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Economic and Social Commission for Western Asia (ESCWA)

Report

**Inter-Regional Seminar on "Participatory Development and Conflict Resolution:
Path of Democratic Transition and Social Justice"
Beirut, 23-24 November 2011**

Summary

The Economic and Social Commission for Western Asia (ESCWA) organized an inter-regional seminar entitled "Participatory Development and Conflict Resolution: Path of Democratic Transition and Social Justice", at the United Nations House in Beirut, on the 23rd and 24th of November 2011. Participants in the seminar included experts, leaders in the field, political actors, government representatives, representatives from civil society organizations, research centers, academic and media institutions, United Nations agencies, as well as regional and international organizations.

The seminar targeted the systems and standards of democratic governance approach, paving the way for the discussion of the circumstances of countries in the region, and their capacities to implement the abovementioned approach in their democratic transition. Moreover, the seminar focused on benefitting from the exchange of expertise on international successful and unsuccessful democratic transition experiences, in order to explore the needed interventions for capacity-building and promoting the conditions of participation, to face the encountered problems and protect the transition process. The seminar also focused on projecting the future of the democratic transition process and the orientations of the new social contract, while discussing the functions and relations of the stakeholders responsible for making decisions pertaining to the transition process and these orientations in countries of the region.

This report comprises the recommendations of the participants and a summary of the main issues raised by experts in their papers and contributions, as well as a summary of the different themes of the meeting.

Note: This document was printed as presented without any official editing.

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Introduction

1-   The Economic and Social Commission for Western Asia (ESCWA) draws its interest in participation from international and regional conventions and resolutions. It is noteworthy that this interest was manifested through ESCWA's program of action that includes publishing a series of references and technical materials, organizing training activities, meetings and roundtables, as well as providing technical support services and advice, which aim at contributing to the promotion of participation among governments and civil society organizations in the processes of public policy.

2-   The recent experiences of civil society that has an impact on public policies have shown that its capacity to influence the drafting of public policies in some countries of the Arab region has increased. Moreover, civil society's capacity was enhanced in the past three decades in light of the need of governments and societies alike for a sector that organizes the relationship between the citizen and the state outside the market, and that addresses pivotal issues pertaining to laws, policies and systems affecting public affairs in society. Thus, the role of this non-lucrative, voluntary sector which advocates public interests started to grow more significant with the social movements witnessed by many countries in the Arab region. These movements emerged in tandem with regional and international initiatives that underline the importance of civil society's role in catalyzing change, modernization, planning, and promoting the needed reform process. The experiences of social movement have generated new expertise, results and preoccupations that are worthy of follow-up and dialogue, aiming at identifying the lessons learned and the need for preserving the positive outcomes of change, as well as supporting modernization processes in the roles, values and standards of institutions.

3-   The Economic and Social Commission for Western Asia had held an Expert Group Meeting in Beirut, on the 1st and 2nd of December 2010. Back then, the meeting focused on discussing a comparative analysis of Civil Society's participation in public policies through a series of studies on the impact of such a participation in Lebanon, Jordan, Palestine and Yemen. The meeting came up with a report that included the results of the experts' discussions and viewpoints concerning the themes of the meeting, in addition to recommendations which focused on the activation of Civil Society's participation in public policies. As a result, these recommendations became a subject for follow-up and in-depth research, especially after they were proven relevant due to the participation of Civil Society in the social movement witnessed by the countries of the region since the year 2011, and the direct influence of that participation on decision-making.

4-   Reiterating the importance of the stakeholders' participation, and recognizing their stands towards change and modernization required for societal development, ESCWA convened a seminar for Civil Society on the implementation of the recommendations pertaining to Civil Society's participation in public policies, under the title:" The Emerging Movement and the Path of Arab Renaissance". The seminar was held in Cairo, Egypt, on April 9-10, 2011. Participants in the seminar included civil society actors from Egypt, Tunisia, Lybia, Syria and Palestine, as well as Arab and international experts. The report stemming from the seminar comprised recommendations and conclusions from participants, on facing the challenges of transition. Following up on these recommendations necessitates examining the dynamic of social movement in light of the prevailing circumstances and the resulting consequences in each of the concerned countries, as well as discussing the priorities of challenges, the scope of their impact on the democratic process, and the enabling environment to face them during the transitional phase of social movement.

5-   Therefore, the Economic and Social Commission for Western Asia convened an Expert Group Meeting on August 25 and 26 2011, in order to follow up on the recommendations of the abovementioned seminar, and translate them into programs of action and initiatives that enhance the stance of Civil Society and consecrate its role as a partner in decision-making. The meeting came up with a series of recommendations and conclusions

pertaining to the promotion of the values and standards of democracy, enhancing the concepts of the Civil State, and reiterating the autonomy of Civil Society Organizations. These recommendations and conclusions also tackled the importance of formulating guiding principles to overcome the challenges of the transitional phase, with a special focus on the proficiencies of democratic rule management, as well as the issues of networking, activating the role of the media, exchanging expertise, promoting Codes of Conduct, and many other matters that contribute to strengthening the enabling environment for facing the challenges of democratic transition. It quickly became clear that dealing with these recommendations and conclusions in a realistic manner raises a number of questions related to the vision of the actors of change, and the possibility of a consensus between them on general objectives for the transitional phase, in addition to the lack of capacities and proficiencies for managing the democratic transition process and peaceful conflict resolution, as well as clearing the ambiguities in the emerging roles and functions of decision-making stakeholders which have changed in tandem with the upheaval of political regimes in countries of the region.

6-   In light of the above, the Economic and Social Commission for Western Asia organized an international seminar entitled "**Participatory Development and Conflict Resolution: Path of Democratic Transition and Social Justice**", with the aim of discussing the approach of the systems and standards of democratic governance, and benefitting from the exchange of expertise from international successful and failed experiences in democratic transition. The seminar aimed as well at discussing the needed interventions for overcoming the problems that result from social movement, preserving the democratic transition process and foreseeing the future of this process and the orientations of the new Social Contract, while focusing on the emerging roles and relationships of stakeholders in decision-making. The activities of the seminar addressed the changes currently witnessed by Arab countries and the revision of their policy options, as well as their increasing interest in the democratic transition process as choice capable of generating opportunities for participatory development and the achievement of peace and security in each country and in their relationships with the rest of the world. As a matter of fact, the social movement currently prevailing in Arab countries, calling for the reform or upheaval of the governance systems and developing the adopted standards of democracy is merely a proof of the existence of such an option. However, experience has shown that the reform of systems and the amendment of constitutional laws according to the standards of democracy could be reduced to partial procedures pertaining to freedom and plurality, and might become mere formalities that lack efficiency, unless coupled with the dissemination of the culture of democracy which strengthens society and protect it from the culture of tyranny, underdevelopment and occultation. In this line of thought, emerging ethnic, racial, communal and confessional conflicts and the ensuing intellectual, political and religious heritage or culture will drown any partial and formal systems and laws of democracy. Therefore, sustainability of democratic governance systems and the success of the democratic transition processes are contingent upon the extent to which the culture of democracy is widespread and its values and principles are applied by each society and each State in their participatory development efforts and in their efforts to resolve conflict and disputes peacefully. As a result, the path of democratic transition in countries of the region requires dealing with a number of promising opportunities, pressing issues and complex problems that cannot be handled through predetermined partial policies and procedures.

7-   This seminar was held in order to implement of final activity within the "**Participatory Human Development in Post-Conflict Countries**" project, supported financially by the United Nations Department of Economic and Social Affairs (DESA), in implementation of ESCWA Resolution 285 (S-XXV) that stipulates enhancing and following up on participatory consultative processes on social policy dialogue between public offices, civil society and private sector, and in implementation of ESCWA's biennium for 2010-2011. The report of the seminar features the main recommendations and conclusions as well as a summary of papers and interventions presented at the seminar and the discussions that were held on each one of its themes. The report also includes an overview on the organization of the seminar's work in terms of participants, date and venue of the seminar, and the documents distributed throughout the sessions.

First: Recommendations & Conclusions

A- Recommendations

8-   Seminar participants unanimously agreed on the recommendations made under each theme, distributed as follows:

<u>A- Issues of Democratic Transition</u>

- Meeting the requirements of peaceful democratic transition, with a special focus on promoting the culture of democracy that is acquired through practice, the dissemination of the social model and the increase of social participation in public affairs. This would also require giving the ultimate priority to social and economic policies and dealing with the reform process as a purely internal issue that lays down the foundations of a participatory Social Contract accepted by the largest social groups;

- Promoting a culture of dialogue and respect for plurality and different opinions, as the basis for a settlement on reform processes and dealing with cultural barriers which dominate the relation with the change forces and shape its future. It is equally necessary to take enough time for the path of democratic transition to mature based on a system of values that embraces participation and peer-to-peer treatment among society components;

- Enhancing the Civil State concepts based on rights, the rule of law and citizenship, and reiterating the need to protect the State building process from the adverse impacts of political, tribal and sectarian quotas prevailing in countries of the region;

- Supporting women's position, providing the enabling frameworks and environment for their involvement in decision-making, and strengthening their leadership capacities in the democratic process and in the democratic transition phase.

<u>B- Complexities of democratic transition</u>

- Building the institutional capacities of the forces of change, strengthening their ability to participate actively in reform processes, developing the political systems that ensure the transition to democracy and guarantee an effective peaceful settlement of relevant disputes, as well as promoting the efficiency of operations pertaining to the management of democratic transition processes;

- Promoting political stability based on a comprehensive dialogue where different powers can express their opinions, achieving social and political integration of all forces including the forces of the old regime and its security organs, and supporting the economic recovery that remedies the deterioration of sectors and the flight of capital and investments;

- Managing the transitional phase according to the priorities agreed upon by the leaders of social movement, most importantly through mobilizing technical and financial support to build institutions capable of shouldering the functions of democratic governance, and building leaderships that believe in democracy and that are able to disseminate its principles and practice it at all levels of decision-making;

- Adopting a consensual constitution, embracing effective pluralism and gathering the conditions required for the peaceful devolution of power under free and fair elections. In this regard, it would be wiser not to hold elections in a hasty and arbitrary way;

- Promoting networking and exchange of expertise with the forces of change at the national, regional and international levels, with the aim of supporting the involvement of women and youth in various circles and processes of decision-making;

- Testing the guiding manual prepared by ESCWA in capacity-building programs for partnership in democratic governance, and amending the manual in light of the observations of participants in these programs.

C- Emerging roles of stakeholders in decision-making

- Recognizing the legitimate existence of the other, resorting to law in regulating the relationship with others, and adopting a genuine dialogue on the visions and aspirations of different decision-making entities based on mutual respect rather than typical formalities to justify quota projects and power-sharing;

- Achieving an agreement between social actors on a common vision for the democratic transition phase and its general objectives, in a way that serves their interests and meets their aspirations. This would pave the way for the definition of the role of these actors, and would help in identifying the functions of institutions and organizations, creating appropriate frameworks for partnership between them as well as promoting the rules of mutual respect, free from domination and tyranny;

- Involving new political forces emerging from social movement, especially youth, in formulating the principles of the common vision for the democratic transition, and determining its general objectives; in preparation for negotiations with the relevant authorities to formulate a new social contract that takes into account the objectives of change and reflects the interests of all these forces and counterparts;

- Considering the role of the forces and groups affected by change, and that find themselves marginalized or excluded, and responding to their integration through institutions capable of resolving conflicts peacefully, setting the standards of negotiations and settlements in the uncertain phase that is the transitional phase, applying transitional justice, which plays an important role in giving justice to the oppressed, abolishing the psychological and social remains of the past and enabling civil peace;

- Creating a mechanism, or a regional periodic report to monitor participation in policies, programs and projects related to institutionalizing the process of democratic transition, in addition to measuring the degree of satisfaction of the relevant stakeholders;

- Equipping social actors with the competencies required for democratic governance. They should also have the capacities and ethics needed to resolve conflicts peacefully, and act with responsibility and transparency towards those they represent. It is equally important for them to refrain from adopting populistic policies and propaganda;
- Undertaking a radical review of the economic system and coming up with economic policies that give priority to the social space and that are based on participation;

- Following up on the democratic transition stage, including public services and ensuring the sustainability of public institutions' functions, especially security and economy related functions. It should be noted that the transition phase is prone to relapse at any moment, and this is natural in the course transition because it cannot be linear, which needs exceptional effort and work.

B- Conclusions

9-   The seminar came down to a set of conclusions about the approach of systems and standards of democratic transition, and the interventions required to build capacities, promote participation in the face of problems and protect the process of democratic transition and its future, as well as the orientations of the new social contract and the links between stakeholders responsible for making decisions related to this process in countries of the region. Below are the main conclusions:

- One of the dangers faced during the transition phase in a number of Arab countries, is the ability of political components, groups or communities to meet their demands on the long run and make sure they are represented in the new regime. In this regard, it would be wise to take into account the form of the new government, which may be called a consensual democracy. But in fact it is no more than a number of quotas that lead to the fragmentation of society and undermine the rule of law and institutions. Therefore, any new policy adopted in the transitional phase should focus on integration and building democratic institutions in an effective manner as stipulated by the law and provided for in the constitution. This would guarantee greater participation from a number of community groups, and a clear separation between the legislative, executive and judiciary authorities. The new political system should also be based on the principle of equality among citizens, protected by an independent judicial authority;

- Brandishing slogans and dealing with them from the opposition's standpoint differs radically from placing issues in order of priority on the public agenda of governments and the formulation of policies that are suitable for dealing with these priorities. Such policies might include the details relevant to capacities, financial resources and the balance of interests. But before all that, it should be noted that not all forces of change believe in the need to apply the principles of the civil state, political pluralism and devolution of power through free and fair elections, nor are they committed to public liberties and individual rights. The results of the uprisings, in Tunisia, for example, show in reality that people's preference of the Islamic Renaissance Party is a choice that contributes to identifying, in the future, the possibility of converting the Renaissance Party slogans into a secular democratic system, or otherwise reshaping practices of individualism and sanctifying unilateral decisions. More importantly, this party is forced into an alliance with other parties that have different programs and approaches for the management of governance, or even for the development of a governance system;

- Achieving a consensus on the democratic process is merely a general slogan, because creating the conditions to launch such a path requires the reorganization of power (State authority) and the reshuffling of the functions of social institutions, as well as the elaboration of the values and standards pertaining to these functions. The path of democratic transition itself is not a guarantee for the peaceful settlement of conflicts of interest, and the participation of forces representing these interests does not ensure dialogue, openness or acceptance of others' opinions. This in turn brings back to the table the issue of the political system and its ability to provide a mechanism for participation, freedom of expression and representation;

- It is noteworthy that one of the advantages of the recent popular movements is the predominance of moderation. Even in Tunisia, with the victory of Islamists or others, the new political discourse was marked by moderation, whereas extremism and intolerance, wherever they came from, could be curbed. This matter is currently contingent upon what happens in Egypt and where the wind of change would blow there. In this context, it is essential to restore the principles of citizenship, equality and social progress, especially that Arab countries are not located on an isolated island. On the contrary, they are in the eye of the storm of international interests, and the abovementioned principles are part of the universal traits of human nature;

