Good Governance for Development (GfD) in Arab Countries Initiative

Steering Group Meeting at Ministerial Level

Hosted by the Arab Republic of Egypt

UNITED NATIONS DEVELOPMENT PROGRAMME

GfD INITIAITVE – PHASE I
PROGRESS REPORT ON THEMES IV – V – IV

Sharm El Sheikh, Egypt,

19 - 20 May, 2006

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1. Executive Summary

The Initiative on *Good Governance for Development in the Arab Region* (G*f*D) was launched at the Dead Sea in Jordan on February 5, 2005. Upon the request of the seventeen Arab countries, taking part in this initiative, the United Nations Development Programme (UNDP) and the Organization of Economic Cooperation and Development (OECD) agreed to provide technical assistance and support the implementation of the six G*f*D Themes (see below at 2 *Launching the GfD Initiative*). UNDP agreed to be responsible for three themes – Theme IV (Public Service Delivery, Public Private Partnership and Regulatory Reform), Theme V (The Role of the Judiciary and Enforcement of Judgments), and Theme VI (Citizens, Civil Society and the Public Sector).

This Report covers progress achieved under these three themes during G*f*D Phase I and provides a conceptual framework and a quick overview of the process as a whole. It concludes with suggestions on potential areas of assistance based on the stocktaking activities that have been completed and the outputs that have been produced, mainly the National Assessment Reports.

2. Launching the GfD Initiative

The Initiative on *Good Governance for Development in the Arab Countries* (G*f*D) was launched at a conference held at the Dead Sea in Jordan, on February 6- 7 2005, under the patronage of King Abdullah II, and attended by high-level delegations from 17 Arab countries,[1] and representatives from the League of Arab States, Canada, France, Greece, Italy, Japan, Netherlands, Norway, South Korea, Sweden, Turkey, UK, USA, the Organization of Economic Cooperation and Development (OECD), the United Nations Department of Economic and Social Affairs (UNDESA), the United Nations Development Programme (UNDP), the United Nations Office for Drugs and Crime (UNODC) and a number of media and civil society organizations.

[1] The countries are: Algeria, Bahrain, Egypt, Iraq, Jordan, KSA, Kuwait, Lebanon, Mauritania, Morocco, Oman, Palestine, Sudan, Syria, Tunisia, UAE, and Yemen.

The core objective of the G*f*D is to create, consolidate and strengthen capacity of Arab countries to design and implement reform policies by providing a forum that focuses on building knowledge on good governance practices, enhancing the capacity of human resources, and building networks of professionals and practioners at the national, regional, and international levels to share experiences and share knowledge.

This initiative is comprised of six themes, each chaired by an Arab country and one or more OECD member country. Participating Arab countries have the liberty of joining the activities undertaken under one or more of the following themes:[2]

2.1 *Civil Service and Integrity* (chaired by Morocco and co-chaired by Spain)

2.2 *E-Government and Administrative Simplification* (chaired by UAE-Dubai and co-chaired by South Korea and Italy)

2.3 *Governance of Public Finance* (chaired by Egypt and co-chaired by the Netherlands)

2.4 *Public Service Delivery, Public-Private Partnership and Regulatory Reform* (chaired by Tunisia and co-chaired by the UK)

2.5 *The Role of the Judiciary and Enforcement of Judgments* (chaired by Jordan and co-chaired by the USA and France)

2.6 *Citizens, Civil Society, and Public Sector Reform* (chaired by Lebanon and co-chaired by the EU)

At the end of the launching conference, the participating Arab governments issued the *GfD Dead Sea Declaration* (Annex I), in which they declared their commitment to the initiative and expressed their collective will to cooperate in pursuit of its implementation. They requested the UNDP and OECD to extend technical and organizational support for the six themes. The OECD and UNDP agreed to cooperate to support activities of the themes; with OECD taking responsibility for guiding the activities under Themes: I, II and III and the UNDP for themes: IV, V, and IV as indicated above.

[2] The names, as well as the numbering of themes, have shifted during the preparatory phase and the launching meeting. The above is the final presentation approved for organizational purposed by the implementing agencies and the participating Arab countries.

