Conclusions and Recommendations of Thematic Panels
Convened During the Dead Sea Conference
6-7 February 2005

THEME ONE
CIVIL SERVICE AND INTEGRITY

Participants agreed on the following conclusions and recommendations.

1. Importance of the political will and commitment to reform. Indeed, without a political decision driven by commitment, no reform can be achieved.

2. There is a strong need for dialogue, deliberation, clarifying the results, and laying down plans for development and reform before introducing any reform. The absence of that dialogue obstructs the progress towards modernization and advancement. In theory, the focus is placed on the need for reform and advancement, but the problem lies in implementation. Here the question emerges regarding the enhancement of democracy and the need for democratic regimes, which is the basis of all reform and advancement.

3. There is also a need to launch constructive dialogue and define the "new" role of the state in providing public services. Emphasis should be placed on integrity.

4. The appropriate conditions for introducing changes and the model of the Arab advanced state should also be defined.

5. There is a need to enact the necessary legislation to curb corruption; define mechanisms to monitor government operations and ensure that the constitution provides for such mechanisms.

6. All forms of corruption should be investigated, not only in the cases of crimes committed by officials or institutions but also those committed by politicians and private individuals as well. The core reasons that lead to corrupt practices (low salaries, political set up etc.) should be analyzed.

7. The prevailing corruption culture should be addressed. The public interest should prevail over private interests. The focus should be placed on transparency of administrative transactions and on accountability to achieve social peace.

8. Human resources at all levels, should be trained in advanced public service management; training should introduce methods and models utilized in the private sector.

9. Establish a relationship with the citizens based on transparency and accountability.

10. There is a need to focus on the concept of “citizenship” and on the citizen's role in the modernization and reform processes.

11. The chance offered by the Initiative of Good Governance for Development should not be missed. The scope of the Initiative's themes may be enlarged during implementation.

THEME TWO
E-GOVERNMENT AND ADMINISTRATIVE SIMPLIFICATION

The following are the most important points raised during the discussions and agreements reached.

1. The major features of the experiences of the Hashemite Kingdom of Jordan, Italy, France and South Korea were discussed. The focus of the discussions was placed on the issue of data processing and ensuring the secrecy of the personal information.

2. The French experience emphasized the difficulties facing the countries when applying the electronic government system. These included, in particular, the difficulties in respect of policies, organizational matters inside in public institutions, transparency, personal freedom and legal, financial and technical matters.

3. The Canadian experience emphasized the different phases of developing organizational policies and the lessons learnt.

4. The basic challenges and obstacles that most countries have to address are:

    - The degree of political interest in applying e-government policies and procedures;

    - Limited qualified human resources;

    - Low investments and lack of continued flow of financial resource for spending on this vital dimension of governance.

5. The need for introducing legal amendments for facilitating the adoption of e-government systems in all public institutions including court administration and the management of justice in general.

6. The need to establish a specialized technical agency mandated to install, operate and develop the system. Such agency should be endowed with the necessary authority to achieve harmony among the ministries, public sector enterprises and all units of the three branches of government.

7. The need to draw up a national strategy for information systems and a plan for training and skills development for human resources in all agencies.

8. Time limitations did not permit the discussion of issues related administrative simplification.

THEME THREE
GOVERNANCE OF PUBLIC FINANCE

Synthesis of Panel discussions and recommendations.

1. The Arab Republic of Egypt discussed the key requirements for effective management of public financial resources. These mainly deal with helping public institutions to function efficiently and create an appropriate climate for development. The following is an outline of these requirements:

    - Create an environment that is conducive to enhancing transparency and accountability.

    - Improve public treasury administration.

    - Improve the administration of public resources including the assets, inventory and government purchases.

    - Improve the management of public debt.

    - Formulate public financial policies in the framework of a comprehensive economic philosophy that could achieve economic growth, financial stability and good governance of national resources.

    - Apply mechanisms and advanced economic models that will help the decision-maker in administering public finance policy and expect improved performance in the budgetary process. Such policies should serve as an instrument of early warning to measure the impact of potential economic and financial changes.

    - Underline the consistence of the economic policy components by holding periodic meetings at the political and technical levels.