- The process of change and democratic transition will raise a series of issues, such as the position to be adopted towards minorities and cultural diversity, especially religious, sectarian, tribal and ethnic diversity. For instance, the issue of religion has emerged in Egypt (Problem of the Copts); ethnicity (the Kurds) sectarianism and communalism (Sunni, Alawite, Druze), as well as religious tensions (the problem of Christians) in Syria; and the problem of tribalism and regionalism (in Libya). In Yemen, the prevailing problem was that of the South, the Houthis and the Tribal problem. Moreover, change will highlight the issue of women and the role of Sharia, especially in light of the conflict between political Islam and secularism; between conservatives, liberals and progressives; and between the Nationalists and the Migrationists. Such a debate will also address the form of the State: is it a simple or a complex State? Complex would mean in this line of thought, a decentralized or a Federal state, with the distribution of powers between the federal and local authorities. It is important to underline the prevailing confusion of the concept of federalism with other concepts that may go as far as separatism or division. Thus, it is important to define these concepts accurately, in order to avoid disfiguring the advanced federal system which comprises more than 40% of the world's population, and about 25 big and influential countries. This definition of concepts will also reinforce the democratic process, so that it would not lead to the fragmentation of existing entities that claim to reject centralism, which is misconceived like is the case in several Arab regimes;

- Political oppression in most countries of the region is due to the weak legitimacy of the States, both constitutionally and historically. In a bid to avoid falling into a new tyranny when attempting to seek constitutional legitimacy, it is crucial to reach a settlement between civil institutions and civil organizations in societies, in order to achieve an organizational structure that provides a balance of interests and that protects the democratic process through peaceful means. Hence the importance of an in-depth examination of protest movements, as a prelude to identifying their directions towards democratic change;

- Divisions in some countries of the region, such as Lebanon, Bahrain and Iraq, have reached the extent of institutional polarization, in the sense that public institutions are carrying out functions that serve private sectarian interests. A concerted effort is crucial to change this reality that impedes the edification of the Civil State and that contradicts the legitimacy of its institutions and its role in the integration of different forces and groups of society. Therefore, opportunities should be given to dealing with the transgression of rights and freedoms, and finding appropriate and fair settlements, away from political discourses aimed at alienating others rather than accepting them as fellow countrymen. Sectarianism as one of the strategies of polarization, for example, is itself an antipode to the values and standards of justice and the rule of law;

- New governments cannot respond swiftly to the needs of educated labor force, or those forces that have become able to demand the improvement of their living conditions, particularly with regard to basic

services. Therefore, it is necessary to pursue the harmonization of demands that can be responded to, i.e., that can be adopted in the agendas of governments, and demands that are impossible to meet even if adopted due to the lack of institutional or financial capacities. What is more important is for change forces to be aware of the quality of the required public services, rather than just receiving those services. The establishment of public utilities and the adoption of policies and programs to provide services do not mean that the quality of services is satisfactory and up to the level of universal coverage. Accordingly, the demographic fabric, the distribution of wealth, the use of services, and public participation issues have become expected stumbling blocks in countries of the region where social movements emerged to overthrow oppressive regimes;

- Despite the importance of the consensus among all social actors on the objectives and work programs of democratic transition as the key to resolve the prevailing dispute which may escalade into extreme violence, it is important to note the balance of power and capabilities possessed by each one of these social actors to push forward or hurdle the path of democratic transition. It is equally important to rely on internal factors in the first place, such as the presence of a strong civil society and leaders who are efficient and capable of managing conflicts, negotiating, listening to the other party and highlighting points of convergence and divergence;

- Throughout the past three decades, significant changes were witnessed by intellectual movements in the Arab region. The most prominent of these currents are the nationalist, leftist, liberal and Islamist currents. Moderate Islamists are no longer calling for a religious state, nor are they insisting on the implementation of the Islamic Sharia (law). What they are saying is that there is no religious state in Islam, and that the political system is hardly mentioned in the Sunna and in the Quran. Therefore it is up to the Arab peoples to decide their political system;

- It is essential to focus on the economic choices of Arab countries in democratic transition and transformation, so as not to neglect income disparities in Arab States and the prevalence of rentiering or the inclusion of unproductive rentier items in the budgets of these countries. It is equally important to avoid establishing these rentier items as basic commodities that are sold without being productive, and as a fundamental dimension of planning based on the participation of citizens in the decision-making process;

- Each theme of the seminar is worthy of follow up through a series of discussion roundtables and conferences, in order to cover its multiple and changing aspects. However, this seminar is still a valuable attempt to keep up with the pressing issues in the Arab political arena that have a great impact on the socio-economic reality and determine its future.

Second: Themes for discussion

A- Issues of democratic transition

10-   This theme was introduced through a study presented by Mr. Ahmad Baydoun on "**The issue of democratic transition: From the heritage of Neo-Sultanism to the institutional building of democracy**"[1]. The presentation asserted that the innovative characteristics in movements of change remain contingent upon the sustainability of massive mobilization for the preservation of democracy, the capacity to organize powers in a

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[1] Annex 5: Executive summary of the study.

way that suites the post-protests period, i.e. the building of institutions, and a good policy for democratic transition. Moreover, the said characteristics depend as well on the possibility of adopting a development policy that allows for drawing the largest powers of society into the democratic option sphere. The presentation listed in conclusion the issues and procedures of the transitional phase, which are guided by a true comprehension of democracy, especially in its cultural dimension, and the ensuing weathering of inescapable procedural components, to ultimately guarantee active citizenship and fulfillment of human rights. The main issues that should be addressed to strengthen the path to democracy in Arab States are: (a) the separation of powers, achieved through the independence of the judiciary, the sovereignty of the elected parliament and the immunity of its members; (b) the promotion of the political impartiality of public administrations at the structural and political levels, the prevalence of the political authority over the armed forces, the separation of the army from the Internal Security Forces and their obligation to respect citizens' rights and freedoms, as well as holding them accountable at both administrative and legal levels; (c) the respect of the freedom of association, including the right to form parties, trade unions, professional and business associations; (d) ensuring the integrity and freedom of elections; (e) the liberalization of communications and media as a precondition for transparency in the public sector and the integrity of accountancy; (f) combating illiteracy, remedying to the deterioration of the quality of higher education, and harmonizing it with the needs of societies and labor markets; (g) engaging the largest social groups in policy drafting and implementation, especially women and youth; (h) enhancing citizenship especially when it comes to communalism, ethnicity and gender equality; (i) enshrining the culture of democracy, addressing the issue of transitional justice, focusing on the internal level in each country, and as a result, straying away from the policy of aggressive axes.

11- The main themes on which the discussions focused came as follows:

- The fact that it was difficult to predict the change movements that emerged in Arab countries does not exclude the importance of the diagnosis which was provided for in the literature of political development on the depth of social problems and their consequences that were at the root of such movements. Similarly, the suspension of the functions of political institutions in the wake of democratic transition in the Arab world does not contradict the necessity of a serious quest for an alternative for violence and conflicts which are likely to happen;

- What is currently happening is a series of Arab revolutions rather than a unified revolution in terms of motives, driving forces and results. Therefore, it should be noted that each revolution has its own specificities, depending on the social, political and cultural environment in each country. However, this does not mean that there are no common factors between them. But each transitional phase has its own circumstances that shape the way to address new internal and external events;

- Looking at longstanding democratic experiences in developed countries, Arab countries aspire to transition from authoritarian to democratic rule, and from the absence of a "legitimate" State to the reconstruction of a political sphere in which different powers demand to contribute to the drafting of the constitution, the organization of elections, and the devolution of power, which are all liberal claims that are of significant help in the path of democratic transition;

- There is a variety of democratic experiences that cannot be reduced to a sole referential paradigm, despite the existence of universal standards that characterize democratic regimes. Equally, democracy is often confused with political liberalism. The latter is manifested through the establishment of a consensual constitution, the organization of free and transparent elections and the peaceful devolution of powers, whereas the democratic option transcends these constitutional suggestions because it

presupposes the nationalization of human economic, social political and cultural rights. Furthermore, it is a state of mind and a series of peaceful conflict resolution mechanisms;

- It is essential to examine the role and representation of youth in the path of democratic transition, and in the systems that are established to this end. It is equally necessary to focus on the pivotal function of the economic factor in building partnerships during the democratic transition process, as well as the need to shift from a political situation characterized by the lack of State legitimacy, to a stable situation where the State abides by democratic standards and strives to develop them through integrated policies and strengthened capacities, in order to adjust to such upheavals;

- After decades of policies that allowed foreign interference in support of authoritarian regimes which were considered to be the custodians of stability and Western interests, the situation changed drastically. The new component in the abovementioned policies is their impact on changing the balance of power for the benefit of Arab popular movements, thus giving momentum to their democratic transition. As a matter of fact, most Arab revolutions and protests have imposed their own agendas, slogans, goals and working methods on everyone else, and managed to remain alert and autonomous throughout their growing movement, maintaining their strength and securing their way ahead. However, in hotspots and foyers of regional and international tensions in Arab revolutions and protests, where such tensions permeate through communally or tribally amalgamated demographic fabrics, the fruits of the revolution or uprising risk being aborted; and the popular movement might be diverted from its path or even delayed in achieving its goals;

- The uprisings that Arab States are currently witnessing are far from chauvinism and embrace national, religious and cultural diversity. They have common grounds in the sense that they give supremacy to the political dimension over social and economic considerations. The priority is given to internal rather than external factors, and the main focus is on the importance of committing to peaceful protests and the democratic devolution of powers, despite the obvious discrepancies among various countries.

12-   As for the second study presented in the framework of the first theme, it addressed a success story in the process of democratic transition, entitled **"Political Stability and the Role of Security Institutions in Restoring Peace- South Africa",** presented by Mr. Peter Gastro[2]. This presentation asserted that the process of transition from authoritarian rule to democracy is always closely linked to the specific history, culture, social, economic and ethnic structure and development needs of a given society. In this context, the main factors that contributed to the success of South Africa's transition from apartheid to democracy are the following: (a) the mutual need of both black and white citizens for achieving peace and stability in the future; (b) the understanding by political powers of the importance of finding an exit from the prevailing political deadlock; (c) the balance of power between the African National Congress (ANC) party and De Klerk's government, which increased the chances of negotiation and settlement; (d) the existence of a strong and dynamic Civil Society comprised of trade unions, media outlets and human rights organizations, etc., in addition to a private sector that supports the establishment of a new constitution through negotiations; (e) the presence of strong political leaders such as Mandela, De Klerk, Buthelezi, Constand Viljoen and Chris Hani; (f) the long preparatory phase before elections to develop policies and confidence building; (g) the achievement of a National Peace Accord that facilitated negotiations and provided a neutral forum for all; (h) a national sense of ownership in designing and managing the transition process, which enhanced confidence among all parties and trust that the future is built on sound basis; (i) the international pressures that contributed to reaching compromises between rival forces; (j) the

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[2] Annex 5: Executive Summary of the study.

presence of strong institutions in place to continue effective administration. The presentation concluded with the lessons learned from the path of democratic transition in South Africa. The most important ones are: <u>Conflict and violence are an inherent part of political transformation; the challenge is to achieve a broad national consensus on how to contain and reduce it and to reach agreement on what the rules of conduct during the transition should be.</u> Moreover, political transition requires a lot of time and preparation in order to adopt policies and hold elections in due manner. Early steps should be taken to reform and rehabilitate the police. It is equally necessary to couple political transition with a socio-economic transformation. Furthermore, transition should be the fruit of an internal will to enhance ownership, because the new constitution or social contract gains more legitimacy when society feels that it is a "local product".

13-   Below are the main themes of the discussion:

*   It is not enough to have a transitional phase that only includes the reform of constitutions, laws and political institutions. <u>It should allocate an essential space for the security sector, reforming its institutions and making them abide by clear and transparent laws</u> that provide for accountability;

*   Experience has proven that successful transition processes need a lot of time to mature, and are often comprised of a path that is full of contentions and even conflicts between rival political factions. But even against a backdrop of such disputes that impede democratic transition, <u>there remain numerous opportunities that must be noticed and seized for holding negotiations and reaching an agreement on the new form of governance;</u>

*   If the common factor between the forces of change is the slogan that calls for combating exclusion, ending hegemony, fighting foreign guardianship and promoting the legitimacy of the regime, then democracy becomes a choice that needs to be developed and preserved because it expresses the will of the people, guarantees equality and ensures the peaceful devolution of powers;

*   <u>The role of the authority in the success of democratic transition processes relies upon a triangle of concepts which are citizenship, social justice and freedom of association.</u> Such an authority champions the values of citizenship and ensures their implementation through the State institutions, the rule of law, the fight against marginalization and the achievement of equality. It also promotes social justice by guaranteeing the largest participation of various social groups in decision-making and policy-drafting, as well as ensuring the freedom of association and the formation of trade unions and parties, as stipulated by the constitutions and the law, given that this freedom is to be protected by the judiciary.

14-   The third presentation in the framework of the first theme was Mr. Atta Al Bathani's study on "**Sudan's failed experience with democratic transition**"[3]**.** The presentation focused on a series of obstacles that hindered democratic transition in Sudan, mainly: the fluctuating balance of powers that accompanies transitional phases; the vulnerability of constitutional provisions; the failure of governments in achieving national unity, establishing the Civil State and accomplishing economic development; the complicated social structure with its ethnic, religious and cultural differences; the unproductive economy; the lack of monetary culture; the semi-rentier State; the expansion of political Islam; and a military rule that fueled armed conflicts. The study stated that the New Sudan Project shares the suggestions of the forces of the "Arab Spring", in terms of the slogan of the Civil Democratic State. <u>As for the Islamic parties (both conservative and neo-conservative) and their relative weight in</u>

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[3] Annex 5: Executive Summary of the study.

forming the Sudanese opposition, they speak of a Civil State with an Islamic reference, which inspires ambiguity and confusion just like the New Sudan Project does. Similarly, the structural map of the opposition shows that it is no more than a hybrid entity that expresses its political vision through the positions of the parties and forces of the political-religious sphere, or even armed movements from marginalized provinces advancing towards the center of the country. Thus, diverging political proposals to face the prevailing regime emerge: some encourage collaboration with the regime (from within) to push for change- these are the demands of what is referred to as the parties of the regime; others call for changing the regime, or ousting at least some of its wings- Al Sadeq Al Mahdi; whereas others call for the total overthrowing of the regime. When it comes to the lessons learned from the uprisings currently taking place in some Arab countries, the study asserts that it is difficult to predict their ramifications for the Sudanese opposition. So the following questions remain on the table: can the paradigm of "Erdogan's Islam" prevail over the model of "Taliban's Islam"? To what extent will the regime benefit from the ongoing events? Can a governing class emerge and lead the transition process itself? Or will the regime be the victim of transition? Until the answers to these questions unravel and mature, the priority should be given to capacity building of the driving forces of democratic transition. Moreover, the main focus should be on the cohesion of State agencies and institutions, the coordination and harmonization of internal and external factors, as well as weathering the risks of democratic transition that stem from the status quo in Sudan.

15-   Below are the main issues that were discussed:

- In all instances of transition, the issue of citizenship and identity quickly surfaces and becomes the main factor that determines whether change will improve or worsen the situation. The other element that emerges in transitional phases is the need for legitimate institutions and new elites, which in turn impacts the State-building capacity. Such a legitimacy is partly achieved through the formulation of a new social contract and a governmental agenda that echoes the objectives of the uprisings and the aspirations of their forces;

- It is impossible to speak of democratic transition without tackling the issue of the State, given that political openness requires social integration and political and societal consensuses based on a modern State that has constitutional institutions and legislations;

- It is equally necessary to examine the relation between religion and the State, and the role of political parties in the democratic process. As a matter of fact, political Islam, according to the Sudanese experience, is totalitarian and seeks to dominate society and influence societal policies and decisions that are supposed to push societies forward and enhance the democratic process. This in turn requires the formation of democratic institutions capable of keeping pace with the democratic transition process far from the influence of religious institutions and political parties that solely focus on political intimidation.