3. The Conceptual Framework

The G*f*D Dead Sea Declaration – *hereinafter Declaration* – is the authoritative text from which a substantive framework can be drawn; it embodies the participating Arab countries' understanding of this initiative and their official commitment thereto.

The Declaration recognizes a number of principles that constitute the backbone that brings the six G*f*D themes together as a comprehensive government approach to reform and governs the work executed under each one.

Besides the commitment to modernize and develop the public sector within the framework of the six G*f*D themes, the Declaration makes reference to, and in effect endorses, a number of principles that are expected to guide the development of national action plans expected to ensue during the implementation of the G*f*D (see 4.2 below). These principles are:

3.1 *Encouraging Good Governance Practices:* The Declaration undertakes the responsibility to activate principles of good governance, i.e. public participation, transparency, accountability and the rule of law

- *Public Participation*: the Declaration reconfirms the Arab countries commitment to enhance and broaden participation in the public domain
- *Transparency and Accountability*: the Declaration recognizes transparency and accountability measures, especially those articulated by the UN and found in the United Nations Convention Against Corruption (UNCAC), which it resolves to increase efforts to join it
- *The Rule of Law*: the Declaration confirms the participating Arab countries respect for the principles of fairness and equality before the law and the need to maintain a high level of integrity; the declaration also recognizes the importance of an effective judicial system.

3.2 *Modernizing Public Institutions:* the Declaration stipulates that the participating Arab countries are resolved to utilize appropriate mechanisms and methodologies for continuous modernization of public institutions.

- *Efficiency and Effectiveness*: the Declaration exhibits awareness that an enabling environment for investment requires strong confidence in the performance of public institutions; it also recognizes the importance of increasing the efficiency and effectiveness of public institutions and administrative processes.
- *Civil Service*: the Declaration recognizes the importance of developing and modernizing civil service to make it effective, efficient and responsive
- *Financial Management*: the Declaration recognizes the importance of instituting good and transparent financial management.

3.3 *Strengthening Cooperation:* the Declaration stresses the importance of cooperation to support reform efforts and achieve effective and sustainable results.

- *Inter-sectoral Partnerships:* the Declaration recognizes the need to establish solid partnership between the state, the public sector, and the civil society
- *Inter-Arab Cooperation:* the Declaration recognizes the need to activate inter-Arab cooperation.
- *International Cooperation:* the Declaration acknowledges the importance of international-Arab cooperation

4. The G*f*D Process

The G*f*D adopted a novel strategy that brought together the fundamental elements necessary to promote positive and sustainable reform: a) the political will demonstrated by the commitment of both Arab governments and OECD member countries, b) the availability of technical expertise of senior practitioners and 3) the active mobilization of financial resources to support the initiative's activities.

The G*f*D process is outlined in the project document which introduces 1) an implementation structure, 2) three implementation phases, and 3) a built-in monitoring process.

4.1 *Implementation Structure:* the structure featured in the project document was developed to enable better communication, monitoring and implementation within each G*f*D Theme. The implementation structure includes:

- *Regional Thematic Coordinators*: Each Arab country shall chair a theme acting as the regional coordinator of its activities. It will be assisted by a co chair from the OECD member countries.
- *National Coordination Committee* (NCC): NCC members shall be appointed by the highest executive authority in each country. It will comprise of a leader and *Thematic Focal Points* acting as leader of the country's working group under each Theme.
- *Steering Group*: It shall be comprised of the six Arab *Regional Thematic Coordinators* and their OECD partner countries, and shall be chaired by the sponsoring Arab country. The *Steering Group* shall hold two meetings per year during the first year and one meeting in subsequent years. Other meetings may be held if circumstances warrant.
- *Technical Secretariat*: it is comprised of composed of UNDP and OECD experts, with the sponsoring country acting as Chair.

4.2 *Implementation Phases:* The G*f*D will be implemented over three phases.[3]

- *Phase I – The Stocktaking Phase:* During this phase and within each G*f*D Theme, each participating Arab country is expected to take stock, where applicable, of:
    - The existing national policies and programmes including those which are within bilateral, regional and international frameworks
    - The national priorities and concerns taking into considerations institutional capacities of related institutions, proposed solutions, capacity building efforts, and needed assistance

[3] Phase I ends with the presentation of this report to the Steering Group on May 20, 2006.

