the fact that civil society has existed prior to the establishment of the Palestinian Authority. During that period civil society played in many respect the role usually assumed by the state. This situation renders civil society in Palestine unique in comparison with the remaining Arab world in that it can provide the public sector with innovative solutions and reform suggestions and can thus educate the public sector on reform issues. Moreover, given its historic role, civil society can be regarded as generally more developed than the public sector.

Using a survey conducted to assess the extent of citizens' use of the Palestinian public sector, the speaker pointed to the generally low levels of citizens' recourse to the public sector. Results of this survey have revealed that those parts of the public sector that provide for essential and basic services for citizens, such as in the sectors of health and education, are used to a limited extent by citizens. The contrary is true for civil society organizations which have been successful in providing educational and health services. This fact, according to the speaker, reflects the low levels of trust in the public sector by citizens.

Despite the weak development of the public sector, many forms of partnerships between the public sector and civil society have been established. These exist, according to the speaker, on various levels, depending on the public sector area. Partnerships were developed, for example, for the provision of social services as well as in the formulation of laws, such as for the cases of election laws and the establishment of a women quota in the Palestinian parliament. In addition, many partnerships have been established in joint committees. The speaker pointed out that these are however largely inactive, due to the absence of a vision which would guide these committees.

While the forging of partnerships between the public sector and civil society are an important development in Palestine and civil society itself is eager to contribute to the development of institutions on the basis of transparency, accountability and democracy as part of the project of the resistance against the Israeli occupation, the real challenge there is, according to the speaker, the development of national institutions as a prerequisite to forming partnerships with civil society organizations. In order to support the development of the public sector as an essential national institution, civil society has created a Civil Society Committee for Reform consisting of all relevant stakeholders. It has also formulated an Advocacy Plan to monitor the performance of government and has established criteria which allow the assessment of government performance.

In Algeria, the prolonged civil war left its impact on citizens and civil society and the political and civic culture of the country in general. According to the speaker, high levels of violence which had characterized the civil war have undermined trust in national institutions and have prompted citizens to take issues in their own hands rather than to seek recourse to state or civil society institutions. The legacy of the war on the civic culture has also resulted in the limited acceptance of the notion of participation among citizens. According to the speaker, the absence of the notion of participation has been perpetuated by the educational system and by the culture existing in society. This has had an affect on the limited levels of participation by both civil society and citizens.

The legacy of the civil war is also apparent in the development of civil society. According to the speaker, civil society is considered weak and largely inactive, despite the large number of approximately 80,000 registered civil society organizations.

Weaknesses have also characterized the public sector brought about by corruption and reflected in the delivery of low quality public services.

The above described weaknesses have, according to the speaker, shaped the relationship between civil society and the public sector, which is often illustrated by the absence of interaction, dialogue and consultation. The speaker pointed out that there are only a limited number of initiatives of partnerships and dialogue between civil society and the public sector. The speaker concluded that another constraint on citizen and civil society participation is the lack of access to information which is the basis for the development of any cooperation or partnership between the public sector and citizens on the one hand and between the former and civil society on the other hand.

V. Successful experiences from Europe

A. Citizens as Partners: European Experiences on Citizens' Information, Consultation and Public Participation in Policy Making

Two speakers presented European experiences on involving citizens in public sector reform. The first speaker presented findings of a research study on the ideal role of citizens in public administration, in particular in public administration reform. The study established that four different modes of attitudes of citizens exist which may affect public service reform. These range from a relationship characterized by the non-involvement and lack of interest by citizens, or by skepticism based on the notion that citizen involvement will have no affect on changes to that of a relationship that is characterized by the involvement of citizens once these are affected by certain policies. The fourth case constitutes an ideal relationship in which the citizen is actively involved in public sector activities and reform initiatives. The speaker noted that the fourth case of relationship can be observed in many European countries where citizens attempt to influence and participate in the process of governance. According to research findings, the propensity of citizens to get involved is determined to a large extent by social and economic status. In other words, the more affluent and the more educated people, the more like they are to participate and to play an active role as citizens. On the other hand, government's willingness to allow citizen access to the public sector is also crucial for the participation of citizens. Moreover, participation of citizens and the issue of rebuilding trust in government structures can, according to the speaker, be regarded as one of the key critical governance issues in the world today.