B- The complexities of democratic transition

16-   This theme revolves around a presentation given by Mr. Gilbert Doumit on the summary of the Manual on "**Building Capacity for Partnership in Democratic Governance**"[4]**.** In his presentation, Mr. Doumit stated that this manual is a guiding reference for guaranteeing partnership between the political authority and Civil Society in public policy making. It relies upon empirical references as well as international research and experiences from which Arab States can benefit in their democratic transition processes, especially when identifying the

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[4] Annex 5: Executive summary on the Manual brief.

needed capacities to address the complexities of democratic transition and preserving its peaceful path. Based on a number of questions pertaining to the most adequate form of democratic rule to manage diversity and plurality in concerned countries, the most suitable type of leadership and political parties to play that role, and the priorities that should be addressed to guarantee a peaceful democratic transition process, the Manual listed ten requirements for partnership in the management of democratic rule, distributed on the following sectors and topics: (a) transparent and proactive political leadership to manage the democratic process; (b) drafting public policies that tackle relevant problems and issues in an innovative and participatory manner; (c) building alliances in public policy making which enhances partnerships between stakeholders and increases the chances of successful implementation; (d) the phases needed for building public institutions and their efficiency requirements; (e) the strategies of reform interventions; (f) transparency and accountability in democratic rule; (g) the phases and conditions required for a successful dialogue and building consensus on important matters; (h) Civil Society participation in the democratic process; (i) local development and administrative decentralization; (j) communication and social media strategies. These requirements are divided into ten themes, which are in turn comprised of the main definitions in line with the real situation in the Arab world, in addition to the work plans of training sessions and analytical, planning or organizational tools aiming at facilitating the transfer of knowledge.

17- The participants' discussions on the guiding manual tackled the following points:

- The confusion of the concepts of the State, the political authority and the systems of governance has often led to the monopolization of the State by ruling elites as if it were merely political power, and the confiscation of the entire national entity as if it were a private, exclusive property of the ruling party or the royal family. In many instances, such confusion pushed Arab political opposition movements to conspire against the State entity, its unity and its institutions in order to overthrow an undesired political regime, like in the case of Iraq and Sudan. Thus, ESCWA's guiding manual on "Building Capacity for Partnership in Democratic Governance" is a useful political added value that contributes to clear up the ambiguity and confusion of concepts and harmonize roles and functions;

- It is important to include in the Manual an introduction that explains its significance, functions and targeted groups and elites, and to revisit the principal concepts in a way that remains open for practical approaches. Among these concepts, the most important would be: the State, the political authority, the political system, partnership, Civil Society, the private sector, the political parties, the unifying national identity, local development, decentralization, Sharia (Islamic Law) versus Fiqh (Islamic jurisprudence), the political leader, etc. The manual should also highlight the conditions of Civil State building based on rights, the rule of law and citizenship, as a substitute for the ruling elites that corrupted the State, the opposing elites that lack an alternative political project, and local communal, confessional and tribal extremists that claim their share of power;

- When addressing the good governance triangle, the Manual focuses on the institution of the State and Civil Society, without dwelling on the role of the private sector which is mentioned very briefly, despite the fact that the private sector is considered to be an essential cornerstone in this triangle. It is equally important to note the importance of voluntary work in Civil Society rather than paid work, given that some organizations that call themselves members of Civil Society are as far as can be from that title, and are proven to make illegal financial profits;

- It is also necessary to achieve balance between efficiency and performance, and balance between the technical and the practical implementation dimensions of the Manual, in order to build and strengthen

cooperation between stakeholders and continue the accumulation of expertise. Moreover, it is essential to focus on the concept of contractual partnership between citizens, institutions and the State along with all sectors, knowing that the capacity building process for each one of these institutions and stakeholders necessitates adequate tools, methods and channels for effective dialogue and institutionalization;

- When speaking of the first requirement listed in the Manual on "Transparent and proactive political leadership", it would be wise to recall Weber's triangle based on heritage and traditions, charismatic leadership and rational-legal authority. Equally important are Aston's triangle, comprised of personal leadership, ideology and legitimacy, and Karl Deutsch's development triangle based on the components of constitution, representation, and accomplishment. Pertaining to the sixth requirement on "Transparency and accountability in democratic rule", more specifically in the context of the third pillar on "State institutions and non-governmental bodies participation", the Manual relied upon six main circles to illustrate the system of participation. However, the cognitive analysis of integrity and transparency came up with 13 pillars as substitutes for the abovementioned circles. These are: "legislation, implementation, the judiciary, the public sector, law enforcement bodies, the electoral administration structure, the Ombudsman, the monitoring body, anti-corruption bodies, parties, media outlets, Civil Society, and the private sector".   All of these pillars combined uphold a three-layered ceiling, comprised of: the rule of law, sustainable development and the quality of life. It is noteworthy that these pillars are in turn deeply enrooted in a solid base of political-institutional, socio-political and socio-economic rules. When it comes to the system of decentralization suggested by the Manual under the ninth requirement, it would be useful to stress the prerogatives that are related to administrative decentralization, to avoid fueling separatism tendencies like in the case of Iraq;

- The Manual excludes any mention of the economic factor and its impact on the process of democratic transition, especially that the main impediment obstructing development and hindering democratic choice is related to economic choices, capable of enlarging or curbing public participation;

- The peoples that need awareness-raising to shoulder the burdens of transition undertake revolutions and uprisings, upon which awareness and the capability of participation in decision-making can be built. Therefore, it is necessary to reconsider and revisit the Manual's reference to the fact that "finding an impartial and proactive political leadership is contingent upon seeking to raise a general public awareness that promotes the practice of integrity through party and trade union frameworks";

- The Manual on "Building Capacity for Partnership in Democratic Governance" will not apply as a readymade recipe on selected countries, groups, or institutions. It is a series of guidelines to deal with the requirements of participatory rule management. Like other guiding manuals prepared by ESCWA, the manual's efficiency and utility will be tested through a series of training workshops and technical working groups to further elaborate its concepts and terminology, and increase its relevance to the work of its users or those concerned with its implementation.

C- Emerging Roles of Stakeholders in Decision-Making

18-   The third and final theme of the seminar addressed an integrated collection of studies and discussions targeting the exchange of expertise and awareness raising on the future of democratic transition and the orientations of the new social contract and the emerging roles of social actors, especially in countries where

political authority has been overthrown, or countries that are witnessing ongoing movements to bring down the authority.

19-   This theme was introduced with a study on the "**The Devolution of Power within the Context of the Democratic Process: Emerging Roles of Stakeholders in Decision Making "[5],** presented Mr. Mohamed Noureddine Afaya. The presentation focused on <u>the nature of social actors and their role in making the transition process, as well as the nature of the transition process itself which is multidimensional, and in which relevant actors take into account the general context of a given political or social field. The presentation also reiterated the interaction and integration of   internal factors and the roles of international organizations and developed countries that provide funding.</u> After having tackled the roles of each social actor, their impact, the obstacles that impede their practice and the ensuing conflicts in the path of democratic transition, the presentation asserted that these conflicts could be solved in a "dialogue framework", by abandoning violence whether at the physical or ideological level. Moreover, the study noted that facing social problems and challenges does not rely on the State alone. On the contrary, it depends on the effective materialization of a national authority, capable of solving conflicts between citizens while serving the higher interests of society. <u>This in turn would call for the intervention of political social factors with the necessary capacities and resources to establish the standards for remedying to these problems and translate the right solutions into practical measures. This was referred to as "democratic governance".</u> The presentation concluded that the democratic transition process requires 4 fundamental conditions: (a) the establishment of democratic institutions that seek to implement the standards of democratic practice; (b) the commitment of actors in this process to the institutional values of democratic society, expressed through equality, freedom, the refusal of violence, the acceptance of "peaceful disputes" capable of finding adequate solutions for the promotion of the democratic process, its pillars and its culture; (c) the integration of the capacities of individuals who are capable of free thinking, respecting others, and managing discussions without resorting to violence or outbidding in the name of sanctities; (d) the establishment of adequate frameworks to organize the political and cultural debate on the rules of co-existence and the values of democratic society, in order to enhance the effective culture of democracy and acknowledge the principles of human rights, which in turn necessitates raising the awareness of social actors and strengthening their ability to create a common framework for all political forces, social groups and intellectual currents that deeply embrace the values of democratic society.

20-   The participants discussed the following issues pertaining to the presentation:

- Achieving true citizenship and transcending individual rights is one of the key factors to empower social actors who become as a result capable of fulfilling the role of the new missing link in putting the social movement on the path of democracy. <u>Furthermore, fulfilling the roles and functions of social actors is a matter of interests and interaction</u> on the basis of what these roles mean, and the possibility of convergence between them;

- The forces taking part in the uprisings do not fall necessarily under the structure of Civil Society in the scientific sense of the term. They are rather <u>different groups of people with various affiliations and orientations, unified by a shared lack of trust in their governments and in the prevailing Civil Society patterns.</u> Thus, these forces are potential future Civil Society associations, even if they are not currently organized under the umbrella of Civil Society;

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[5] Annex 5: Executive summary of the study.

- When shifts are part of the process of social change, they can be described as cold transitions. However, the drastic and swift changes currently witnessed in the Arab region may be considered "hot", as they result from acute social divisions, in terms of <u>combating authoritarian rule with its democratic antipode, facing marginalization and discrimination by shifting towards social justice, and remedying to exploitation and social problems by reforming development paradigms;</u>

- The failure of the State in proving its legitimacy is no other than the failure of the local community and its grassroots (tribal, ethnic and sectarian affiliations…) in becoming a vibrant and interactive Civil Society. It goes without saying that <u>politicizing religion is one of the impediments that hinder the shift towards an active Civil Society and a dynamic political society;</u>

- It is therefore necessary to identify the nature of social and political actors that are capable of facing and controlling the democratic transition process, which means that these social partners should undertake significant roles such as <u>the role of the military institution and its organized and cohesive structure, in addition to the role of the judiciary;</u>

- The existing tensions between the roles and the agendas of external powers, and the extent to which these are aligned with the objectives of the Arab uprisings, do not undermine the importance of adopting the values championed by these external powers, such as the protection of civilians and the advocacy of freedoms and human rights. However, the traction between them remains. The internal factor plays a great role in this regard, because it guides the choice of developed countries, and even compels them sometimes to support change movements;

- There are no readymade recipes for democratic transition. Each experience has its own characteristics and specificities. But this does not contradict <u>the importance of assimilating the lessons learned from other experiences, sharing expertise on the mechanisms of action, and laying down the priorities for work.</u>

21- The presentation of the second study under this theme focused on "**The new social contract for democratic transition: Priorities of the National Dialogue Agenda in the Arab region**"[6], presented by Mr. Mohamed Maleki. The presentation focused on addressing five priority issues in the dialogue agenda, or the new Arab social contract, to ensure a peaceful democratic transition process. These issues are: <u>reconstructing the legitimacy of the State and the authority, strengthening institutions and promoting participation, reiterating rights and freedoms, adopting full citizenship and spreading social justice, in addition to succeeding in national reconciliation efforts.</u> The presentation also addressed a series of ideas in order to highlight the common understanding of the new Arab social contract project and its chances of success, and concluded with the main features of political reforms that should be implemented in tandem with the dialogue for democratic transition. The presentation listed in conclusion a number of basic suggestions for the formulation of the new social contract, most important of which: (a) the establishment of the constitution cannot succeed and ensure a safe democratic transition in Arab countries, unless it is truly democratic in form and content; (b) the importance of rebuilding institutions, i.e. the parliament, the government and the judiciary, in conformity with the essence of the constitution that was formulated consensually, and based on the need for efficacy, success and the capacity to achieve, which means expressing the interests and aspirations of the people and responding to them efficiently; (c) the importance of acknowledging the system of rights and freedom at the constitutional and legislative levels, and reiterating the cultural and educational dimension in turning the law into an efficient tool to help citizens

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[6] Annex 5: Executive summary of the study.

benefit from the rights and freedoms that are provided to them; (d) adopting the principle of full citizenship, creating an enabling environment for its implementation, bridging the gap between the State and society, alleviating all forms of tensions between them, and stressing on the dangers of allying wealth and power to the stability and growth of the Arab region; (e) the importance of national interests, considered as the backbone of political reform and the promotion of dialogue for the sake of democratic transition.

22-   The participants discussed the following questions related to this study:

- It is crucial to achieve national reconciliation, considered as a main pillar for the formulation of the Social Contract. In this context, the issue of unorganized parties and stakeholders in terms of orientations and organizational frameworks in the transitional phase. These parties and stakeholders are no other than field actors, especially the youth category that lacks effective representation, thus the failure of the social contract in fulfilling the aspirations of all strata of society and its influential forces;

- Despite women's participation in the political and social movements witnessed by countries in the Arab region, women's representation in national councils during the transitional phase remains weak. Unfortunately, the main characteristic that distinguishes the post-uprising era is the phase of turf wars, where women are deliberately excluded from decision-making circles. This in turn exposes the weakness of the culture of democracy, especially when it comes to the standards and values of citizenship and equality;

- The legitimacy of social forces that demand change has not been fully achieved yet in a way that inspires confidence in their ability to lead the transitional phase. That is due to their limited resources in terms of popular representation and the organization of participation. Moreover, legitimacy is undermined by the poor capacity of social forces to completely overthrow the political regime, even if the social movement succeeds in toppling the head of the pyramid.

23-   The third theme of the seminar was concluded with a debate on the role of social partners in maintaining the path of democratic transition[7]. Interventions in this debate answered in turn the viewpoints of each one of the social partners on the roles they are expected to fulfill and heir vision on the challenges of partnership in the process of democratic transition.

24-   Interventions and discussions presented in the framework of this debate, on the issues summarized below:

(a)   The functions of governments, presented by Mr. Salahuddin Al Jourachi, intervention and discussions focusing on the preconditions required for the success of these functions, mainly: organizing basic services; taking urgent measures in a number of vital sectors; establishing consensual mechanisms capable of paving the way for a substitute political system; reducing the absence of democratic legitimacy to protect the State from disintegration; reaching a settlement with the military institution in order to serve the revolution; gaining the trust of the revolutionary forces, the main political forces and Civil Society; relying on leaders with high expertise and good reputation; embracing the security institution; engaging active organizations in society; reassuring international institutions and stakeholders, and neutralizing neighboring countries and regional powers; establishing mechanisms for transitional justice; combating citizens' predilection for weakening the State; giving a social dimension to various new policies; and avoiding the provocation of Islamic forces;

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[7] Annex 6: summary of interventions on the roles and functions of stakeholders in democratic transition in Arab States.