- The adequacy of financial (in the national budget) and human resources allocated to support the required work and possible strategies and plans to obtain additional funding, particularly through national financial planning.
- The status of political and parliamentary support for related governance reform activities and feasible plans to increase and sustain that support and orient policies towards an active and inclusive dialogue for reform
- Previously conducted studies related to the theme or generally, to institutional development, administrative reform, capacity building, increasing participation, obstacles to development and proposed solutions.

- *Phase II – Formulating National Action Plans:* Based on the national assessment reports produced under each G*f*D Theme during Phase I, a National Coordination Committee (NCC) in each participating Arab countries, is expected to formulate a national plan that corresponds to the needs, priorities and circumstances outlined in the mentioned report. The NCC's key task is to coordinate with other national initiatives and other donor agencies, set benchmarks against which progress would be measured and conduct periodic assessment of work. The reports produced by the NCC would be shared with the Technical Secretariat and with the Steering Group.
- *Phase III – Implementing the National Action Plans:* During this phase, the implementation of a number of pilot action plans is expected to start. The implementation will be closely monitored by the involved NCC and by the OECD co-chair of the relevant theme. The pilot action plans, which if successful may be later developed to projects of a larger scale, are primarily expected to contribute to capacity building in the participating Arab countries.

4.3 *Monitoring:* the G*f*D procedural framework ensures continuous monitoring of the initiative's implementation at three levels

- *At the Country level:* The NCC will monitor the initiative's implementation at the country level by ensuring the following:
    - proper execution of the planned activities
    - efficient response to problems arising in the context of execution,
    - first-hand assessment of progress and measurement of impact
    - compiling information and lessons learned to be shared internally with stakeholders and externally with other countries, the Steering Committee and the Technical Secretariat
- *At the Regional Thematic Coordinators level:* The Regional Thematic Coordinators will work closely with the respective thematic working group in each country who is expected to report periodically to the Thematic Coordinator in order to monitor the progress and ensure the proper execution of the above-mentioned activities.
- *At the Technical Secretariat level:* The Technical Secretariat will collect all produced reports and synthesize their findings into a quarterly report that will be shared with all concerned parties and submitted to the Steering Group. Based on these reports, the Secretariat will analyze results and motivate and assist thematic working groups.

5. The Steering Group Meetings

After several missions conducted by UNDP experts to participating Arab countries; the *First Steering Group Meeting* was held in Madrid on 28 April 2005 and was attended by high-level representatives of the six G*f*D chairs (Morocco, Dubai, Egypt, Tunisia, Jordan, and Lebanon) and the G*f*D co-chairs (Canada, France, Italy, Korea, Netherlands, Spain, Turkey, the UK, the USA, and the European Union).

Representatives of Arab countries confirmed the strong political commitment and ownership of their governments for the successful implementation of the initiative.

The Steering Group meeting endorsed, at the political level, the Strategic Action Plans which was to be implemented until Spring 2006, agreed on policy issues to be dealt with by

the Thematic Working Groups, and approved Working Methods and Organizational Structure of the G*f*D.

The *Second Steering Group Meeting* which is being held at a ministerial level, in Sharm El Sheikh, marks the end of Phase I which has been very successful in creating an environment conducive to reform as measured by the increasing number of country participation, national meetings held to discuss reform issues, papers prepared and presented in regional meetings and high level monitoring taking place in most Arab countries.

The following sections synthesize the progress achieved under the three G*f*D Themes of UNDP in terms of: a) activities completed and; b) outputs produced including the experts who were contracted in the process.

6. Progress on Theme IV: Public Service Delivery, Public Private Partnership, and Regulatory Reform

Arab countries recognize the need to facilitate and accelerate access to public services, increase the efficiency of service delivery, improve the quality of services provided and reduce their cost. Consequently, Theme IV addresses public service delivery, the barriers that hinder a productive partnership between the public and the private sector in Arab countries and ways of enhancing cooperation between the two sectors to promote development. The Theme elaborates on the regulatory framework for government transactions and ways of developing the rule-making process to become transparent, inclusive and conducive to enhancing accountability and control.