The speaker further outlined the ways through which citizens can influence public policy. According to the above mentioned study, in regulating the relationship between citizens and governments in Europe, five modes which allow citizens to influence governments can be distinguished. One means of exerting influence over public policies by citizens are elections. A second way for citizens to influence public policy is through the judiciary, in particular through courts of justice. According to the speaker, the law in Europe gives citizens many rights as well as duties, and in many European countries citizens have access to the European Court of Human Rights which is as the last resort able to intervene to protect the rights of citizens against governments, for cases where government has infringed on the rights of citizens. A third mode of influencing policies by citizens is the access of the latter to deputies, members of parliament, European Parliament deputies, local counselors, senators or mayors. A fourth means of influencing public policy is, according to the speaker, citizens' recourse to an ombudsman. The speaker pointed out that many European states have established the posts of ombudsman to ensure that injustice caused by maladministration can be investigated neutrally. Another means to influence public policy is through citizen charters. While these don't constitute a legal document, they do have an influence on public policy, in that they constrain public service departments, which compete among each other in delivering best services to citizens. Citizen charters also form the basis for the legitimate expectation of citizens of public services. In Europe, citizen charters have been extended to all elements of the public-private services, such as airlines, airports, provision of gas, electricity and

water as well as roads. Furthermore, citizen charters provide the public sector with the minimum standards in public service delivery towards citizens.

In another presentation, a speaker presented the findings of a study conducted by the OECD. This study aimed at establishing the mechanisms needed to include citizens as partners in public sector administration and reform. According to this study, interaction between government and citizens can be regulated through a formalized process, such as through elections or through civil society participation in the provision of public services, for example in the sectors of health or education. On another level, governments may choose to involve citizens and civil society in the formulation of public policies. According to the speaker, this can be achieved through various means. Involvement of citizens and civil society may be restricted to information on public policies provided by governments to citizens and civil society. Greater levels of involvement of citizens and civil society may be reached through their consultation on certain policy issues by governments. In these cases governments may choose to take the views of civil society and citizens into account when formulating national public policies. On a third level, cooperation between civil society and citizens and the public sector may assume forms of partnerships, characterized by equality among all involved parties. Such cooperation results in improved policies based on the needs of citizens. It constitutes a way for government to access information on the needs of citizens and for citizens to ensure that suggested policies correspond to their needs.

The speaker highlighted that in order for partnerships to be successful, an appropriate institutional framework is required as well as the necessary tools that would allow citizen participation. Creating the institutional frameworks should be based, according to him, on the development of guidelines, standards, rules of conduct and best practices. The institutional framework may constitute the institution of ombudsmen or of advisory councils. The speaker further outlined the various tools governments use for each of the three forms of partnerships mentioned above. Available tools that are used by governments range from information tools, which include the means of delivering information on public administrations, to consultation tools involving for example letter boxes or citizens' panels, to participation tools which contain the open exchange through laymen panels where citizens are given the opportunity to explore and discuss a certain issue in depth. For all three forms of partnerships supporting measures can be employed, such as surveys, reviews and studies as well as information and communication technology.

The speaker concluded his presentation with recommendations drawn from experiences of public sector reform in Europe. He highlighted that there is no single ready-made public sector reform policy. Rather, reform initiatives should correspond to the specific needs of each country and should be evaluated on an ongoing basis during their implementation. Finally, he underlined the fact that reforms are a long-term process and require resources from all of the state, civil society and citizens.

B. Open Government: European Experiences in Fostering Dialogue with the Civil Society

In another presentation, a speaker applied examples from East Europe to explore the relationship between civil society and the public sector in the process of reform in former communist states. There, according to him, reforms, which aimed at introducing these countries to the European democratic legal common space, have been marked by successful developments as well as set-backs. In contrast to the West European countries where the public administration is in the service of the public interest, public sectors in many East European countries had lacked the capacity to deliver quality public services. They were further characterized by the absence of an understanding of ethics or public goods and of rights and obligations of citizens. Furthermore, legal frameworks that would regulate the relationship between citizens and the public sector or governments were absent and legal guarantees of citizen rights weak as courts were largely politicized.