(b)   <u>The functions of Civil Society, presented by Mr. Ziad Abdel Samad,</u> intervention and discussions, focusing on individual factors of the enabling environment for the functions of Civil Society, mainly: a clear vision on the dimensions related to human rights, the role entrusted to Civil Society Organizations, their objectives and their program of action; networking, cooperation and exchange based on the culture of acknowledging others; capacity development through participatory methods, in conformity with the challenges of rebuilding the Civil State and its institutions; professionalism in the performance of organizations to reinforce their credibility, activate their role and immunize their independence. The presentation focused as well on common challenges that should be faced to turn Civil Society into a strong and capable counterpart. These challenges are: the acknowledgement of the role of Civil Society by the authority; a peer-to-peer relationship with donor parties; networking among organizations themselves; partnership with the media; preventing ambiguity in the relationship with political currents and parties; benefitting from diversity in societal forces, including Islamic forces;

(c)   <u>The functions of developed countries, presented by Mr. Ayman Ayoub,</u> intervention and discussions, focusing on the encouragement of the general and national principles of any democratic system by developed countries. These principles can be summarized through the establishment of representative and elected governance institutions, and the right of all citizens without exception to participate in designing, forming and activating these institutions. As for the main orientations pertaining to the functions of developed countries that support democratic transition processes, they could be listed as follows: ensuring the efficacy of aid tools, methods and programs and their procedures, and harmonizing them with the new situation; implementing planning and design operations through an interactive and participatory approach, and agreeing previously on the conditions, means of implementation and methods of adoption and funding; orienting support programs towards the most impacting dimensions, in a way that serves the best interest of all parties and actors without any exception; implementing support programs through avoiding ready-made recipes; focusing on the true needs and priorities beneficiary countries; focusing the support process and its procedures on the medium and long run rather than on instantaneous events such as elections; building local, national and regional capacities in order to respond to needs for achieving the process of democratic transition;

(d)   <u>The functions of the media, presented by Mr. Mustafa Lubbad,</u> intervention and discussions, focusing on the importance of these functions in terms of dissemination, the capacity to change public opinion and change the concepts and basis of societal relationships. Modern media tools such as social communication networks are the levier of traditional media, because these networks contain interesting material and information wanted by the media and the public. On the other hand, traditional media outlets are an essential tool for disseminating the concepts of democracy, championed by active "Twitter" and "Facebook" groups in popular circles that lead a lifestyle and have economic and cultural capacities that are far from those of the social networks public. It should be noted that in Arab States, the greatest danger lies in the monopolization of information, media and communication resources by the protagonists of the social and political struggle, and the politicization of these resources by States themselves, businessmen and organized political currents, especially those who benefit from the religious wave, while popular and modernist groups still fight for the freedom of association, the right to form independent trade unions and parties that express their interests and political views;

(e)   <u>The functions of the private sector, presented by Mr. Mohamed Abd El Wahed Al Maytami,</u> intervention and discussions highlighting the significant impact of the revolution on the activities of the private sector in Yemen. As a matter of fact, numerous MSME's –tens of thousands as per the estimates of the General Federation of Chambers of Commerce and Industry in Yemen- cut down their activities almost by half, and hundreds of thousands of workers were licensed and join the ranks of the unemployed mass in Yemen. On the short term, there is a pressing need for foreign aids of no less than five billion dollars to prevent the failure of the

transitional government and the emergence of a counter-revolution. The private sector's position was divided: the "traditional" wing, comprised of businessmen, supported the revolution, whereas representatives of the "new" wing that emerged and flourished under the umbrella of the existing regime opposed the revolution and took the side of the regime. Furthermore, the nature of family enterprises in Yemen limited their economic and social role especially in decision-making, laying down the foundations of good governance, promoting transparency and fighting corruption. Moreover, the corrupt institutional, political and economic environment prevailing in the business sector impedes ethical competition and hinders the role of the private sector in drafting public policies that support sustainable development. It is expected that the political and social disaggregation of private sector members will take place clearly during the transitional phase, where businessmen organizations will play stronger and more prominent roles in the political and economic process in the upcoming period;

(f)   As for the functions of regional and international organization, they were presented by Mr. Frederico Neto, in a presentation and discussions, addressing the fields covered by the UN, in terms of civil peace, rights, freedoms, equality, justice, technology and other issues. The presentation focused as well on some issues more relevant to the Arab region in transition towards democracy, including: promoting the culture of democracy with a special focus on Civil Society's capacities and the impact of its role, and the commitment of political leaders; providing information, promoting the values and standards of democratic governance and strengthening the mechanisms of participation; bringing together decision makers and public opinion leaders, to hold conferences, organize seminars and make decisions that influence public policies; promoting institutional development capacities and developing competences and human resources; giving attention to education, knowledge and skills related issues; improving the efficiency of health care systems, social welfare and safety networks; upgrading the status of women and supporting their participation in decision making.

Third- The work organization

25-   Mr. Frederico Neto, Director of the Social Development Division, opened the seminar with a welcome note in which he saluted the participants and highlighted ESCWA's interest in their discussions in order to achieve the objectives of the seminar in terms of supporting democratic transition in countries of the region. Mr. Walid Hilal, Head of the Division of Participatory Social Development, gave ECWA's speech which tackled the importance of the rule of law and institutions that guarantee peaceful participation and public policies, and support human rights. He focused in his speech on the importance of strengthening the culture of democracy, given that it is an essential condition for achieving the process of democratic transition, and the subsequent capacity building programs for institutions that are concerned with preserving the democratic transition path and supporting its development. He stated as well that it is important for these programs to be multi-faceted, integrated and applicable, and to respond to the basic needs of political, social and economic development. He also emphasized the role of partnerships, which are the mechanism required for keeping up with changes in roles of social actors and in decision-making methods in the wake of social movements in countries of the region. Mr. Hilal underlined in conclusion the role of the United Nations as a central partner for these social actors, a role that can be reinforced by contributing to reform, capacity building for supporting the democratic process, providing support for political systems, providing technical support services which are required to cope with change and democratic modernization, as well as coordinating aid and support programs undertaken by donor parties, especially in terms of supporting women's participation in decision-making and providing the necessary frameworks, enabling conditions and leadership capacities for their participation.

26-   The meeting adopted the methodology of focused interventions (presentation of the studies and debates) by experts from different countries, according to the themes suggested for discussion. Afterwards, a debate between participants took place, aiming at exchanging expertise, disseminating knowledge and facilitating the management of the transitional phase in a peaceful and democratic manner. The activities of the seminar were

divided into three main themes, including a debate on the role of social partners in preserving the path of democratic transition. The three themes focused in general on issues of democratic transition, including pressing issues that call for the adoption of suitable standards and democratic systems in a strict manner, in addition to capacity building and creating an enabling environment for facing the most serious problems and hurdles that affect democratic transition the most, as well as the emerging roles and functions of decision-making stakeholders, and the possibility of balancing these roles in order to guarantee peaceful conflict resolution and the protection of the democratic transition process. The first annex features the meeting's agenda, according to session and theme.

A- Participants

27- Participants in the seminar will include leaders in the field, representatives of governments, actors from the civil society organizations and research centers, experts from academic and media institutions, as well as representatives from United Nations agencies and from regional and international organizations. Enclosed in the First Annex of this report is the list of participants, whereas the Second Annex features the results of the participants' evaluation of the seminar's activities, based on their responses to the questionnaire that was distributed on the subject matter.

B- Date and Venue

28- The seminar was held at the ESCWA Headquarters- UN House, in Beirut- Lebanese Republic, on the 23rd and 24th of November, 2011.

<u>Annex I</u>

Agenda

<u>**Wednesday 23 November 2011**</u>

9:00-9:30	Registration
9:30-09:45	**Opening Session** - ESCWA Speech
	Theme One: Issues of Democratic Transition Chair: Ms. Thana Abdallah, Expert in Political Systems, Egypt.
09:45-10:15	**Presentation:** "Issues of Democratic Transition", Mr. Ahmad Beydoun, ESCWA-Social Development Division consultant. Chair: Mr. Metin Heper, Vice Rector and Chairman of the Political Science Department, Bilkent University, Turkey.
11:45-12:00	**Presentation:** A successful democratic transition experience "Political Stability and the Role of Security Institutions in Restoring Peace- South Africa", Mr. Peter Gastrow, ESCWA-Social Development Division consultant.
12:00-12:45	**Discussion**
12:45-13:00	**Coffee Break**
13:00-13:15	Chair: Mr. Abdul Baqi Shamsan, Professor of Sociology, University of Sana'a, Yemen. **Presentation**: "Sudan's Failed Experience with Democratic Transition", Mr. Atta Al-Batthani, League of Arab States consultant.
13:15-14:00	**Discussion**
14:00-15:00	**Lunch Break**
	Theme Two: Complexities of Democratic Transition
15:00-15:30	Chair: Mr. Magdy Abdel Hamid, President of the Egyptian Association for Community Participation, Egypt. **Presentation**: Manual on "Building Capacity for Partnership in Democratic Governance", Mr. Gilbert Doumit, ESCWA-Social Development Division consultant.
15:30-16:30	**Discussion**

Thursday, 24 November 2011

	Theme Two: Complexities of Democratic Transition Mr. Louay Hussein, Writer and Activist, Syria.
9:30-9:45 **9:45-10:30**	**Presentation**: "The Devolution of Power Within the Context of the Democratic Process: Emerging Roles of Stakeholders in Decision-Making", Mr. Mohammed Affaya, ESCWA-Social Development Division consultant. **Discussion**
10:30-11:00	**Coffee Break**
	Theme Three: The New Emerging Roles and Functions of the Various Stakeholders in Decision-Making Mr. Abdel Hussein Shaaban, General Director of the Documentary Center for Humanitarian International Law, Iraq.
11:00-11:15 **11:15-12:00**	**Presentation:** "A New Social Contract for Democratic Transition: Priorities of the National Dialogue Agenda in the Arab region", Mr. Mhammed Malki, ESCWA-Social Development Division consultant. **Discussion**
12:00-12:30	**Coffee Break**
12:30-14:30	Panel Coordinator: Ms. Ibtesam Al-Atiyat, Professor of Sociology, St Olaf College, USA. **Panel** on the Role of Social Partners (governments, civil society organizations, business sectors and professions, the media, including digital media, developed countries, and regional and international organizations) in safeguarding the path of democratic transition. Panelists are respectively: Mr. Slaheddine Jourchi, Mr. Ziad Abdel Samad, Mr. Mohamed Al Maitami, Mr. Mustafa Ellabbad, Mr. Ayman Ayoub, Mr. Frederico Neto.

Second Annex

List of Participants

A.   ESCWA MEMBER COUNTRIES

Jordan

Mrs. Maha El Khatib
Member of the Senate and Civil Society activist
Development and Public Policy Expert
Mobile: 962-777555772
E-mail: mahakhatib1@gmail.com

Mr. Moussa Chtiwi
Director of the Strategic Research Center
Jordanian University
Phone: 962-6-5300100
Mobile: 962-79-5560676
Fax: 962-6-5355515
E-mail: mshteiwi@css-jordan.org

Bahrain

Mrs Fawziya Al Khaja
Secretary of the Bahraini Women Union and
Member of Awal Women Society
Phone: 973-17678947
Mobile: 973-39673713
Fax: 973-17678927
E-mail: fozalkaja@hotmail.com

Syria

Mr. Khaled Al Bitar
National Director of the project of the
Development NGO's Platform in Syria
Phone: 963-116125026/320
Mobile: 963-933337127
Fax: 963-116125026
E-mail: k.bitar@syriatrust.org
Khaled.bitar@undpprojects.sy
khaled@ngoplatform.org

Mr. Louay Hussein
President, "Building the Syrian State" Current
Phone: 963-944507106
E-mail: louayhussein@gmail.com

Mrs. Mona Ghanem
Secretary, "Building the State" current
Phone: 963-95571422
E-mail: mounaghanem@yahoo.com

Sudan

Mr. Hassan Abd El Aati
Director, "EDGE" Center for Consultations and
Research
Phone: 249-928440525, 249-912355545
Fax: 249-185332158
E-mail: h_abdelati@hotmail.com
        edgesudan@yahoo.com

Mr. Ata Al Bathani
Consultant for the League of Arab States
Khartoum University
Fax: 244-777017
Mobile: 244-9912164226
E-mail: a_battahani@gmail.com

Iraq

Mr. Abd El Hussein Chaaban
General Director of the Documentary Center for
International Human Law
Independent Expert, Consultative Bureau
Phone: 961-1-859081
Fax: 961-1-822379
Mobile: 961-3-140065 (Lebanon)
          962-795008722 (Jordan)
          44-7899667499 (London)
E-mail: dr_shaban21@hotmail.com

Iraq (Cont'd.)

Mr. Imad Slah Abd El Razzaq Al Sheikh Daoud
Director of administrative affairs/Al Nahrain University
Senior Researcher/Arab Organization for Fighting Corruption
Mobile (Iraq): 964-7901591218
Mobile (Lebanon): 961-70-358742
E-mail: emad.phd@gmail.com

Mr. Adnan Yassin Al Sayyed Mustapha
Consultant at the Ministry of Planning- Baghdad
Phone: 964-7901190971
         964-7712826426
E-mail: yasinadn@yahoo.com

Mr. Mohamed Ali Ahmad Baba Al Jabari
Director of the Development without Borders institution-DWBI
Mobile: 964-7701314506
Phone: 964-7481107210
E-mail: mohamedalipapa@gmail.com

Mr Mohamed Jassem Mohamed Al Rubeiye
Member in the Council of the Governorate of Baghdad/Member in the Coordination Committee of Governorates Councils, President of the Strategic Planning Committee
Mobile: 964-7901905595
E-mail: Rub_moh@yahoo.com

Mr Thamer Abdel Wahed Ali Al Soudani
Dean of the Formation of Trainers' Institute at the Technical Education Department
Chairma of the Committee on Social Activation-Baghdad
Phone: 964-7902966095
E-mail: Thamerali2004@yahoo.com

Kuwait

Mrs Reem Al Sabbah
Director General of "First Enterprise" and "Quality Stream" for administrative and financial consultancy
Telefax: 965-25750017/965-25750016
Mobile: 965-97130474
E-mail: reem@qualitystream.com.kw

Palestine

Mr Amin Ali Ibrahim Inabi
Director General of the Department of Social Affairs- Ramallah
Phone:972-598924488, 972-2-2405640/2986306
Mobile: 972-599842119
Fax: 972-2956277, 972-2-2405642
E-mail: amininabi@hotmail.com

Mr. Nader Said Faqhaa
Director of the Arab World Research and Development Center- AWRAD
Phone: 970-22950957/22959739
Fax: 970-222950958
Mobile: 970-599204527
E-mail: nader@awrad.org

Lebanon

Mr Raghid Al Soloh
Writer in International Affairs and Democracy Issues, Consultant at the Issam Fares Institute for Lebanese Affairs
Mobile: 961-3-972793
E-mail: raghidelsolh@yahoo.com

Mrs Dalal El Bizri
Researcher and Writer
"Nawafez" magazine
Phone: 961-1-303284
Mobile: 961-70-660423
E-mail: dalal.elbizri@gmail.com

Mr Ahmad Baydoun
Social Researcher
Phone: 961-1-343478
Mobile: 961-3-263604
Fax: 961-1-749359
E-mail: beydouna@cyberia.net.lb

Mr Mounir Mhana
Director of the Development Services Center in Rashaya Al Wadi region
Lebanese Ministry of Social Affairs
Telefax: 961-8-591106
Mobile: 961-3-250851
E-mail: mounir064@gmail.com

Lebanon (Cont'd.)

