



“Promoting the Rule of Law and Integrity in the Arab Countries” Project

Regional Conference On the State of the Parliament In Lebanon, Jordan, Egypt and Morocco

Introductory paper

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First: Project Background

It is rather difficult for Arab countries to overcome the intense crises which they are going through, unless a complete reform happens leading them onto the path of democratic change. Arab voices have already reclaimed a reform, and some initiatives also agreed on the need to reinforce the Rule of Law as a support for the Good Governance which should achieve development and provide the good living conditions for its citizens. This would allow them to benefit from the rights and liberties stipulated in the International Declaration of Human Rights, the International Conventions and the Constitutions of some Arab countries.

For the purpose of achieving the objectives which it was grounded on, the Arab Center for the Development of the Rule of Law and Integrity (ACRLI) found it essential to carry out a research project entitled “Promoting the Rule of Law and Integrity in the Arab Countries”, funded by the United Nations Developmental Program (UNDP – POGAR), and examining three primary pillars to reinforce of the Rule of law and integrity, which are: Participation/ Parliament, the Judiciary and the Media. Participation is the foundation of democratic systems, and it ought to find its way in parliament which generates its power from the people, entrusted with the legislative authority which forms the cornerstone in the State of law. As for the judiciary, it is no doubt crucial to the future of justice, and consequently, to securing stability and the conditions of economic prosperity. The State of law cannot exist unless there is a fair, effective and integral Judiciary. And the Media plays a major role in settling the Rule of Law and Integrity, through its efforts to form a general public opinion which pursues the administration of the public matter and the promulgation of the truth, and highlights the government performance for the purpose of reforming.

The project on the Rule of Law and Integrity, in its three Pillars, encompasses four Arab countries: Lebanon, Jordan, Egypt and Morocco, and also Iraq but in a specific frame discussing (1) Federalism as a solution to the Iraqi crisis, and (2) the Judicial authorities, specifically in their attempt to curb the relation between the Federal authority and autonomous authorities, owing to its importance in the Federal System as for the reinforcement of the Rule of Law.

Second: Parliament Pillar Background Selection

People’s participation in power is achieved through parliament. In all democratic countries, the power originates from the people. The bigger the participation, the better the government legitimacy is reinforced. Hence the importance of parliament in democratic systems as an indicative of people’s will, and as a constitutional institution exercising its roles specifically in enactment and censorship. The parliament is the cornerstone in the government of law and integrity. And for it to achieve its full role,



elections have to lead to the formation of a parliament which represents all the sections of society in a right and fair way, with respect to equal opportunities between candidates. And participation has to be achieved not only through the elections, but also the respect of parliament's independence with reference to the principle of separation, equilibrium synergy between powers, and the adoption of methods leading to the carrying out of the parliament's duties efficiently and impartially.

Parliaments in Arab countries face difficulties preventing their work and building obstacles as to the formation of the rule of law and integrity. Some of these difficulties relate to the nature of the societal and political infrastructures; others relate to the nature of the political systems and the current circumstances in the region. However, it is necessary to reveal the state of parliaments in the Arab countries in the light of the privacies of each concerned country, the primary and secondary principles and the indicators adopted by the center in order to set a strategy for parliaments' reforms, taking into account the hindrances, and ways of dealing with them as a fundamental step towards the formation of the rule of law and integrity.

Third: Project Implementation Strategy

Experts in the Arab Center for the Development of the Rule of Law and Integrity (ACRLI), in collaboration with the International Foundation for Electoral Systems (IFES) proceeded to set the methodologies necessary for writing the reports, and lay down the basic principles which should exist in the Parliament, the Judiciary and the Media for the establishment of the Rule of Law and Integrity, and the subsidiary principles in order to assess the real application of the primary principle. And a set of indicators have also been placed to assess the extent of the principle application in practice, so as to have measurement criteria. These issues have been discussed by a group of experts in workshops before their adoption in their final version.

The center has entrusted a group of well known competent experts, to prepare reports, on the countries concerned, on the three pillars. These reports were discussed in National Workshops with the participation of parliamentarians, legal experts, judges, academics and civil society representatives aiming for the development of these reports, to elaborate its ideas raised, and to set of reforms strategies. Experts from the Center have also prepared Comparative Reports, based upon the National Reports in the three Pillars, and commented on them, for a thorough examination and for the participation in drawing Reform Policies.



Fourth: Regional Conference Background

The efforts made in writing the reports, the facts acknowledged, and the suggestions laid down for the reform remain without any practical benefit unless they are paired up with a work plan based on these reports, and illustrated, and are transformed into programs to be implemented. Reforming the present situation requires dealing with its facts, and planning policies aiming at developing it in the right direction, since reform is a long and difficult process full of obstacles and hindrances which should be dealt with realism and systematicness, in the context of well planned and worked-out plans that will be implemented through the will of change and development for a better future.

The fundamental topics that will be presented in the meeting are:

- The Principles and Methodologies of the National Reports on the State of Parliament in Lebanon, Jordan, Egypt and Morocco.
- The National Reports on the State of Parliament in Lebanon, Jordan, Egypt and Morocco.
- The Comparative Report on the State of Parliament in Lebanon, Jordan, Egypt and Morocco.
- The Comments on the Comparative Report on the State of Parliament in Lebanon, Jordan, Egypt and Morocco.
- The Reforming Policies and the work plan.

The fundamental purpose of holding the regional conference is present the overall state of three key democratic institutions – the judiciary, the media and the parliament, to analyze the findings, to exchange views and set a rational work plan in an effort to put a reform strategy to be executed as a first step towards the establishing of the Rule of law, Integrity and Good Governance.