The speaker noted that politics there were generally considered part of a market mechanism that could be purchased as an economic commodity. This fact has led to corruption in the public sector and to the criminalization of large parts of the government as well as the undermining of democracy and the rule of law.

According to the speaker, civil society was also weak, atomized and repressed in its development. Family ties and other institutions such as churches in turn strengthened as a response to the absence of a developed civil society and a public sector. The speaker further maintained that civil society began to develop in response to internal pressures and to pressures from international donor agencies. He argued that in order to implement reforms, in particular in authoritarian systems, international support and pressure is needed.

The speaker further explained that given the weaknesses of both civil society and the public sector, both had to be subjected to reform in the process of improving public administration. In addition, weaknesses in the legal framework had to be addressed in order to establish the rule of law, adequate procedures and regulations and to establish rights and obligations of both the public sector and citizens.

Equally important was the development of a civic culture which could be implemented by schools and educational institutions. According to the speaker, it is of vital importance to focus on the youth in order to lay the foundation for future democratic development.

The speaker noted that reform has to proceed with cautiousness and in a pace that can be absorbed by the specific country. In East Europe, for example, Estonia and Slovenia have taken different paths of reform. In Estonia, the reform process was characterized by the introduction of sophisticated means of citizen-government interaction as expressed in the support of IT as a tool for interaction and the introduction of tools that even exceeded the level of sophistication usually found in West Europe. In Slovenia, in contrast, reform was characterized by the gradual development of the framework needed to building the relationship between civil society, citizen and the public sector.

The speaker concluded that in general the success of reforms has been determined to a large extent by the level of external assistance and by the specificities of the national political agenda.

VI. Concluding remarks

In the concluding session, participants had the opportunity to express their views on the meeting and on the analytical framework outlined at the beginning of the meeting sessions and to suggest ideas for reform and for the future steps of the working group following this meeting.

At the onset of the concluding session and in response to the discussions on limitations of the concepts of civil society, citizens and the public sector in the Arab world, the representative from the UNDP-POGAR endorsed the view that civil society, the public sector and the notion of citizenship are still weak in the Arab region and are in the process of development. He however maintained that it is assumed that the present initiative will contribute positively to the development of all three. He further stated that suggestions for reform will be developed at the national level to correspond to the specific needs and capacities for reform in each Arab county. The representative also supported the view that a prerequisite for implementing reforms is the existence of the political will of governments and other stakeholders. He stressed that participation of governments in the present initiative is voluntary and is based on the presupposition that the political will is guaranteed. He further outlined that this initiative is unique in that it brings together for the first time civil society and the public sector as well as citizens in an initiative on reform.

In their feedback on the First Regional Meeting of the Working Group, participants expressed some criticism in relation to the absence of private sector representatives. They also maintained that civil society is under-represented. Furthermore, they highlighted the importance of including the media in this process, as it constitutes an important agent that could monitor the development of reform.

Participants maintained that it is also important to develop indicators which would allow measuring levels of success in reforming the public sector in the Arab world. Monitoring of public sector reform should also include the issuing of regular reports on reform progress in the Arab countries participating in this initiative. Participants also pointed out that there are many existing research and field studies which could be compiled in a database and used as a resource for the national studies.

Recommendations expressed by the participants included the request for assistance in the development of national strategies that would guide the dialogue between civil society and the public sector. Participants noted that the development of such strategy will also contribute to the formulation of priorities, the setting of general objectives and the identification of role and responsibilities of each of civil society, citizens and the public

sector. In order to ensure that partnerships between civil society and the public sector operate successfully, participants suggested to create independent institutions, such as a joint committee composed of civil society representatives and representatives from the government in each of the ministries.

Recommendations also included the identification of minimal requirements for a partnership between civil society and the public sector, specifically in relation to laws that would guarantee the freedom of association. Furthermore, participants highlighted the need to focus on youth in the process of reform by providing them with civic education.