Mrs Mona Fayad
Psychology teacher, Lebanese University
Phone: 961-1-737808
Mobile: 961-3-759053
E-mail: jaf@cyberia.net.lb
      monafayad@hotmail.com
      mona.fayadh@gmail.com

Mr Gilbert Doumit
Director of "Beyond" Center for Reform and Development
Telephone: 961-71-950952, 961-5-456040/950952
Mobile: 961-3-227673
E-mail: gilbertdoumit@gmail.com
      gilbert@beyondrd.com

Mr Ziad Abd El Samad
Executive Director at ANND
Phone: 961-1-319366
Mobile: 961-3-360315
Fax: 961-1-815636
E-mail: ziadas@gmail.com
      abdel.samad@annd.org

Mr. Daoud Ibrahim
Professor in Journalism
Lebanese University
Phone: 961-1-379030
Mobile: 961-3-820915
E-mail: dawoodib@gmail.com
      David-ib@hotmail.com

Mr. Roger Khoury
Executive Director of the Center for the Development of Rule of Law and Integrity
Mobile: 961-3-409064
E-mail: rkhoury@arabruleoflaw.org

Egypt

Mr. Ibrahim Makram Bebawi
Coptic Evangelical Organization for Social Services
Fax: 202-26221437
Email: Ibrahim.makram@ceoss.org.eg

Mrs. Fatemah Khafagy
Member of the Board of Directors of the Arab Woman Coalition
Consultant in Woman Affairs
Phone: 23939899, 2012-3135990

FAX: 23936820
Email: fatemah.khafagey@gmail.com

Mr. Moustafa Lubbad
Al Sharq Center for Regional & Strategic Studies
Phone: 20235726142
Email: ellabad@sharqnameh.org

Mrs. Thana Fouad Abdullah
Researcher
Phone: 20222586500
Email: thana_fouad@hotmail.com

Saudi Arabia

Mrs. Maha Al Shaikh
Project Manager, Arab Gulf Fund (AGFUND)
Phone: 966-1-4418888
Mobile (Lebanon): 71-726620
Fax: 966-1-4412962/63
Email: alalshaikh@hotmail.com;
      al-shaikh@agfund.org

Yemen

Mr. Mohammed Al Tamimi
Director General of the General Union of Chambers of Commerce and Industry
Representative of SALTEK Institute in Yemen
Phone: 967-73665558, 967-1-427570/1
      967-777757684
Fax: 967-1-427572
Email: nalmaitam@yahoo.com
malmaitami@iutt.info

Mr. Abdul Baki Shamsan Ka'ed
Sociology Professor, Faculty of Literature
Sana'a University
Mobile: 967-736281281, 967-770023464
      967-771200181
Email: fanon107@yahoo.com

Mr. Fuaad Tajuldine AL Sayyadi
Official in Monitoring, planning and evaluation affairs
"IFAD" Project- World Bank
Phone: 967-4-408107/407607
(Mobile): 967-733702726/ 777407607
Fax: 967-4-408107
Email: fuaadsayyadi@yahoo.com

Yemen (Cont'd.)

Mr. Ahmed Yehya Ali El Hasan
Head of the Decentralization and Local Development Team
Public Works Project
Phone: 967-777466038
Fax: 967-1-407353
Email: ahmedyali@yahoo.com

Fouad Al Salahi
Political Sociology Professor- Sana'a University
Republic of Yemen
Phone: (Yemen): 967-771350321
          (Egypt): 201-271999693
Email: alsalahi2008@gmail.com;
          alsalahi_fuad@yahoo.com

B.   NON-ESCWA MEMBER COUNTRIES

Tunisia

Mrs. Thoraya Al Tijani
Appeal Lawyer and member of the governing body
Tunisian Association of Development Act
Phone: 00216-71288009
Mobile: 00216- 98504785
FAX: 00216-71288009
Email: thouraya.ahmed@gmail.com

Mr. Salahuddin Al Jourchi
Media Representative, Writer and Political Researcher
Head of Al Jaheth Forum
Phone: 21698645707
Email: sjourchi@yahoo.fr;
          saidanadhmi@gmail.com

Algeria

Dr. Ammar Jeffal
Head of the Masters Center for Moroccan Studies, Faculty of Political Studies
University of Algeria
Phone: 00213-662826248
Fax: 00213-21517253
Email: djeffalammar@yahoo.fr

Libya

Mrs. Hoda Al Mehdi Abdul Aziz Mohammed
Social Activist, Writer of Political and Social Programs on Libyan TV Channel- Interview Manager

Mobile: 20105583764 (Egypt)
          2189922578661, 2189922578661
          218913629209 (Libya)
Email: bb14_14@yahoo.com

Mrs. Tahani Khalil
Construction Engineer
Phone: 96171942180
Email: tahanikhalil@gmail.com

Morocco

Mrs. Farida Banani
Higher Education Professor Faculty of Law, Marrakesh
Phone/ FAX: 212-524306467
Mobile: 212-661249468
Email: Farida_bennani@hotmail.com

Mr. Mohammed Malki
Political Studies Professor, Manager of the Constitutional & Political Studies Center at the Faculty of Law, Judge Ayyadd University, Marrakesh
Telefax: 212524332060, 212524305790
          212524303265
Mobile: 212667644858
Email: mhammedmalki@yahoo.fr

Mr. Mohammad Afaya
Philosophy Teacher, Mohammad fifth University, Rabat
Phone: 212-334431925
Mobile: 212-661305307
Email: affaya.mn@gmail.com
          Affaya@yahoo.com

Turkey

Mr. Metin Heper
Director, Center of Turkish Politics and History
Vice Rector
Bilkent University

Phone: +90 (312) 2901213
290 1214, 266 4338
05322558166
Fax: +90 (312) 266 4152
Email: heper@bilkent.edu.tr

C.   OTHER ORGANIZATIONS

Executive Office – Gulf Cooperation Council

Mr. Mahmoud Hafud
Director of Social Affairs
Executive Office - Council of Arab Ministers of
Social Affairs Phone: 973-1-7530754, 973-1-
7570620
Fax: 973-1-7530753
Mobile: 973-3-9682666
Email: mahmoud.hafud@gcclsa.org

**International Foundation for Democracy &
Elections**

Mr. Ayman Ayoub
Regional Director for Western Asia and North
Africa

International Foundation for Democracy &
Elections
Cairo, Egypt Arab Republic
Phone: +46-767618450/201-95148741
Email: A.Ayoub@idea.int

United Nations Development Programme

Mr. Raghed Assi
Project Director of Social & Local Development
United Nations Development
programme/UNDP-Lebanon
Phone: 00961-1-962495
Fax: 00961-1-962491
Email: raghed.assi@undp.org

D.   ORGANIZERS OF THE MEETING

**Economic and Social Commission for
Western Asia (ESCWA)**

Mr. Frederico Neto
Director of Social Development Division
Phone: 961-1-978417
Fax: 961-1-981510
Email: neto2@un.org

Mr. Walid Hilal
Chief Participatory Development Section
Phone: 961-1-978406
Fax: 961-1-981510
Email: hilalw@un.org

Mrs. Naela Haddad
Assistant Social Affairs
Participatory Development Section
Phone: 961-1-978460
Fax: 961-1-981510
Email: haddad8@un.org

Mr. Oussama Safa
Assistant Social Affairs

Participatory Development Section
Mobile: 961-3-820300
Email: oussafa@gmail.com

Mrs. Lina Mekdachi
Social Affairs Officer
Participatory Development Section
Phone: 961-1-978473
Fax: 961-1-981510/511
Email: mekdachi@un.org

Mrs. Nadine Daou
Research Assistant
Participatory Development Section
Phone: 961-1-978405
Fax: 961-1-981510/511
Email: daou@un.org

Mrs. Amal Al-Salem
Team Assistant
Participatory Development Section
Phone: 961-1-978427
Fax: 961-1-981510/511
Email: alsalem@un.org

<u>Annex III</u>

Participants' Evaluation of the Seminar

Although the Seminar's evaluation forms were distributed to participants, and despite the emphasis on the necessity of filling the forms and submitting them before the end of the seminar on Day 2, only 34 participants out of 50 handed in the forms. Below are the responses to the questionnaire including the feedback and comments of the participants as per question and subject:

(1) Quality of the Seminar

Question One: How do you evaluate the <u>quality</u> of the seminar in general?

Very Good	Good	Fair	Bad	Very Bad
12 (36.3%)	15 (45.4%)	5 (15.1%)	1 (3%)	0

One (1) participant did not answer the question

(2) Participants Expectations

Question Two: What were your expectations from the seminar?

- Focusing on the conditions of democratic transition and their conformity with the actual experiences in Arab Countries;
- Indentifying the challenges of the upcoming period and coordinating efforts to find suitable solutions;
- Raising awareness and increasing knowledge about the democratic transition process;
- Exchanging experiences and expertise and anticipating the scope of change in the political domain.

Question Three: Have we met your expectations?

Yes	No	Partially
14 (42.4%)	0	19 (57.5%)

One (1) participant did not answer the question

(3) Benefits and Relevance of the Seminar

Question Four: What is your evaluation of the seminar from the following aspects?

Question 4-a: The importance of the subject with regard to the field of work and experience

Very Good	Good	Fair	Bad	Very Bad
17 (50%)	11 (32%)	5 (15%)	0	1 (3%)

Question 4-b: The knowledge and skills acquired that can help you in your future work

Very Good	Good	Fair	Bad	Very Bad
8 (24.2%)	16 (48.4%)	8 (24.2%)	1 (3%)	0

One (1) participant did not answer the question

Question 4-c: Allowing information exchange with other participants in the meeting

Very Good	Good	Fair	Bad	Very Bad
14 (41%)	14 (41%)	5 (15%)	1 (3%)	0

Question 4-d: The chance to build a useful and new business network

Very Good	Good	Fair	Bad	Very Bad
12 (35%)	15 (44%)	5 (15%)	2 (6%)	0

Question 4-e: How useful was the exchange of experiences and expertise among participants?

Very Good	Good	Fair	Bad	Very Bad
8 (23.5%)	15 (44.1%)	10 (29.4%)	1 (3%)	0

(4) Seminar Organization and Available Facilities

Question Five: How do you evaluate the seminar from the following aspects:

Question 5-a: How clear are the presentations?

Very Good	Good	Fair	Bad	Very Bad
10 (30.3%)	17 (51.5%)	5 (15.1%)	0	1 (3%)

One (1) participant did not answer the question

Question 5-b: The quality of the written documents distributed by the organizers

Very Good	Good	Fair	Bad	Very Bad
13 (41%)	15 (47%)	2 (6%)	1 (3%)	1 (3%)

Two (2) participants did not answer the question

Question 5-c: Organizational arrangements before, during and after the Expert Group Meeting

Very Good	Good	Fair	Bad	Very Bad
23 (67.6%)	7 (20.5%)	2 (6%)	0	2 (6%)

(5) Duration of the Expert Group Meeting
Question Six: The meeting duration should have been

Shorter	As is	Longer
0	24 (70.5%)	10 (29.5%)

If the answer to this question is "longer" or "shorter", what session or sessions of the meeting should have been shorter or longer?

- Longer session for Issues of Democratic Transition;
- Longer session for presenting the Manual and the New Social Contract;

- Longer session for Successful Experiences in the Path of Democratic Transition;
- Longer session for the Emerging Functions of Social Actors.

(6) The Acquired Knowledge

Question Seven: Will it be possible for you to benefit from the information acquired from the meeting or transfer it to other specialists in your country or community?

To a certain extent	No	Yes
9 (26.5%)	0	25 (73.5%)

Question Eight: Do you recommend attending similar workshops, if organized in the future, to other specialists from your country or field of expertise?

To a certain extent	No	Yes
0	0	29 (100%)

Five (5) participants did not answer the question

(7) Participation in the Meetings

Question Nine: Have you ever participated in activities on the same subject with other organizations?

No	Yes
13 (43%)	17 57%)

If the answer is yes, then what is the subject, the organization, where and when:

- Recent Events in the Arab World/ Prospects and Challenges to the Rule of Law, The Arab Center for the development of the Rule of Law and Integrity (ACRLI) and The Hague Institute for the Internationalization of Law (HiiL), Netherlands, 2011;
- The Arab Spring, Impacts and Implications for GCC countries, Gulf Center House, Sharjah, United Arab Emirates 2011;
- National Reconciliation, Relief and Development Organization, Baghdad, Iraq, 2008;
- Conflict Resolution and Democracy, Baghdad, Iraq, 2010;
- Civil Society and Paths of Democratic Transition in the Arab world, European Union, Tunisia, 2011;
- Structural Applications in the Framework of Good Governance, World Bank, Washington, United States of America, 2011;
- Elements and Conditions of Democratic Transition, Cambridge University, Britain, 2011;
- Duties of Civil Society in Democratic Transition Paths, Citizenship Forum, Casablanca, Morocco, 2011;
- Establishing Measurement Indicators for Democratic Governance, African Economic Council, Addis Ababa, Ethiopia, 2000;

Question ten: Would you want follow up activities to be organized after this seminar?

No	Yes
1 (3%)	33 (97%)

If the answer is yes, please specify the type of activity:

- Capacity-building for participants, which allows them to form an Arab network for monitoring democratic transition in Arab countries;
- Organizing national dialogues on subjects of Democratic Transition, the Social Contract, Social Justice and Citizenship;
- Focusing on Civil Society functions in democratic change;
- Discussing peaceful conflict resolution mechanisms in the democratic transition phase with a special emphasis on each Arab State;
- Continuing the discussion of the guiding manual for building partnership capacities;
- Discussing the role of the media in change, transition, and monitoring in current and prospected regimes;
- Issuing the Manual and using it in capacity and skills development;
- Expanding studies in the field of democratic change.

Question Eleven: Do you have any suggestions to enhance or develop similar meetings in the future?

- Focusing on changes that should be adopted in the transitional process and identifying the means of accomplishing them;
- Inviting more Arab youth representatives that contributed to the uprisings;
- Balancing between practical and theoretical studies;
- Engaging more researchers from the Arab Gulf to present a in-depth view of Democratic Transition and its complexities in the Gulf region;
- Holding such meetings each time in a different Arab country and publicizing them in order to disseminate information on the examined topics at the grassroots level;
- Adding an extra session that would examine a case study of a country that is currently undergoing transition, which will allow experts to assess the credibility of their theories in light of the situation prevailing in the country in question.

Question Twelve: Do you have any observations/ comments/ questions for the ESCWA about the seminar?
- Participation in the forum was very useful;
- Acknowledgements for the good organization and preparation of the seminar;
- The studies were excellent and comprehensive with regards to democratic transition;
- Airing the sessions of the forum via media or online could be a tool for accessing and sharing information quickly;
- Supporting the creation of a network online for the participants to stay in contact and concert their efforts in order to follow up on the themes of the seminar.