6.1 *Activities completed under Theme IV*: Two regional meetings were convened and one mission to five Arab countries was conducted.

- *June 2005 – The First Regional Meeting*: The first regional meeting was held at a ministerial level in Tunisia on 28-29 June 2005, and was attended by sixty five participants from eleven Arab countries,[4] Greece, the UK, OECD, UNDESA, UNDP, ARADO and the Japanese Embassy in Tunis. The objectives and expected outcomes of Theme IV were presented and national arrangements for the implementation activities were discussed. Tunisia and five other Arab countries discussed their experience in public service delivery

[4] Algeria, Bahrain, Egypt, Lebanon, Morocco, Oman, Palestine, Qatar, Syria, Tunisia and Yemen

and public-private partnerships. The UK shared its experience in reforming public service delivery and enhancing public-private partnerships, OECD experts discussed the need for and benefits of regulatory reform, while Greece presented its own relevant experience on the theme at hand. The meeting also addressed the role of audit and control in facilitating public-private partnerships and regulatory reform; experts from UNDESA and Tunisia discussed relevant best practices and the role of the Administrative Tribunal in the reform process.

- *November & December 2005 – Country Missions*: UNDP-POGAR staff conducted a mission to Bahrain, Yemen, Egypt, Morocco, and Tunisia to discuss the work to be completed during Phase I and the institutional arrangements needed to achieve the objectives of Phase I. The mission elaborated on the functions of each part of the G*f*D implementation structure and expounded on the methods of conducting the stock-taking exercise.

- *OECD contribution on "Regulatory Reform"*: OECD organized three separate meetings, two in Paris and one in Tunisia, to discuss reforming the process of rule-making to support development efforts and encourage investment. The meetings were aimed at developing rule-drafting skills, the process of monitoring and evaluating the implementation and enforcement of rules that regulate business transactions.

- *May 2006 – The Second Regional Meeting*: The second regional meeting was held in Tunis on 8-9 May 2006 and was attended by forty six participants from eight Arab countries,[5] the OECD, UNDP and the Japanese Embassy in Tunis. Thematic Group Leaders from Bahrain, Egypt, Jordan, Lebanon, Morocco, Tunisia, the UAE and Yemen presented their National Assessment Reports and outlined their action plans; some were to be further elaborated. The reports revealed that Arab countries share common issues in the three areas of Theme IV: public service delivery, public-private partnership and regulatory reform, albeit in varying degrees. The action plans revealed the need to strengthen the process of information gathering and information dissemination. Efficient

[5] Bahrain, Egypt, Jordan, Lebanon, Morocco, Tunisia, UAE, and Yemen

targeting in service delivery can be enhanced by better statistical data, more awareness of public needs and knowledge of public concerns. The process of public-private partnership is gaining momentum and there is an evident commitment on the part of all participating countries to enhance this process. Action plans indicate the need to review the rules and regulations governing the relationship between the two sectors, alleviate bottlenecks and remove old barriers to the full and active participation of the private sector as the engine of growth. Other planned actions include the review of customs regulations, investment laws, tax relief system, simplification of procedures for establishment of new enterprises and the facilitation of entry into the market place through the introduction and application of an incentive system. Discussions revealed the need to overhaul the training system in government with the objective of producing the "Arab Manager". Schools and Institutes of Public Administration are still backward in terms of curriculum design, materials taught and methods of teaching. The skills imparted fall short of what is required to help public officials become "managers of public affairs" rather than bureaucrats looking to implement the "word" rather than the spirits of laws and rules of business. Risk avoidance does not make "a manager". Awareness of new policies, information about international organizations that work to enhance globalization and ways of gaining access to such information, all need to be part of the curriculum. Participants emphasized the need for assistance to review the work of these training institutions and to prepare a plan for their modernization and reform. This needs an Arab apex organization to lead the process and participants requested the Dubai School of Government to perform this role.

6.2 *Outputs produced under Theme IV*: UNDP-POGAR contracted six experts to provide technical assistance. Six "*National Assessment Reports*" and one "*Assessment Template*" were produced in the process.