In relation to civic education for the public, participants noted that political parties and unions may play an important role. Equally important is satellite TV which can reach a large number of citizens.

Furthermore, participants highlighted the importance of educating public sector officials in order for the latter to provide public services on the basis of recognized standards and procedures. Civil society on the other hand should be supported in abiding to standards of transparency and democratic practice as well as respect of gender equality.

The closing session was also dedicated to the feedback on the analytical framework for the relationship between citizens and the public sector on the one hand and between civil society and the latter on the other. Participants welcomed the analytical framework as a tool to assess conditions in each specific country and suggested to give each of the nine participating countries the opportunity for a written feedback on the suggested analytical framework.

Appendix: Expert meeting

A selected number of experts from the nine participating countries met in a separate session to discuss the analytical framework developed as an outline for the national assessment studies and to present their feedback on the First Regional Meeting of the Working Group.

Participants noted that in some instances not sufficient time was allocated to discuss all issues in depth. One participant maintained that discussions were general in nature and were characterized by a certain level of caution. In addition, according to him, concrete recommendations for reform were not sufficiently explored. He further maintained that the moderators have contributed to the general nature of the discussions and could have played a more active role in ensuring that discussions remained focused on the issues under discussion. In contrast, other participants noted that the meeting should be understood as a first regional opportunity for brainstorming on this topic.

Participants highlighted that the presence of government representatives did not have a negative impact on the presentations or on the interventions by participants. They further maintained that they would have welcomed representatives from the private sector as well as more representatives from civil society. They also said that the ministries of social affairs could have been invited to the meeting, as they are in many countries those in charge of relations with civil society organizations.

In this context the UNDP-POGAR representative explained that the meeting intended to bring together representatives who would usually interact only to a limited extent and under certain conditions. He also maintained that the number of civil society organizations with a specific focus on public administration reforms or on the public sector in general is small. Therefore, the UNDP-POGAR chose to invite large NGOs that look back on a long experience and that, because of their scope and their long experience, have established relations with governments. As a result of their positions, these NGOs can have an influence on government policy. The UNPD-POGAR representative further maintained that in the future this initiative will map NGOs that focus on the public sector and public affairs. He also pointed out that this initiative is restricted to the improvement of the relation between the public sector and civil society on the one hand and citizens, on the other. According to him, the main objective of this initiative is to push forward towards developing a citizen-oriented administrative reform.

Given the fact that despite country-based specificities, there are common factors among Arab countries, participants noted that a comparison among the various countries would allow establishing common trends. Furthermore, the identification of indicators on the basis of the questionnaire would permit the development of a matrix as a basis for comparing conditions in the selected Arab countries.

At the experts meeting it was also suggested to take into account the European agenda (*acquis communautaire***)** and the EU's Neighborhood Policy when developing a strategy for reform in the Arab region.

Finally, the UNDP-POGAR representative explained that Terms of Reference will be developed for national studies that will be conducted over a period of three months in a selected number of countries, namely Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunis and Yemen. The national study will involve the assessment of the relation between the public sector and civil society and citizens and will cover suggestions for public sector reform. Research sources could include interviews, polls of citizens' attitudes and existing studies. One participant added that an important source for assessing the relationship between governments and citizens is to explore information available through the complaint offices. Study results will be used to develop indicators and a typology of relations between the public sector and civil society and the former and citizens. The UNDP-POGAR representative concluded that the studies should look at the actual practices rather than being mainly normative.

Annexes:

- Meeting Agenda - “Citizens, Civil Society, and Public Sector Reform in the Arab Region” (29 and 30 September 2005 Beirut, Lebanon)

- Concept Note for the Meeting – “Citizens, Civil Society, and Public Sector Reform in the Arab Region” (29 and 30 September 2005 Beirut, Lebanon)

- Analytical framework for citizens’ participation in public sector reform in the Arab countries

- Analytical framework for NGO-Public Sector partnership for the establishment and development of public policies and services in the Arab countries

- List of Participants - “Citizens, Civil Society, and Public Sector Reform in the Arab Region” (29 and 30 September 2005 Beirut, Lebanon)