<u>Annex IV</u>

List of Documents

Title

Information Note

Agenda

Issues of Democratic Transition: From the heritage of "Neo-Sultanism" to the Institutional Building of Democracy

Political Stability and the Role of Security Institutions in Restoring Peace- South Africa

Sudan's Failed Experience in Democratic Transition

Building Partnership Capacity in Democratic Rule

The Devolution of Power within the Context of the Democratic Process: Emerging Roles of Stakeholders in Decision-Making

A new Social Contract for Democratic Transition: Priorities of the National Dialogue Agenda in the Arab region

<u>Annex V</u>

Executive Summary of Papers presented at the Seminar

Issues of Democratic Transition: From the heritage of "Neo-Sultanism" to the Institutional Building of Democracy

Prepared By: Mr. Ahmad Baydoun, Social Researcher

1.   The study assures that a declared democratic ambition unites change movements in the Arab world. As a matter of fact, these movements emerged from the development of the current regimes and societies. They appear in the form of protests, brandishing the banner of freedom against endless ages of tyranny, negligence, discrimination, and oppression of any political life independent from the authority. They are massive social movements in which hundreds of thousands or millions of people were mobilized. These movements were the antipodes of the prevailing regimes by their nature, for they were generally peaceful, excluding a few exceptions. Moreover, they were organized under the umbrella of political parties and away from individualism. These movements also contradicted the propaganda of regimes which predicted that anti-Western Islamic radicalism would invade societies if the only deterrent, i.e. the regime, fell apart. Significant influence of popular Islam appeared, along with other types of the abovementioned radicalism, most notably moderate Islamism. But radicalism was not the leading force of the movements, nor was it prevailing to the extent which would make it capable of overthrowing democracy. However, the innovative features of change movements remain contingent upon the sustainability of massive mobilization to protect democracy, the ability to organize forces in a way that suits the post-process phase, i.e. institutional building, and the good quality democratic transition policies. They also depend on the possibility of adopting a development policy that would attract the biggest social groups into the sphere of democracy;

2.   The study lists in conclusion the issues and procedures of transition, which are guided by the understanding of democracy, especially its cultural dimension that goes beyond inescapable procedures, and comprises participation and the fulfillment of human rights. The main issues that should be addressed to strengthen the path to democracy in Arab States are:

- The separation of powers, achieved through the independence of the judiciary, the sovereignty of the elected parliament and the immunity of its members. This sovereignty is the basis for the Parliament to carry out legislation and monitor the executive authority. It is also a prerequisite for the executive power to emanate from the will of the parliamentary majority, for compelling the executive authority to abide by the boundaries of the law and serve the public interests of the country and its citizens, for ensuring supervision over the executive and the possibility of withdrawing confidence from the Cabinet, as well as the periodic devolution of power according to constitutional rules and regulations in order to alternate political balances in the country;

- Political impartiality of public administrations in terms of structure and practice. This would be accompanied and completed by the prevalence of the political authority over the armed forces, the separation of the army from the Internal Security Forces and their obligation to respect citizens' rights and freedoms, as well as holding them accountable at the administrative and legal levels, and compelling Intelligence Services to respect the limits of their jurisdiction and the rights and freedoms

of citizens, in addition to holding them accountable at the administrative and legal levels in case of abuse or shortcoming.

- Freedom of Association, including: the right to form parties that would work within the scope of law and submit their funding to legal auditing; freedom to form associations; reinvigorating syndical organization and activities, trade unions, professional and business associations. It should be noted that these bodies and associations generally lack democratic practices in their work and internal organization. This requires changing the situation through available methods of encouragement and criticism, so that democratic practices are no longer restricted to elected State institutions;

- Freedom & integrity of elections. As for the perfect election formula, it is still subject to negotiations and discussions, and it should be compatible with the political structure of the country, so that representation is fair and facilitated at the same time, which allows the creation of an effective and stable executive authority. It goes without saying that "free elections" entail several freedoms such as freedom of candidature, formation of electoral lists, propaganda and polling. It also presupposes transparency in the election process, and the delegation of an independent body to manage and observe the elections. Specialized monitoring institutions from the country and from abroad should take part in controlling the electoral funding and expenditures within the legal limits, in a bid to assure equality between candidates or electoral lists in electoral media, as stipulated by the provisions of the law;

- The liberalization of communications and media as the basic components of civil society. New communication tools have compensated the great lack of independency in traditional Arab media. The contribution of free media in democracy proves that it is an essential prerequisite to ensure transparency in the public sector and the integrity of accountability. There is also a flagrant need for reinforcing new means of communication and information (Internet, Mobile Phones, Satellite TV) and making them available to all citizens, now that it has been proven that they play a substantial role in achieving socio-political solidarity and in defending the interests and the rights of citizens;

- In the field of education, the work should start by focusing on the heavy burden of illiteracy. It is necessary to tackle the deterioration of the quality of formation which accompanied the massive expansion of higher education, and to harmonize the contents of education with the needs of societies and labor markets. Moreover, it is essential to remedy to the disintegration of knowledge, the retrenchment of general culture and the degradation of language skills, especially in the Arabic language, as a result of the apprenticeship wave;

- Development is coupled with the procedures of the social justice approach, given that this approach is considered to be the portal to expanding social norms of democracy. The new regimes do not stand a chance to survive unless they involve a wider social group in drafting and implementing policies, especially woman and youth. Participation is the only way to ensure moderation in the demands that are voiced out by sectors and social segments that consider themselves entitled to reap the fruits of revolution before anyone else, given their role in it or their situation before it;

- With regards to the promotion of citizenship and the issues of sectarianism, ethnicity and gender equality, the new emerging systems are burdened with the legacy of marginalization, discrimination and persecution, inherited from the overthrown regime. In every country witnessing change, such legacies will surface, in some instances due to the historical heritage, and in others due to

contemporary social and political reasons, stemming from social forces that could be described as "retroactive" (with some reserves on the term). Even more, cracks that were hidden before will surface in society. In this context, it is necessary to ensure equality between citizens in the constitution, and to set political, judicial and other references to combat discrimination, and to allow parties, rights-based organizations and media outlets to carry out their work in this field. It is equally important to be aware of the dangers ensuing from the adoption of the principle of joint ventures in authority as well as its organs and institutions. Given the rise of the adoption of Islamic Sharia as the source of legislation, it is necessary to make sure that such a measure, when taken, does not abolish the plurality of choice, nor does it silence popular demands. It is known that Sharia has different schools and currents, and that each question in Sharia has more than one answer, including the question of adapting the provisions of Sharia to purposes and interests that differ according to time and place. These purposes and interests were considered by religion as superseding any subsidiary provisions. In any case, change movements are starting an open jostle expected to continue between the values of citizenship and the values of traditional partisanship. The promotion of citizenship values depends on the roles of the state and specialized institutions whether internal or external. These roles are stem from the knowledge of the dynamics and structures of citizenship, in order to maintain civil peace, guarantee the generalization of the rule of law, and protect the democratic system as a whole;

- The consolidation of democracy is not restricted to elections and power spheres. As a matter of fact, democracy is the axis of a culture that is supposed to inspire the behavior of groups or individuals in all domains. This culture is acquired through practice and the prevalence of the social model rather than narrow training or education. The modern concept of democracy will not be grasped unless it is spearheaded by a wider social participation in public affairs;

- The issue of transitional justice, which is inescapably present for new regimes. The Egyptian case, in particular, has shown that the extent that transitional justice reaches can be the subject of a political claim or compromise, and can determine the stance of entire political powers, if not at the judicial level then certainly at the moral and political level in the future. In any case, transitional justice is a must to do justice to thousands of oppressed citizens. It is a process of catharsis that abolishes the psychological and social remains of the past, and enables civil peace. This process should be accompanied by a national public debate outside the courts to discuss the mistakes of the past and explore the historical and social roots of the former regime, its actions and methods;

- In Foreign and Defense policies, there are prospects that change movements can offer to reconsider the Arab Regional system. This review process does not necessarily lead to the resolution of differences in foreign policies of States. However, it is likely to lead to attempts to focus on the internal arena in each country, and straying away from aggressive policies.

Political Stability and the Role of Security Institutions in Restoring Peace- South Africa

Prepared by: Mr. Peter Gastrow, Expert and Programs Director at the International Peace Institute (IPI)

The transition process from authoritarian rule to democracy is a process closely linked to society's history and culture, as well as its ethnic and social composition, its economy, and its development needs. This applies to the experience of South Africa's transition from apartheid to democracy. Therefore it is impossible to export this process as is to other areas of the world. However, the response of the people is often similar, wherever they are, during conflicts and strife, or when facing new political challenges. Thus, the essence of political transition lies in finding mechanisms to guide these responses and reconcile differences in society. In this context, it would be possible to benefit from some of the factors that contributed to democratic transition in South Africa, taking into account the specificities of the challenges experienced by each community during such a transition.

The political stalemate faced by the minority government (De Klerk) and the anti-apartheid forces and the escalation of political violence in 1990 prevented the continuation of negotiations that would find a settlement and lead to a new constitution for South Africa. These circumstances prompted civil society and religious organizations, as well as business and workers organizations to launch an initiative aiming at achieving a comprehensive National Peace Accord in 1991. After the Peace Accord, constitutional negotiations were held over two years, followed by peaceful elections in 1994. The Peace Accord included the rules that would apply during the transitional period, and that all parties would abide by, including: banning political extremism, establishing dispute settlement mechanisms and adopting codes of conduct for political parties. The Accord also comprised an entire chapter on the way security forces are expected to work during the transitional period and their rules of conduct. In this context, police officers underwent training on the new methods of dealing with demonstrations, and a Police Council was established in order to improve the relationship with the community. The police and the army were able to contain violence to a great extent, but they were accused of causing some acts of violence. During the transitional period, the practices of the security forces -the police, the army or other forces that are not affiliated to the State- affect the success or failure of the transition process. However, despite its significance, this role cannot be fully understood without the roles of other political and non-political actors in the transition process, because security forces interact and respond to all of these factors.

In this context, the main factors that contributed to the success of South Africa's transition from apartheid to democracy are the following: (a) the mutual need of both black and white citizens for achieving peace and stability in the future; (b) the understanding by political powers of the importance of finding an exit from the prevailing political deadlock; (c) the balance of power between the African National Congress (ANC) party and De Klerk's government, which increased the chances of negotiation and settlement; (d) the existence of a strong and dynamic Civil Society comprised of trade unions, media outlets and human rights organizations, etc., in addition to a private sector that supports the establishment of a new constitution through negotiations; (e) the presence of strong political leaders such as Mandela, De Klerk, Buthelezi, Constand Viljoen and Chris Hani; (f) the long preparatory phase before elections to develop policies and confidence building; (g) the achievement of a National Peace Accord that facilitated negotiations and provided a neutral forum for all; (h) a national sense of ownership in designing and managing the transition process, which enhanced confidence among all parties and trust that the future is built on sound basis; (i) the international pressures that contributed to reaching compromises between rival forces; (j) the presence of strong institutions in place to continue effective administration.

The study lists in conclusion the lessons learned from the experience of South Africa, mainly: (a) Conflict and violence are an inherent part of political transformation, but the challenge is to achieve a broad national consensus on how to contain and reduce it and to reach agreement on what the rules of conduct during the transition should be; (b) The political stalemate among rival forces might create opportunities for negotiations

and compromises; (c) Political transition requires a lot of time and preparation in order to adopt policies and hold elections in due manner; (d) Early steps should be taken to reform and rehabilitate the police; (e) Political transition should be coupled with a socio-economic transformation; (h) Transition and reform should be the fruit of an internal will to enhance ownership, because the new constitution or social contract gains more legitimacy when society feels that it is a "local product".

Sudan's failed experience with democratic transition

Prepared by: Mr. Atta Bathani, Consultant of the Arab League, researcher and professor at the University of Khartoum

1.   Many are the proofs that show that the structural nature of the political conundrum in Sudan, and the shift in power balances associated with the transition period, contributed, among other factors, to the failure of the phases of transition and to the fragility of the constitutional arrangements, thus the inability of governments to fulfill the functions that were assigned to transitional regimes (i.e. achieving national unity, establishing a modern civil state and realizing economic development). Governments have inherited a complex and heterogeneous social system (at the ethnic, social, religious and cultural levels), marked by structural inequality between social components and characterized by the lack of economic productivity and monetary culture. With the emergence of the Semi-rentier State in the late seventies of the past century, and in tandem with the growth of political Islamism, inequalities between the components of the country deepened. The National Islamic Front preyed on the weakness of frameworks and institutional capacities of the democratic system, until it ultimately overthrew the regime in 1989, thus inaugurating a long period of military rule, which in turn exacerbated the problems of economic and social development (despite the availability of oil). Even worse, these events were fueling armed conflicts in the regions and provinces that were already enduring ages of marginalization. All of these factors combined sapped the "possibilities" of democratic transition that were guaranteed by some provisions of the Comprehensive Peace Agreement in 2005;

2.   The policies of transition to market economy launched since the early nineties of the last century failed to build a strong productive base for the national economy. The contribution of key sectors (such as agriculture and industry) in the GDP deteriorated, and the importance of oil and mining sectors emerged, supported by the rentier orientations of economy and society, which in turn exacerbated the ongoing conflicts (civil war) between provinces over their share of the rentier profits. Despite the recognition of the impact of civil war along with other factors on the democratic system, the interests of the ruling class contrasted with the establishment of a pluralistic democratic regime based on the existence of a productive capitalist system. This last economic factor has the most decisive impact on the development of democracy in the country. The reasons behind this situation are numerous, but the main cause lies in the failure of the capitalist class – or whatever you want to call it - in introducing a qualitative/ structural change to society;

3.   The "New Sudan" project was put forward and fought for by the Popular Movement until the Peace Agreement in 2005. Now, the Popular Movement is attempting to bring this project back to the table in the North. But such an attempt is also facing challenges, for it does not provide a valid basis for comprehensive alliances in the form of a sustainable bloc to undertake the tasks of transformation or transition. It presents several flaws, including the intellectual and theoretical vision of the Popular Movement which remains ambiguous. The New Sudan Project, whether in its old or new formula, opposes the slogan of the democratic Civil State championed by the forces of the Arab Spring. As for Islamists (Neo-Islamists and Conservatives) in the composition of the Sudanese opposition, apart from their relative weight, they speak of a Civil State with an Islamic reference, which is no less ambiguous and confusing than the New Sudan Project. Similarly, the structural map of the opposition is a heterogeneous fabric that expresses its political vision through the positions of the parties (from the Communist Party at the extreme leftwing to the Popular Congress Party, i.e. the Islamic Movement of Al Torabi at the extreme rightwing) and forces of the political-religious sphere represented by the National Party and the Democratic Union Party, or even by armed movements from marginalized provinces advancing towards the center of the country. Thus, diverging political proposals to face the prevailing regime emerge: some encourage collaboration with the regime (from within) to push for change- these are the demands of what is referred to as the parties of the regime; while others call for changing the regime, or ousting at least

some of its wings- Al Sadeq Al Mahdi; whereas others call for the utter overthrowing of the regime;

4.   When it comes to the lessons learned from the uprisings currently taking place in some Arab countries, it is difficult to predict their ramifications for the Sudanese opposition. So the following questions remain on the table: can the paradigm of "Erdogan's Islam" prevail over the model of "Taliban's Islam"? To what extent will the regime benefit from the ongoing events? Can a governing class emerge and lead the transition process itself? Or will the regime be the victim of transition? Until the answers to these questions unravel and mature, the priority should be given to capacity building of the driving forces of democratic transition. Moreover, the main focus should be on the cohesion of State agencies and institutions, the coordination and harmonization of internal and external factors, as well as weathering the risks of democratic transition that stem from the status quo in Sudan.

