

Marrakesh Commitment

February 27, 2009

On the occasion of 60th anniversary of the Universal Declaration of Human Rights (UDHR), a founding document to which Morocco has reiterated its full and unwavering adherence, Amadeus Institute has decided to celebrate the event by devoting one of its reflection cycles, which mark its 2009 agenda, to the concepts of **“Democracy, Human Rights, Decentralization and Governance”**.

This first regional conference on good governance was an opportunity to pay tribute to the impetus of His Majesty King Mohammed VI, evaluate the guidelines currently engaged in terms of reforms as well as the new development of public action in Morocco.

The words of His Majesty King Mohamed VI on the occasion of the speech to participants at Euromed Summit of Economic and Social Councils held in Rabat on 16th and 17th October 2008, stress the need for further debate around the concept of good governance as well as a deepening of reforms.

In his words, "In the style of governance that We are promoting in Morocco, We have always preferred this virtuous process, made of trust, dialogue, agreement and release of energy. No need to recall in this respect that this demanding process needs responsible actors, socially rooted and recognized in a position to act in time for the general interest and well-being of their communities and their territories. "

Surely, Morocco is a pioneer in this field, but it has no claim to stand as an example or model. Its ambition is to share mutual experiences. As a result, it is the Maghreb as a whole that Amadeus Institute wanted to rally.

This gathering of politicians and members of civil society aims to be the framework of North African challenges concerning good governance, the framework of the analysis of developments in Algeria, Tunisia and Morocco and their impact on improving economic and social fabric in the Maghreb in order to allow comparison of various modes of governance in this region in particular in terms of human rights and fundamental freedoms.

Good governance is a difficult concept to define since it is a multidimensional notion incorporating concepts relating to democracy, human rights, fundamental freedoms and the rule of law by highlighting the different segments of civil society. However, since good governance is essential for the proper functioning of a democratic country which respects human rights, the interpretation of this concept seems to bring together some major points that leave no room for deadlock.

Indeed, good governance can not be conceived without the rule of law, including judicial reform as well as the respect of human rights, accountability or the need for answerability, transparency which allows, inter alia, fighting against corruption, efficiency and effectiveness, and problems anticipation.

Human rights are sometimes confronted to North African specificities, whether religious or cultural. The same interpretation of fundamental freedoms is not valued in the East in the same way as in the West. Good governance will not find the same criteria in the Maghreb and southern Europe. In the south side of the Mediterranean, it is sometimes treated as a form of neo-colonialism or as emanating from the right to intervene. Are Human Rights today not exposed to the pretext of relativism?

The disparity in terms of good governance within the Maghreb proves these differences. For this reason, each Maghreb country knows its own mechanisms and should obey to its own internal momentum in order to follow its own pace.

The different parts of the Maghreb are not always the same; however, their people claim the same rights, how can we talk about rights and freedoms with peoples who have other priorities? How can we speak of essential concepts with people who sometimes ignore their existence? And how can we claim rights when there is no floor to do so?

It is in this context that Amadeus Institute thought urgent to bring together representatives of States, civil society, researchers and experts of democratic governance. Reflection on the concept of governance in the Maghreb region has led to the formulation of concrete recommendations aimed at improving economic and social situations in the Maghreb countries.

To this end, Amadeus Institute will ensure that the recommendations of this final document are monitored and will call for the commitment of institutions, civil society actors, as well as the current represented governments of the Maghreb.

Also, four poles have been the subject of concrete recommendations:

In terms of political governance

Whereas there can be no security without development, no development without good governance and no good governance without good rule of law,

Considering that political governance is the foundation of good governance and within the respect of cultural and linguistic differences of the Maghreb countries, prerequisite for change in attitudes

The statements and recommendations made by speakers call for:

- Organization of a **joint reflection on what may be a good justice**, prerequisite for change in the legislation and its manifestation in the **Maghreb countries**

- Justice reform in the Maghreb, which is the cornerstone of any good governance. The judicial, executive and legislative branches should be clearly defined and independent. Moreover, confidence in the justice system remains an essential element for citizens
- Efficient fight for the freedom of expression, press freedom and against censorship. Call for the creation of an independent observatory of individual human rights
- Ratification by the States of international conventions and lifting the reservations that made them meaningless. States should ratify as soon as possible the 2007 Convention for the Protection of all Persons from Enforced Disappearances
- Prohibition of any form of secret detention and criminalizing enforced disappearance in their criminal code
- Creative capacities of civil society in the Maghreb since no policy can be successful without the participation of citizens
- Establishment of institution-to-institution relationships that are the product of peoples to regain the confidence of the Maghreb Unity
- People education, particularly training and civic education of citizens by including this requirement in the national education reform hence the importance of self governance.