- Upon the request of participating Arab countries, UNDP-POGAR contracted five *experts* to assist Egypt, Jordan, Lebanon, Tunisia and Yemen in reporting on Phase I and providing an outline of their action plans under Theme IV. Five

National Assessment Reports for five participating Arab countries[6] were produced. The sixth report was produced by the Moroccan government without the need for contracting a national expert.

- An international expert from the UK was contracted to develop an *Assessment Template* that draws together material, related to Theme IV, into a framework which will guide the production of the *National Assessment Reports* and support the subsequent process of analysis.

7. Progress on Theme V: The Role of the Judiciary and Enforcement of Judgments

The need for an independent, efficient and effective judiciary is paramount in all countries that are governed by the rule of law. Arab countries have expressed the desire to receive assistance in accelerating litigation processes, developing case management systems, facilitating access to justice, supporting the effective enforcement of judgments, and improving the overall state of judiciary revealing awareness of the linkages between having a strong and fair judicial system and public governance reform and development.

7.1 *Activities completed under Theme V*: Two regional meetings, three chair & co chair meetings and one international experts' meeting were convened and two missions to six Arab countries were conducted.

- *September 2005 – The First Regional Meeting*: The first regional meeting was held in Jordan on 28-29 September 2005 and was attended by forty five participants from thirteen Arab countries[7] in addition to representatives from the Arab Center for the Development of the Rule of Law and Integrity (ACRLI), France, the Japanese Embassy in Amman, the League of Arab States, OECD, UNDP, Union of Arab Lawyers (UAL), USA, the United States Agency for International Development (USAID), and the World Bank. During the meeting, the participating Arab countries presented their experience on judicial reform, and discussed obstacles and priorities. Experts explained the principles and methodologies of the stocktaking exercise and presented the work plan to be followed. The methodology, the timetable and the respective functions of the working groups and their leaders in each participating Arab

[6] Egypt, Jordan, Lebanon, Tunisia and Yemen
[7] Algeria, Bahrain, Egypt, Iraq, Jordan, Lebanon, Morocco, Palestine, Qatar, Sudan, Tunisia, UAE, and Yemen

country were also explained. Ancillary meetings were held between the Minister of Justice in Jordan (chair), the representatives of France and the USA (co chairs), the representative of the World Bank and UNDP staff members for purposes of evaluation. At the end of the first regional meeting, the participants issued a list of recommendations that emphasized the need to secure impartiality and integrity of the judiciary and increase efficiency of courts and enforcement of judgments. Participants also expressed their commitment to implement Theme V according to the suggested work plan.

- *December 2005 – Country Missions*, UNDP-POGAR staff conducted two missions, the first to Tunisia, Algeria, and Morocco and the second to Yemen, Egypt and Jordan. The aim was to meet with the national coordinator and the national experts in each country and provide guidance and training on the process of producing the National Assessment Reports.

- *May 2006 – The Second Regional Meeting*: The second regional meeting was held in Jordan on 15-16 May 2006 and attended by fifty two participants from eleven Arab countries,[8] the USA, France, and the UNDP. During the meeting, participants presented a summary of the activities that have been completed, in addition to the National Assessment Reports. At the end, representatives of Arab countries issued a list of recommendations adopting an action plan for the next phase of the G*f*D. The agreed upon draft action plans include six reform projects (see below at 10.2 Potential Areas of Assistance under Theme V). Another recommendation was to establish an administrative unit, comprised of the selected national coordinator and national expert, to plan and coordinate Theme V reform projects. Ministries of Justice in all Arab countries, Arab and Islamic Development Agencies were all invited to participate in providing financial support to G*f*D activities.

7.2 *Outputs produced under Theme V*: UNDP-POGAR contracted seventeen experts and coordinators and collaborated with two international experts to produce the templates for the "National Assessment Report". Ten *National Assessment*

[8] Algeria, Bahrain, Egypt, Iraq, Jordan, Lebanon, Morocco, Palestine, Sudan, Tunisia and Yemen

Reports, an *Assessment Template* and a number of other supporting outputs were produced in the process.