    - Continue to adapt the economic role of the government so that it could focus on establishing rules for stabilizing and controlling the markets without disregarding the social role of public finance policies.

    - Develop the public institutions and review the legislative, administrative and technical frameworks of their operation and develop the knowledge and skills of their human resources.

    - Capitalize on the experiences of the advanced countries in this field and adapt into your system what is most suitable.

2. The experiences of the Netherlands, the OECD, Kuwait and the United States for consolidating the frameworks of good governance in the public finance sector were presented.

3. Participating countries and organizations indicated that they were fully ready to cooperate with the Arab countries to achieve their objectives in this field.

4. Participating Arab countries indicated their reform priorities and the challenges they face. These may be outlined as follows:

    - Instilling transparency in the public finance sector. The difficulty is in accessing information on public finance on one hand and in the methods of holding executive agencies accountable for their financial performance.

    - Lack of mechanisms for financial control in public institutions in some countries. It is not possible in these countries to locate the treasury funds as a result of separating the accounts from the provision of funds. In addition, public spending cannot be effectively controlled as a result of the different accounting systems utilized for investment and operating budgets.

    - The budgeting process is isolated from the macro-economic variables on one hand and from public demands and needs on the other.

    - There is a strong need for improving the institutional framework in the public finance sector. The need covers the legislative, administrative, technical and behavioral dimensions. There is also a need to improve the knowledge and skills of staff operating in the financial management field.

    - The members of the legislature need technical support to be able to analyze the performance of the financial sector and help monitor the execution of the legislation they enact.

    - Participating parliamentarians referred to the inadequacy of the disclosure criteria applicable in their countries; this hinders their ability to efficiently perform their role in controlling public spending.

    - Some countries underlined the need to adopt the performance budget system. However, other countries indicated that it was necessary to prepare the institutional and technical climate for enabling the adoption and successful operation of performance budgeting. Gradual development has its merits, though some countries are concerned that gradualism could be used as a pretext to avoid introducing the required reform.

- All countries stressed the need for political support and for genuine and firm desire at the executive level for any reform to be achieved. These are two essential conditions that would motivate any effort in this direction.

- Political support is also need to give priority to establishing the necessary legislative and institutional contexts for combating corruption in all its forms.

5. The Arab countries underlined the need for technical support and called upon by the industrialized countries, OECD, UNDP and organizations participating in the discussion to provided the needed assistance.

THEME FOUR
ROLE OF THE JUDICIARY AND LEGAL ENFROCEMENT

Participants discussed core issues and agreed on the following conclusions and implicit recommendations:

1. The need for judiciary independence.

2. Reform priority: “justice” or the “judiciary”? Both must be modernized.

3. Accountability:
    - Unity of judicial system, prosecution and investigation, rule of law, specialization, high quality courts.
    - Impartiality and integrity.
    - Codes of conduct and code of ethics.

4. The need to accelerate litigation.

    - Alternative methods for dispute resolution such as arbitration and reconciliation.

    - Develop case management systems.

5. Type of judgments.

6. Selection of judges:
    - Criteria of merit and integrity only.
    - Judicial training.
    - Increasing female judges in different specializations.

7. Review of litigation cost.

8. Enforcement of court judgments.
    - Paying attention to persons interested in justice outside the courts.
    - Serving notices.
    - Forensic medicine.

9. Public opinion polls and dealing with the media to disseminate the culture of justice.

10. Accessibility to justice systems. Developing information systems and using modern technology.

11. Adopting the rule of consensus between the government and judges.

12. Applying international criteria in trials and respect of human rights.

13. The need for Arab judicial cooperation

14. The infrastructure of litigation and courts, strengthening judicial support services, documentation and notary public.

15. The public prosecution institutions and human rights; avoidance of political intervention.

16. Rationalizing the legislation; relationship between legislation and court judgments.

17. Judges' salaries and remuneration system and judicial inspection and accountability.

THEME FIVE
ROLE OF THE CIVIL SOCIETY AND MEDIA IN THE REFORM PROCESS

Participants discussed key issues and agreed on the following recommendations in each area:

I. The Media

1. Government institutions must open up to the media for facilitating access to information and creating grounds for accountability.