Building Capacity for Partnership in Democratic Governance

Prepared by: Mr. Gilbert Doumit, Director of "Beyond" Center of Reform and Development

1.   This manual is a guiding reference for guaranteeing partnership between the political authority and Civil Society in public policy making. Its methodology relies upon a series of modern experiences carried out in the majority of Arab States by the Economic and Social Commission for Western Asia (ESCWA) and Beyond Foundation for Reform and Development, before and after the Arab uprisings. The Manual is also based on empirical references as well as international research and experiences from which Arab States can benefit in their democratic transition processes, especially when identifying the needed capacities to address the complexities of democratic transition and preserving its peaceful path;

2.   In countries witnessing popular uprisings, transition will be a critical and sensitive phase that depends on the awareness of the people and their choices, as well as the way to express them without falling into governance crises, acts of violence and stark divisions. The term "transitional period" refers to the transfer of power on a temporary basis from the group that led the change to legitimate representatives elected by the people to represent them in the government. This stage raises many questions, mainly: what is the most appropriate form of democratic rule to manage diversity and differences in these countries? What leaders and political parties are the most qualified to perform this task, and which will acquire the required popular legitimacy to manage the next phase? What are the priorities that must be addressed to ensure a peaceful democratic process that guarantees unity and stability for the people?

3.   In a bid to answer the abovementioned questions, the Manual listed ten requirements for partnership in the management of democratic rule, distributed on the following sectors and topics: (a) transparent and proactive political leadership to manage the democratic process; (b) drafting public policies that tackle relevant problems and issues in an innovative and participatory manner; (c) building alliances in public policy making which enhances partnerships between stakeholders and increases the chances of successful implementation; (d) the phases needed for building public institutions and their efficiency requirements; (e) the strategies of reform interventions; (f) transparency and accountability in democratic rule; (g) the phases and conditions required for a successful dialogue and building consensus on important matters; (h) Civil Society participation in the democratic process; (i) local development and administrative decentralization; (j) communication and social media strategies. These requirements are divided into ten themes, which are in turn comprised of the main definitions in line with the real situation in the Arab world, in addition to the work plans of training sessions and analytical, planning or organizational tools aiming at facilitating the transfer of knowledge.

The Devolution of Power within the Context of the Democratic Process: Emerging Roles of Stakeholders in Decision-Making

Prepared by: Mr. Mohammed Noureddine Afayeh, Professor of Philosophy at the University of Mohammed V

1.   The study is based on questions and issues pertaining to the definition of social actors in carrying out the transition process, as those who take the form of associations and organizations with the will and ability to adopt the values and views of a democratic society. They also aspire or rather strive for the reconstruction of the political and civil arena within the framework of human rights instruments. These groups and organizations may be of political nature, or operate within the social, cultural, environmental, economic and media fields. In the context of democratic transition, the role of social actors is not restricted to them being tools of change. On the contrary, they become themselves subject to changes that are expected to result from transition, given that democracy presupposes a permanent upheaval in thinking patterns and types of practices adopted by actors;

2.   The study considers that these social actors may find themselves obliged to negotiate with global factors of constitutional, political, administrative, economic, social and cultural nature. This means that the transition process is multi-dimensional, in which actors must take into account the overall context that characterizes a given political and social. However, the globalization era and the contribution of transcontinental bodies have gained a significant role that is taken into consideration in the schemes adopted to end despotism and engage in the process of transition to democracy. Certainly, the transition experiences that took place in Spain and Portugal, as is the case in countries of the Eastern Bloc after the collapse of the Berlin Wall and elsewhere, show the extent of interaction and integration between internal actors and international organizations and States that are capable of funding. In this line of thought, one might say that the Arab world, or at least some of its countries, cannot be an exception in the history of transition cases. As a matter of fact, there is a certain "geo-political" or even "geo-legal" "world order" that affects, in various ways, transition to democracy within each country. Given that democracy has a universal dimension that grows in significance day after day, we are currently witnessing the emergence of an International Political law, or what can be referred to as the "Geo-Democratic Law";

3.   The study highlights the fact that global democracy approaches are increasingly aware that the solution to all social problems and concerns cannot be found nowadays by depending on the State alone, no matter how powerful it is. Any State is perceived as the incarnation of national authority, capable of resolving conflicts between citizens to serve higher interests. Solving such disputes requires the intervention and mediation of socio-political actors that are equipped with the necessary capabilities to set standards and implement them effectively. This falls within the context of what literature defines as "democratic governance", in the sense that all public practices require the acceptance and involvement of target groups and actors that are capable of action and participation. This will help governance in contemplating diversity of actors and integrating horizontal dimensions in the relations between them, without forgetting the hierarchy of actors, or the special stance that "public authorities" hold;

4.   After tackling the respective roles of social actors, the impact of these roles, their constraints and the ensuing conflicts in the process of democratic transition, the study suggests that these conflicts can be resolved in the "framework of dialogue", and through the exclusion of physical and ideological violence. Democracy is built on the theory of dialogue, notwithstanding the differences in practices and values. This means understanding and comprehending both intellectually and politically speaking. Understanding or "comprehending" the other refers to the willingness to deal with him as a being with dignity. Recognizing the dignity of the other is a meaningful act, both metaphorically and socially, and presupposes respect in dealing

with disputes. The education on dialogue in democracy is a fundamental task, not only because it paves the way ahead of peaceful conflict resolution, but rather because dialogue processes necessitate preparation and education. Similarly, participating in dialogue and using its rules adequately offers an opportunity for awareness of the differences between stakeholders. As much as this exacerbates the causes of conflict, it can also contribute to finding a peaceful solution, by seeking a consensus instead of relying on "unanimity" which may be lacking, artificial, or even temporary. In all cases, flexibility and the willingness to compromise in order to persuade the other and ultimately reach an understanding is itself the objective of dialogue, and controlling the sources of conflict;

5.   The study concludes that the path of democratic transition requires at least three constituent conditions: (a) the necessity to establish democratic institutions that form suitable spaces for the application of standards that frame and ensure democratic practices, because the latter always requires frameworks, competencies, and areas to submit decisions to discussion, deliberation and objection; (b) the necessity for actors taking part in this path to be involved and knowledgeable about the institutional values of democratic society, especially equality, freedom, the renunciation of violence, and the acceptance of a kind of "peaceful dispute" that allows finding suitable solutions that guarantee the development and maturation of the democratic process in order to reinforce its foundations and its culture and disseminate it the public sphere; (c) the importance of testing and integrating specialized competencies of people who have the ability of reflecting freely on a given topic or issue; the ability to prove one's opinion in a manner that guarantees equal participation; and the ability to manage discussions without resorting to violence or wiliness, or even using sanctities, in a context of "peaceful disputes";

6.   Finally, the study concludes that creating a culture of democracy and adopting human rights principles goes hand in hand with the need to develop appropriate frameworks for the management of the political and cultural debate on the rules of co-existence, and the values of democratic society which involves all political and social actors, in order to rebuild a political domain capable of producing the necessary consensus for the success of the transition. It goes without saying that laying down the foundations of a strong democracy is a long-term process that does not abide by the time limits that apply to the dismantling of authoritarian regimes. Equally, it is not enough to intimidate others with the "monster" of pluralism, and to agree on a "Constitutionalist" reference (the constitutions, the elections and the devolution of powers). This is due to the fact that transition to democracy necessitates the awareness and practice of social actors that have the needed competences, patience and foresight to turn democracy into a collective choice and a common framework for all political forces, social groups and intellectual movements that are willing to share and enhance the values of democratic society.

A new Social Contract for Democratic Transition: Priorities of the National Dialogue Agenda in the Arab region

Prepared by: Mr. Amohammed Maliki, Political Science Professor & Director of the Constitutional & Political Studies Center- Faculty of Law, University of Judge Ayyadd

1-   The essence of the study focused primarily on five priority issues in the dialogue agenda, or the New Arab Social Contract, to ensure a smooth democratic transition, as expected and hoped for. These priorities are: restoring the State's legitimacy and authority; strengthening institutions and promoting participation; reiterating rights and freedoms; endorsing full citizenship and spreading social justice; and ensuring the success of national reconciliation. The study also presents a set of ideas to highlight the common understanding of the New Arab Social Contract project and its opportunities of success, and came down to the features of political reforms to be carried out in the process of dialogue for the democratic transition. The most prominent ideas are the following:

(a)   What is currently happening in Arab countries is a qualitative upheaval at all levels, unprecedented in form and content since the beginning of the rebuilding of the modern Arab State. It is a change process that resulted from local, regional and international contexts, and it remains uncertain in terms of prospects and results. The Arab region is not an exception in the dynamics of change in the world, unlike what has been said in a lot of western and eastern literature. Even though the wave of change was delayed, the Arab region is as ready for modernization and democracy quests as other regions. However, it still suffers from the weakness or scarcity of the capacities and culture of dialogue and consensus to achieve transition to democracy, which could hinder the building process in Arab countries, or at least facilitate the climate for resisting change or turning against it;

(b)   In the heart of the Arab world, many forces are battling, interests are conflicting, loyalties are interwoven, and thinking and negotiation strategies vary in a bid to build a new Social Contract. By monopolizing power and wealth and restricting benefits to a narrow minority linked either by blood, loyalty or nepotism, the Arab autocracy managed to create such a stark rupture in community that it contributed in raising the awareness of societies which felt that their dignity was offended, thus the need to shift from adaptation to this reality to changing it. .

2-   The presentation listed in conclusion a number of basic suggestions for the formulation of the new social contract, most important of which: (a) the establishment of the constitution cannot succeed and ensure a safe democratic transition in Arab countries, unless it is truly democratic in form and content; (b) the importance of rebuilding institutions, i.e. the parliament, the government and the judiciary, in conformity with the essence of the constitution that was formulated consensually, and based on the need for efficacy, success and the capacity to achieve, which means expressing the interests and aspirations of the people and responding to them efficiently; (c) the importance of acknowledging the system of rights and freedom at the constitutional and legislative levels, and reiterating the cultural and educational dimension in turning the law into an efficient tool to help citizens benefit from the rights and freedoms that are provided to them; (d) adopting the principle of full citizenship, creating an enabling environment for its implementation, bridging the gap between the State and society, alleviating all forms of tensions between them, and stressing on the dangers of allying wealth and power to the stability and growth of the Arab region; (e) the importance of national reconciliation, considered as the backbone of political reform and the promotion of dialogue for the sake of democratic transition.

<u>Annex VI</u>

**Summary of interventions on the
roles of stakeholders in the process of democratic transition in Arab States**

(Governments, Civil Society Organizations, business and working sectors, media, developed States
and regional and international organization)

**The role of governments in achieving democratic transition in light of
the Arab revolutions**

**Presentation: Mr. Salahuddin Jourchi, Media Professional, Writer, Political Researcher
and Head of the Jaheth Forum**

This presentation is based on the Tunisian experience, and offers a range of basic ideas concerning the role of governments in achieving democratic transition, knowing that the case of Tunisia can intersect with experiences from other countries. Interim governments are an inescapable phase in the course of every revolution. These governments either stem from the former regime, with a few representatives of the emerging revolutionary forces, or they are formed forms by the revolutionary forces themselves order to avoid political vacuum. The aim of the transitional government in a number of vital sectors is to organize basic services, to take urgent action, and to establish consensual mechanisms that will pave the way for the edification of an alternative political system.

The main terms of the success of governments in ensuring the political transition are: (a) Reducing the absence of democratic legitimacy to protect the State from disintegration, and the potential collapse of institutions; (b) Paying attention to the time factor, which has a direct and critical positive or negative impact on the dynamics of revolutions; (c) Tackling quickly a number of pressing files which can be examined within one basket; (d) Reaching a settlement with the military institution in order to ensure serving the revolution and not the contrary; (e) Earning the trust of the revolutionary forces, along with political forces and civil society; (f) relying on leaders with high expertise and good reputation locally and abroad, including technocrats; (g) Embracing the Security Institution, and avoiding an open and destructive conflict with it, or with its major components, pending the restructuring of the institution, according to the new democratic political choices. This aims at ensuring public security, and protecting the remaining phases of change, particularly the elections; (h) Engaging active organizations in society, such as trade unions, the private sector, and credible civil society organizations; (i) Reassuring international institutions and stakeholders, and neutralizing neighboring countries and regional powers; (j) Developing mechanisms for transitional justice in order to avoid acts of retaliation and uprooting, and establishing mechanisms to ensure dialogue and consensus; (k) Abolishing constitutional and legal provisions that justified tyranny and the monopolization of power; (l) Combating citizens' predilection for weakening the State, through the commitment of transitional governments to law enforcement, and showing seriousness when dealing with legitimate demands; (m) Giving a social dimension to various new policies, because political democratic reforms alone will not suffice to ensure stability and the establishment of viable and sustainable democratic systems; (n) avoiding the provocation of Islamic forces, in an attempt to encourage them to play a positive part in the national dialogue and consensus building. This would require a strategic review to deal with these forces while protecting the objectives of the revolutions and human rights.

The Problematic of the Media and the "Arab spring" – The Egyptian Model

Presentation: Mr. Mustafa Allabbad, Head of Al Sharq Center for Regional And Strategic Studies – Cairo

1- To what extent can one attribute the catalysts of protests and their escalation to the role played by the media? Is the road to democracy in the Arab World bound by satellite channels, Facebook and Twitter? The question seems somewhat difficult to answer, especially now that the battle is still heated. Any analysis about the role and function of traditional or new media outlets in fueling the struggle for democracy may not be accurate in the time being. But the interesting thing is that some tend to limit this role to the new social media only, which plays a real and effective role. However, its influence only reaches a part of the educated elite, not all spectrums of society. This role seems to be significant, given that modern media are turning into a source of information in regions that remain inaccessible for traditional media;

2- The Communications Infrastructure plays a key role in determining the quantity and speed of information flow from the media, especially via the Internet on computers and mobile phones, but also via satellite, in tandem with the evolution of printing technology and the increase in reading and writing. It is therefore natural that efforts aiming at spreading democracy emphasize the importance of providing systems of governance for this communicational structure, which allows the free flow of information, analysis, views, photos, movies, and videos. Civil society bodies, which comprise the majority of political actors in Egypt, have benefited from technology in order to upgrade their work, based on the documentation of information, particularly with regards to human rights violations. The cases of "Imad Al Kabir" and "Khaled Said" have become unique examples of the possibility of using modern technology to support human rights and democracy in Egypt under Mubarak's rule, and moving these topics from the narrow scale of social networks to the wider audio-visual media space;

3- The role of the media in supporting the transition towards democratic systems seems to be undisputable in terms of importance, prevalence and the ability to shape public opinion, and change the concepts and foundations of community relations. Modern media tools such as social networks are the levier of traditional media, as they are rich in material and information sought by media outlets and the public alike. On the other hand, traditional media outlets are an essential tool for disseminating the concepts of democracy, championed by active "Twitter" and "Facebook" groups, in popular circles that lead a lifestyle and have economic and cultural capacities that are far from those of the social networks public. This means that we are facing a complementary relationship that may contribute to a great extent in creating a relatively homogenous public opinion in the quest for more freedom and democracy, but not at all times;

4- It should be noted that in Arab States, the greatest danger lies in the monopolization of information, media and communication resources by the protagonists of the social and political struggle, and the politicization of these resources by States themselves, businessmen and organized political currents, especially those that benefit from the religious wave, while popular and modernist groups still fight for the freedom of association, the right to form independent trade unions and parties that express their interests and political views. In light of this situation, and given the weakness of the basic concepts of democracy, including plurality of opinions, non-democratic societies are characterized by limited plurality, which remains the apanage of those who can afford media tools. In this line of thought, this type of media outlets contributed to the success of protests and revolutions. However it might have played a negative role, by preventing a wide range of social sections from developing their interests and expressing them, and thus forbidding them from reaping the fruits of revolution.