- Upon the request of participating Arab countries, UNDP-POGAR contracted one expert and one coordinator for each of the following countries: Algeria, Iraq, Jordan, Lebanon, Morocco, Sudan, Tunisia, and Yemen. In the case of Egypt, only an expert was contracted while the coordinator volunteered his services. In the case of the Palestinian Authority and Iraq, one person assumed the responsibilities of both functions. Each country produced a *National Assessment Report*.

- UNDP-POGAR produced an *Assessment Template* (English and Arabic) to be used by the national experts in assessing the state of the judiciary in each participating country.

8. Progress on Theme VI: Citizens, Civil Society and Public Sector Reform

Recognizing the significant role that citizens and civil society can play in reforming public institutions, Arab countries have expressed the need to include both in the reform process. Through their inclusion citizens and civil society will be able to evaluate government services and participate in the formulation of public policies that will meet their aspirations. Arab countries have recognized that the participation of citizens and civil society will ensure effective and sustainable reforms of the public sector.

8.1 *Activities completed under Theme VI:* Two regional meetings and one experts' meeting were convened.

- *September 2005 – The first Regional Meeting*: The first regional meeting was held in Beirut on 29-30 September 2005 and was attended by more than eighty participants from nine Arab countries[9] and representatives from European countries, the European Union, the OECD, and the UNDP. During the meeting, participants addressed the challenges of public sector reform in the Arab countries. They explored means for its development following examples of international experiences on the basis of the participation of citizens and civil society organizations in improving the performance of the public sector

[9] Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen

and providing citizens with the best services. Successful experiences of Arab and European countries were presented. The participants discussed the means for supporting the role of citizens and civil society organizations in establishing policies and services of the public sector in Arab countries.

- *May 2006 – The Second Regional Meeting*: The second regional meeting was held in Beirut on 2-3 May 2006 and was attended by and was attended by more than 50 participants from nine Arab countries[10], the European Union, and the UNDP. During the meeting, participants highlighted the major findings of the National Assessment Reports. The studies were conducted in the nine participating countries and constitute the first regional assessment of the relation between the public sector and citizens and civil society. They were based on a single framework of analysis allowing the comparison of study results and the development of a typology of relations between the public sector and civil society on the one hand, and between the public sector and citizens on the other. The studies also included recommendations for improving these relations. A draft platform of action for the next phase, which has been prepared by UNDP-POGAR on the basis of study results and discussions of the first regional meeting was presented and discussed. In addition participants identified concrete measures for improving the involvement of citizens and civil society in public sector reform initiatives in the Arab countries. The meeting has been covered by the local media.

8.2 *Outputs produced under Theme VI:* UNDP-POGAR contracted nine experts to provide technical assistance to requesting Arab countries. Nine *National Assessment Reports* and two *Analytical Frameworks* were produced.

- Upon the request of participating Arab countries, UNDP-POGAR contracted one expert from each of Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen. Each expert produced a "National Assessment Report".

[10] Same as above

- UNDP-POGAR produced two *Analytical Framework*s; the first to outline the various dimensions of the relationships between citizens and the public sector on the basis of which their role in public sector reform may be assessed.

9. Overall Outcomes of G*f*D Phase I

A quick review, of the outcomes of Phase I, reveals an increased awareness among the different stakeholders in the participating Arab countries of their needs in terms of public governance reform and a deepened understanding of good practices and lessons learned in relevant fields. There is strong regional support for reform and a demonstrated commitment of most Arab countries to pursue reform efforts.

Phase I began slowly in the learning curve and gained continuous and increased momentum when countries realized the benefits of the regional meetings and appreciated the efforts of the UNDP and OECD experts in providing needed technical support. Compared with the beginning of the G*f*D, the buy-in has increased and within their means, Arab countries are making significant efforts to actively participate and increase awareness of their own public.

Another major outcome of the initiative was its contribution to building a body of knowledge which has not existed before, especially under Theme VI. This body of knowledge has laid the foundation for future projects to improve the participation of citizens and civil society in public sector reform initiatives in the Arab countries.

In the meantime, the cooperation that has brought together Arab countries, OECD member countries, the OECD and the UNDP during the implementation of Phase I has furthered the culture of cooperation in the region, brought new perspectives to the discussion of reform and enriched the different actors' experience in the field of public governance and reform in Arab countries.