2. The concepts of freedom, rule of law and participation must be turned into practical methods, thus, allowing the citizens to effectively participate in the policy formulation and decision processes.

3. As the role of the media in the Arab region is not clear and they do not enjoy sufficient independence, there is a need for improving the quality of the media in order to create a credible press whose function is to find facts and inform the public.

4. Press institutions and mass media must improve the criteria and performance of their human resources by providing training in the ethics, code of conduct and other tools necessary for raising the level of professionalism and credibility.

5. The media cannot work alone; it needs the participation of the civil society. The role of the media should not be limited to merely providing entertainment but should be extended to provide high-quality information of value to the community.

6. There is a need to formulate an integral strategy for developing the media in the Arab region and fill in the legislative and control gaps to ensure the independence of the media.

II. The Civil society

1. Enhancing the role of the civil society in reforming public institutions requires establishing a partnership based on mutual trust between civil society organizations and the government. This can be achieved through dialogue and trust building for allowing easy access to information to inform the public and strengthen participatory democracy.

2. The civil society and the State have a role in guiding the citizens; modernizing and enforcing relevant legislative reforms are needed. Constitutional amendments

where necessary should be introduced to recognize and legitimize the role of civil society organizations.

3. Training and skills development in management and public outreach are needed to enhance the role of civil society organizations and strengthen its partnership with public and private agencies.

THEME SIX

DELIVERY OF PUBLIC SERVICES AND PARTNERSHIP BETWEEN THE PUBLIC AND PRIVATE SECTORS

Synthesis of points discussed and agreements reached.

I. Challenges:

1. The psychological barriers that still hinder partnership between the public and private sectors, the complexities and lack of clarity in the legal environment and unclear policies and visions.

2. The supremacy of the financial objectives over social considerations in the private sector.

3. The low quality of public services in some cases and the poor infrastructure (communications, transport, energy and water).

4. Relatively poor foreign investment in Arab countries and poor financial markets.

5. Existence of public and private monopolies.

6. The high cost of public services and the absence of electronic access to these services.

7. Lack of knowledge regarding successful methods for developing partnerships between the public and private sectors due to poor training.

8. Generally low level efficiency and complex procedures in public institutions.

II. Prospects and fields where the private sector's contribution for rendering public services can be developed

1. Infrastructure (roads, harbors, airports).

2. Environment protection (water, sanitation, re-cycling of solid waste material, etc.).

3. Power (electricity and gas) production and distribution.

4. Distribution of potable and irrigation water.

5. Education, training, sports, and cultural services (kindergarten, theatres, sports arenas, etc.).

6. Health and social services (hospitals, clinics emergency services, houses for caring for old people).

7. Communication and modern technology (telephone, cellular phone, internet, etc.).

8. Media (TV, radio stations, etc.).

9. Establishing private industrial zones and technology parks.

10. Research centers, think tanks and technology development.

III. Recommendations for priority actions:

1. Formulation of policies and definition of roles of partners; simplification and clarification of the concepts leaving out any ideological content.

2. Developing the legal and organizational framework of partnership while ensuring stability of the regulatory rules and policies. Developing and supporting the agencies responsible for the formulation of such policies.

3. Developing proper mechanisms for consultation among all the stakeholders, particularly the beneficiaries of the public services, taking into consideration those with special needs (the disabled, the elderly, etc.)

4. Promoting transparency in outsourcing activities and projects to the private sector. This may be done as follows:

    - Declaring a clear policy of the State in this field and enhancing the observance of the rules of constructive and fair competition..

    - Selecting contractors in accordance with declared competitive procedures to ensure equal opportunities.

    - Providing clear information and instructions regarding tender documents and giving companies ample time to submit their offers.

5. Enhancing cooperation and exchange of experience in the field of partnership between the public and private sectors in the Arab countries and learning from the pioneering countries in this field.

6. Developing information system and dissemination of know-how regarding effective patterns of engaging the private sector.

7. Establishing a monitoring mechanism and disseminating successful experiences.

8. Developing and implementing special training programs for civil servants.

9. Defining and observing standards of qualifications of staff involved in public contracting.