The Private Sector in Yemen in the climate of "Yemeni Revolutionary Spring"

**Presentation: Mr. Mohamed Abdul Wahid Maitami, Director General of General Union of Chambers of Commerce and Industry and representative
of "Saltek" Foundation in Yemen**

1.   The pivotal roles of the Yemeni private sector in the process of economic, social and political change remained marginal, largely because of institutional and political constraints on one hand, and as a result of the nature of the structure of Yemeni private sector and the structural and technological knowledge and financial resources on the other hand. Although the private sector is the main employer of the labor force - 90% of total labor force according to official statistics- its contribution to GDP ratio does not exceed 51%. Since the beginning of this year (2011), and in tandem with the protest movement, the private sector activity was affected significantly. As a matter of fact, numerous MSME's –tens of thousands as per the estimates of the General Federation of Chambers of Commerce and Industry in Yemen- closed down and declared bankruptcy. Moreover, large commercial and industrial companies cut down their activities almost by half, and hundreds of thousands of workers were licensed and joined the ranks of the unemployed mass in Yemen. According to some estimates, GDP growth plummeted to -3% compared to 4.5% last year. On the short term, there is a pressing need for foreign aids of no less than five billion dollars to prevent the failure of the transitional government and the emergence of a counter-revolution, provided that 3 billion dollars out of this amount will be allocated for supporting the State's budget in order to ensure the provision of basic public services to the people; one billion dollars for revitalizing private sector projects in the field of employment and self-employment; and one billion dollars for social safety net and poverty reduction programs, as well as the reconstruction of housing units, facilities and infrastructure destroyed during the fighting between rival parties;

2.   During the past three decades the political system succeeded in creating a wave of nepotism in the economic sphere. Oil revenues have provided considerable resources for the State, mainly consecrated for the reorganization of economic relations within the community, serving the interests of family members, nepotistic and tribal groups that are loyal to the regime. The regime has intentionally and systematically sought to marginalize the role of traditional businesses, which are geographically located in "Southern and Central regions of the country", in the economic field, social activity and political arena. A new class of businessmen has been created, whether we call them the "Bureaucratic Capital", representatives of the capitalized tribe, or soldiers with financial arms. The regime immediately infiltrated into this class with some of the traditional businessmen that acted as its brokers and as "tools for money laundering" in economic activities. When popular protests erupted in February of 2011, the private sector's position was divided: the "traditional" wing, comprised of businessmen, supported the revolution, whereas representatives of the "new" wing that emerged and flourished under the umbrella of the existing regime opposed the revolution and took the side of the regime. Several prominent figures and representatives of Private Sector Organizations joined the Transitional National Assembly of the revolution, while numerous businessmen voiced out publically their support to "the youth revolution";

3.   The private sector plays a significant social role in the provision of humanitarian and social assistance to the population in normal circumstances and especially during crisis, for instance: the floods in Hadramout, Mohra and Shabwa, the humanitarian assistance provided to the inhabitants of the province of Sa'ada who are affected by the conflict between the government and the Houthis, and the case of refugees in Abyan who suffered the consequences of the fighting between the government and al Qaeda. A number of businessmen have contributed in supporting the youth protest movement through allocating significant financial resources that sustained the movement for a long period of time. A number of Yemeni private sector companies, especially the largest, such as: the Hael Saeed Anaam Group, the Bugshan Group, the Thabet Brothers, and other prominent enterprises play a prominent social role in the development process and provide help and assistance to the poor

and marginalized people of the Yemeni society. The list of social interventions of the private sector varies from building schools and hospitals to roads and power stations as well as other social services for the benefit of deprived areas;

4.   The nature of family enterprises in Yemen limits their economic and social role especially in decision-making, laying down the foundations of good governance, promoting transparency and fighting corruption. Moreover, the corrupt institutional, political and economic environment prevailing in the business sector impedes ethical competition and hinders the role of the private sector in drafting public policies that support sustainable development. Despite the participation of the private sector in a number of bodies that regulate the economic and political life, such as the Anti-Corruption Committee, the Counter-Terrorism and Money Laundering Committee and the Supreme Commission for Tenders, and despite the presence of a strong parliamentary bloc that accounts for 15% of the total number of MPs, these roles remain marginal and weak due to the totalitarian nature of the political system, and due to the monopolization of all vital decisions by the head of the regime. It is expected that the political and social disaggregation of private sector members will take place clearly during the transitional phase, where businessmen organizations will play stronger and more prominent roles in the political and economic process in the upcoming period.

The role of civil society organizations in achieving democratic transition in light of the Arab revolutions

Presentation: Mr. Ziad Abdel Samad, Executive Director of the Network of Arab non-governmental organizations for development

1.   Civil society organizations play a key role in transition to democracy, a role which goes beyond providing services, responding to the basic needs of citizens, mobilizing masses and catalyzing protest movements, and exerting continuous pressure to defend the rights of citizens. Its role also contributes as well to the reconstruction of power, the establishment of institutions and participation in governance through the mechanisms and means which reflect the aspirations of the various social, economic and cultural components of society. After decades of oppression, marginalization and weakening of the various components of civil society, it is not easy for its organizations to play a pivotal role without undergoing a serious of stages and experiences, that offer the necessary subjective and objective conditions for an enabling environment;

2.   The enabling environment for the functions of civil society is not limited to the legislative level, but requires a number of substantive conditions, mainly: (a) a political environment based on the recognition of the role of civil society as a partner, and then the recognition of its role in oversight, accountability and advocacy for the fulfillment of rights and freedoms; (b) a rights-based approach which considers participation as one of the citizens' right, inseparable from the comprehensive rights-based approach that takes into account political and civil rights in general; (c) a legislative framework which includes applicable laws and their enforcement mechanisms which are based on international criteria and principles pertaining to the right of assembly and freedom of association; (d) the right of access to resources and information; (e) the right to participate through consultation mechanisms that take into account the equal representation of civil society organizations in different sectors and their different positions on presented cases;

3.   A number of subjective factors and conditions are also necessary for creating an enabling environment, including: (a) a clear vision on the dimensions related to human rights, the role entrusted to Civil Society Organizations, their objectives and their program of action. This vision will determine the objectives, mechanisms of action and programs; (b) networking, cooperation and exchange based on the culture of acknowledging others; (c) capacity development through participatory methods, far from haughtiness and superiority, in conformity with the challenges of rebuilding the democratic Civil State and its institutions; (d) professionalism in the performance of organizations to reinforce their credibility, activate their role and immunize their independence;

4.   As for the challenges faced by civil society organizations, contradictory signals appear, with regard to the relationship between emerging powers and local civil society, and to the nature of the next phase. In Tunisia, despite the participation of civil society in the changes that took place, the results of the Constituent Assembly elections did not reflect the size of this active participation as required. In Egypt, after the Military Council took control, the relationship with civil society started taking on a peer-to-peer character. But unfortunately, it quickly turned to exclusion rather than cooperation and partnership. Libya is experiencing a major challenge associated with the military actions, whereby civil society faces the difficulties of transition to civil peace and state-building as well as the establishment of State institutions and legislature. In other cases, such as Syria, Yemen, and Bahrain civil society organizations face a battle for existence, and demand at the same the chance to prepare themselves for facing the challenges of the next phase that has yet to unravel. It is equally necessary to examine movements in other countries where the people call for a shift in governance mechanisms towards more transparency and participation. These countries include Morocco, Lebanon, Algeria, Kuwait, Saudi Arabia, Oman and Jordan, where the capacities and components of civil society vary;

5.   Despite the difference in conditions and structures of each one of the States witnessing change, there are common features pertaining to several levels of challenges that must be met for civil society to become a strong partner. These features are: the recognition of the role of civil society by the authority; a peer-to-peer relationship with donors; networking between organizations themselves; partnership with the media; preventing confusion in the relationship with political parties and currents; benefitting from the diversity of social forces, including Islamists, and the transformation of such diversity into a source of strength and enrichment, rather than a source of dispute and fragmentation, through sound dialogue frameworks;

6.   Finally, the process of building civil society and its development must stem from existing capacities and local experiences, which are certainly available and cannot be ignored. In this context, attention should be given to the distortion which might result from the exchange of experiences and expertise if this process is not based on clear principles, objectives, and specific mechanisms, taking into account local capacities and needs. This applies in particular to countries that are undergoing transition in the wake of armed conflicts or repressive practices from regimes which led to the destruction of the State and its institutions. In this context, it is essential to take into consideration comprehensive approaches that focus on the roots of conflicts and treat them, rather than partial interventions and shallow techniques that deplete energies and capabilities and may have counterproductive results.

The role of Developed Countries in Achieving Democratic Transition

Presentation: Mr. Ayman Ayoub, Regional Director for the Western Asia and North Africa Program- International Institute for Democracy and elections

1.   The issue of foreign aid in support for the democratic transition process is controversial and problematic, for it raises a lot of questions and suspicions. However, much of that can be avoided by convening that democracy, and therefore democratic transition, cannot be achieved and sustainable unless it comes from within communities, in line with their perceptions, values, culture and beliefs. This of course does not deny the possibility of agreeing on a set of universal values and general principles for any democratic system, which can be summarized in the establishment of representative governance institutions through elections and the right of all citizens without any exception to participate in the design, the formation and the activation of these institutions;

2.   Based on the universality of the general principles and rights pertaining to democratic processes, and that constitute a prerequisite for democracy, it can be said that supporting democratic transition is merely a mandatory duty to be fulfilled by developed countries and communities. But that alone is not enough, for support must be coupled with the concept of mutual benefit and sustainable development. If one recognizes the obvious link between democracy and development, one finds that democratic systems of governance proved to be the most successful in enhancing development and improving the livelihood of their communities on the medium and the longer run. There is no doubt that the interaction between communities and countries that able to achieve higher levels of development will generate much more mutual benefit. Therefore, supporting democratic transition in other societies generates direct benefits to the countries that provide such support. Thus it becomes imperative for supporters/donors to prove their full preparedness, through actual practice, to accept the course and results of the democratic transition processes that they are supporting, especially during transition phases which involve a lot of tractions, political instability and uncertainty. As a matter of fact, this atmosphere of ambiguity is due to the continuous and alternated rise of some political forces and demise of others until the situation becomes stable and until it becomes possible to take measures that define the nature of major players and their programs. Subsequently, all of those actors become subject to the rules of the democratic game and the peaceful devolution of representative power;

3.   The main functions of developed countries that support democratic transition processes could be listed as follows: (a) verifying the efficacy of aid tools, methods and programs and their procedures, and harmonizing them with the new situation, especially in light of successive events and the urgent need for developing mobility with greater dynamics in order to provide the means of support in due time and manner; (b) implementing planning and design operations through an interactive and participatory approach, and through institutions, individuals and experts who are knowledgeable about the current events and the requirements of the different stages of democratic transition, and agreeing previously on the conditions, means of implementation and rules of accreditation and funding; (c) orienting support programs towards the most impacting dimensions, in a way that serves the best interest of all parties and actors without any exception; (d) implementing support programs through avoiding ready-made recipes, and by resorting to specialized experts and professionals who rely on practical and proven experiences and on implementation capacities; (e) focusing on the actual needs and priorities of beneficiary communities rather than responding only to the requirements of public opinion in the donor country despite its importance; (f) focusing the support process and its procedures on the medium and long run rather than on instantaneous events such as elections, in addition to avoiding competition, showing genuine interest in coordinating support efforts among various actors and orienting efforts towards building local, national, and regional capacities in order to meet unsatisfied needs and achieve democratic transition.

The Role of Regional and International Organizations in Achieving Democratic Transition

Presentation: Mr. Frederico Neto, Head of the Social Development Division in ESCWA

Since it is impossible to cover all the various interventions of international and regional organizations in a wide range of functions related to the democratic process, in terms of civil peace, rights and freedoms, services, equality and justice, technology, etc., it would be useful to focus on some of these key areas that are most related to the Arab region in its path towards democracy:

1.   Promoting the culture of democracy, by focusing on civil society's capacities and the impact of its role, as well as the commitment of political leaders to peaceful transition to democracy. Perhaps the most important way to protect the democratic process and prevent violence and the dangers associated with the transition phase, is through constitutions accompanied by a fair and independent judiciary, political systems that represent the people and are held accountable, an informed public that truly believes in democracy and supports the abovementioned constitutions and systems. The main source of concern in this regard is the denial of democracy by political movements that accessed decision-making posts through a democratic electoral process;

2.   The United Nations Organization confirms that the guarantee for democratic systems of governance is contingent upon the dissemination of a democratic culture and practice at all levels. Therefore, the UN's contribution in spreading awareness, promoting democratic values and standards of democratic governance and strengthening mechanisms of participation is needed more than ever, to support the path of democratic change in countries of the region and the settlement of disputes by peaceful means, but also to achieve comprehensive and equitable development ;

3.   The role of the United Nations and its impact is not restricted to providing information, developing standards, contributing to the management of change, and providing financial and technical support in various fields. It is also associated with its weight and ability to gather decision-makers and opinion leaders in order to hold conferences, organize seminars and make decisions that influence public policy and issues of change and modernization in different corners of the world;

4.   Perhaps the most prominent role played by the United Nations in the context of supporting democratic transition and boosting participatory development, is its pioneer role in capacity-building programs that contribute to the promotion of democratic governance, and enable organizations to carry out their functions efficiently and effectively;

5.   Promoting methods and literature of integrated policies to ensure a consistent and logical distribution of functions between social partners, and guarantee the representation of their interests during the transition to democracy. Such policies require hard work and preparedness from all social partners to engage in a multi-dimensional reform process that engulfs all sectors. In this regard it would be beneficial to follow up on mechanisms adopted for coordination, such as joint councils, and to examine their laws, prerogatives, and the effectiveness of their role;

6.   Encouraging integration and inclusion in the constitutional changes or reforms, highlighting the need to focus on scientific facts in the equitable distribution of wealth, reducing gender gaps and protecting the civil rights of minorities;

7.   Strengthening the institutional capacity for economic development by focusing on the development of competency and human resources, diversifying economies through labor-intensive projects and benefitting from the tourism business, in addition to modernizing facilities and infrastructure to attract investments;

8.   Curbing corruption by focusing on supporting minimum wages, establishing strict laws and procedures for monitoring and accounting, training of public servants, and promoting ethical values and standards. It is useful in this regard, to review the experience of the Sultanate of Oman and the United Arab Emirates in anti-corruption;

9.   Paying full attention to issues of education, knowledge and skills, given their importance in building institutional and individual capacities, by focusing on enrollment in education and the prevention of dropouts, updating and developing educational curriculums, and emphasizing on the link between education outputs and labor markets;

10.   Encouraging partnerships in developing appropriate policies to improve the efficiency of health care systems and social welfare safety nets aimed at combating poverty and the integration of vulnerable groups;

11.   Supporting freedom of information, maintaining the quality of protection in the process of democratic transition and striving to sensitize the community at large, not only decision-makers;

12.   Improving the stance of women and supporting their participation in decision-making, especially since this issue will appear as a vital matter in the priorities and the programs of the newly emerging political forces to hold the reins of power in some countries that experienced social mobility such as Tunisia.