10. Potential Areas of Assistance for G*f*D Phase II

With Phase I of the G*f*D brought to an end, the participating Arab countries, the OECD member countries, the OECD and the UNDP experts start their preparations for launching Phase II, which is expected to produce detailed national action plans and corresponding projects that target priority areas of reform.

Based on the activities completed, the outputs produced and the discussions held in national and regional meetings, the priority areas that may call for assistance from the partners are

synthesized for Themes IV, V and VI below. These areas are based on the analysis of the policies and priorities of the participating Arab countries and their needs for financial and technical assistance. The core of that assistance will be to a) further detail the action plans for which there are now simple "outlines", b) prepare feasible projects for each area and c) intensively engage in a capacity building process for institutions involved in the reform process and its' human resources. Capacity building includes institutional reviews leading to reorganization with a view to increasing efficiency; analysis of rules and procedures with a view to eliminating outdated and unnecessary regulations and formulating new ones; strengthening institutional interdependence and coordination; providing proper tools and instruments for task performance; enhancing the use of modern information systems and increasing the motivation, knowledge and skills of staff.

10.1 *Potential Areas of Assistance under Theme IV*; Under Theme IV, a sample of the possible priority needs in selected countries have been proposed and discussed

- *Tunisia*:
    - A project on reviewing the rules and regulations of business transactions, and improving the process of policy formulation and the drafting and issuance of rules and regulations.
    - A project on evaluating the performance of public agencies in delivering public services particularly in the fields of health, education, environment, veterinary health, agriculture extension services, customs and tax collection.
- *Morocco*:
    - A project on assessing the cost and efficiency of public service delivery.
    - A project in the area of public-private partnership to create new mechanisms to expand and strengthen the partnership of the two sectors
    - In the area of regulatory reform, there is much to be done. The process of rule making needs to be reviewed and laws, rules and regulations and their enforcement and value impact need to be assessed. Though

this may be considered an element of the judicial reform and therefore, the work of Theme V, the particular area of rule making touches upon every sector and every public agency and poses much wider challenges.

- *Egypt*:
    - A project to review the performance of public institutions engaged in the delivery of public services in at least four priority areas: elementary and secondary education, basic health, public transportation and the delivery of food supplies to the most disadvantaged and vulnerable groups.
    - A project to review and strengthen the rules and procedures for enhancing the public-private partnership especially in the area of small and medium enterprises to generate employment and combat poverty. The project would include pilot activities of both sectors in five governorates chosen on the basis of their lower economic condition with a view to creating a potential for economic development. Successful experience may then be replicated in other areas.
- *Jordan*:
    - Project to improve the delivery of public services. Issues of efficiency and effectiveness have been identified in the fields of education, public health, public transport, environmental protection and water security. While each of these areas call for a project on its own, the project to be developed would emphasize the first two areas to ensure equity, quality and acceptable cost of services rendered. Particularly important is the delivery of public services in all areas outside Amman, the capital city. Involving the civil society, increasing public participation in service delivery and ensuring access of disadvantaged groups to public services would be key elements in and objectives of that project.
    - Project to reform the rules and regulations that impede the full participation of the private sector in development activities. The

private sector in Jordan has been traditionally the major engine of growth and Jordan has always followed practices of market economy, yet rules of entry in the market and the establishment of new enterprises have limited the potential of the private sector to be an effective partner of the government in economic and social development of the country. Successful project design would be based on the participation of private sector institutions both at the central and local levels to ensure that the project would respond to their needs. Such institutions should equally be involved in the project implementation, monitoring and evaluation.

- *Lebanon*:
    - Project to review the policies, procedures and general system of public service delivery particularly in the fields of education and public health and social services. While there is an official "Citizens Charter" and a system involving multiple NGOs in the delivery of service, citizen satisfaction is far from achieved. There are contradicting policies and the plans for establishing of "service delivery centers" have not materialized. The instruments of delivery differ in terms of capacity, competence and effectiveness and the need to improve the system is obvious.
- *Yemen*:
    - Capacity building project. There is a strong need to build the institutional capacity of agencies involved in delivery of public services. While all institutions at central and local levels need this kind of assistance, priority should first be given to central institutions operating in the fields of education and public health. Institutions need to be reviewed in terms of policies, rule-making, definition of mission and formulating of feasible objectives, organizational structure and human resources management. Staff adequacy in terms of number of staff need also to be reviewed. Staff knowledge and skills need to be developed particularly in the areas of policy planning, program design,

customer participation, activity implementation, evaluation of policies and rules, transparency of actions and management accountability.

- A project to review the laws, rules and regulation as well as administrative procedures regulating the relationship between the public and private sectors. This review should lead the formulation of new policies and the drafting of new regulations that should strengthen, facilitate and encourage the involvement of the private sector as a partner in development. This is a fertile field for renewal to allow for an active involvement of the private sector in development activities.

10.2 *Potential Areas of Assistance under Theme V*: Under Theme V, and based on the continuous dialogue held among the different actors, six reform projects were formed with draft pilot action plans (found in a separate document) suggested and prepared in consultation with the Arab countries.

- Algeria:
  - Providing specialized legal training on economic cases
  - Enforcement of judgments
  - Computerizing case tracking and judicial assignment functions
- Bahrain:
  - Enhancing the independence and integrity within the judicial profession
  - Providing specialized legal training on economic issues
  - Enforcement of judgments
- Egypt:
  - Providing specialized legal training on economic issues
  - Computerizing case tracking and judicial assignment functions

- Iraq:
    - Strengthening the Public Prosecutors' ability to effectively investigate and prosecute criminal cases, and ensure a fair trial.
    - Providing specialized legal training on economic issues
    - Computerizing case tracking and judicial assignment functions
- Jordan:
    - Implementation of the United Nations Convention against Corruption
    - Providing specialized legal training on economic issues
    - Enforcement of judgments
- Lebanon:
    - Enhancing the independence and integrity within the judicial profession
    - Strengthening the Public Prosecutors' ability to effectively investigate and prosecute criminal cases, and ensure a fair trial.
    - Enforcement of judgments
- Morocco:
    - Implementation of the United Nations Convention against Corruption
    - Providing specialized legal training on economic issues
    - Enforcement of judgments
- Palestine:
    - Implementation of the United Nations Convention against Corruption
    - Strengthening the Public Prosecutors' ability to effectively investigate and prosecute criminal cases, and ensure a fair trial.
    - Providing specialized legal training on economic issues

- Sudan:
    - Strengthening the Public Prosecutors' ability to effectively investigate and prosecute criminal cases, and ensure a fair trial.
    - Providing specialized legal training on economic issues
    - Computerizing case tracking and judicial assignment functions
- Tunisia:
    - Providing specialized legal training on economic issues
    - Enforcement of judgments
    - Computerizing case tracking and judicial assignment functions
- Yemen:
    - Enhancing the independence and integrity within the judicial profession
    - Implementation of the United Nations Convention against Corruption
    - Computerizing case tracking and judicial assignment functions

10.3 *Potential Areas of Assistance under Theme VI*: Under Theme VI, a number of potential areas of assistance have been suggested, most of which are common to all the participating Arab countries.

- *Strengthening the legal and institutional framework to improve the public sector's relation with citizens and with the civil society by supporting the*:
    - Promulgation of a law to guarantee access to information by citizens
    - Promulgation of a law on managing personal and private data
    - Promulgation of a law to improve interaction between citizens and the public sector
    - Creation of a special parliamentary committee for public sector reform
    - The consolidation of independent institutional procedures of complaints

- The improvement of coordination between the various sides in charge of citizens complaints
- Activities aimed at improving proximity in public service delivery to citizens

- *Improving consultation and participation of citizens and civil society by establishing and strengthening relevant national institutions such as*:
  - The activation of existing mixed national councils
  - The creation of new mixed national councils
- *Improving communication between the public sector and citizens and civil society by supporting*:
  - Improved monitoring of public sector performance
  - The development of improved means of communication between citizens and the public sector
- *Encouraging public officials in the performance of their tasks and adherence to good conduct in their relations with citizens by supporting*:
  - The application of the code of conduct for officials
  - Capacity building for public sector officials and employees towards participatory management
  - Better performance of the public sector on the basis of incentives