To this end, Amadeus Institute recommends:

- Need to consider a **legal framework on rules, constraints and sanctions in the field of justice**. Training for judges, judges career development, the principle of transfer, the extension of twinning and transfer of know-how to the judiciary and the harmonization of certain laws with European standards, a real modernization engine for countries negotiating an advanced status

- Promotion of **exchanges between North African high ranking officials and general inspections** for the **organization of joint training** on cross-disciplinary themes of political governance
- **Establishment of an Observatory of Maghreb peoples:** study on the situation of migrants, families, relationships between different societies, approximation of populations through seminars organized around themes that concern the people of the Maghreb
- Setting up a **Regional Office on Human Rights and Fundamental Freedoms (or Regional Office for Good Governance)**, followed by harmonizing national laws with international conventions and reform processes in the Maghreb by into account Maghreb specificities
- Commitment by **international cooperation agencies and donors working within a permanent dialogue to harmonize and converge their major intervention programs**, and strengthen their impact.
- Creation of a **Maghreb Development Agency** and a **Regional Equality Gender Fund** in order to implement the reforms, domestic policies and national momentum for the promotion of women's rights. A program steering mechanism with a strategic planning approach to institutionalize political equality for the Integration of Women in Development.

In terms of economic governance

Considering that the current crisis in the World requires deep rethinking of the concept of economic governance,

Whereas it is necessary to take advantage of this global crisis, which also concerns the Maghreb, by carrying out, starting from now, the structural reforms necessary to prepare for the future

Considering that there is an opportunity for **banks** to thoroughly review their **priorities and methods of intervention** in favor of people

The Maghreb states should resolutely commit themselves to the path of regional economic integration.

In this context, there is a call for:

- Pragmatism and participatory governance in economic matters resulting in a co-development of an economic strategy shared among all socio-economic actors. States have an area of intervention which is too limited, reduced by globalization. Solutions may be taken only at a supranational level. The actors of civil society, driven by their mutual economic interests, should prepare the ground for a genuine institutional approximation
- Construction and implementation of regional economic projects to overcome political difficulties and build a regional economic integration in order to move towards a genuine political union. From this point of view, the Union for the Mediterranean is a relevant instrument
- Interconnection of electricity networks and opening of a trans-Maghreb energy market connected to the European network. The impact on regional competitiveness will be crucial
- Launch of cross-border cooperation projects between authorities, elected by citizens, which alone can prepare the ground for political integration
- **Qualitative** advance of national systems of education and health which represent a real investment in the future and whose impact on competitiveness of regions is crucial
- Promotion of young people as vigorous forces which contribute to the modernization of the economies of the Maghreb countries
- Greater transparency in order to fight against phenomena of bureaucratic red tape
- Fight against corruption, tax evasion, exploitation, smuggling, etc.

- Identification of innovation areas to sustain the recovery of the Maghreb post crisis economies and:
 - Promotion of social and civic responsibility of companies
 - Promotion of a shared vision like the founding ideals that have been conducted such as single Maghreb currency which requires several stages of economic integration
 - Strengthening the sector of micro finance, interbank cooperation, establishment of a genuine Moroccan-Algerian internal market
 - Incentive tax policies: it is important to fight against all forms of annuity and against the informal sector

- Announced creation of the Algerian-Moroccan Association for the promotion of economic relations as well as the civil society forum initiative to be held in Marseille in the autumn of 2009.

To this end, Amadeus Institute recommends:

- **A system of partnership governance**, not a pyramid-like and not exclusively institutional, like French clusters and competitiveness poles encouraged by the European Commission, by involving companies, including small and medium-sized companies, in the guidelines of economic policies promoted by the local public authorities
- Giving larger role for **social partners, representatives of employers and employees in the governance system**
- **Developing financial tools**: micro credit, "ethical" and "sustainable" intervention and investment funds

- **Setting up Citizens Universities and Maghreb Cross-Disciplinary Plan for Professional Qualification** to promote the exchange of trainers and trainees between the Maghreb countries by identifying the strengths and needs of each country, accelerate the emergence of new professions related to sustainable development which is a very important source of employment
- **Developing economic studies to precisely quantify the "non-Maghreb" cost**
- **Creating a regional Bureau (of Studies) to combat corruption and developing economic studies to quantify the real impact of corruption on the Maghreb economies.**

In terms of social governance

Considering that **the deficit of social governance** in the Maghreb compared to other countries with similar income is mainly due to the **lack of accountability** and **the lack of inclusion in the governance processes** that govern their countries,

Considering that inclusiveness is based on the notion of equality of opportunities, enshrined in virtually all constitutions in the region, and which can be broadly defined in terms of equal opportunities of participation in the governance process,

Considering the reforms of the **Code of Personal Status and Associations Code** in Morocco,

Call is made for:

- Promotion of women's rights
- Cross-contribution of all government sectors for a good social governance that takes into account the population diversity
- Recommended participatory approach, such as NIHD, whose objective is to target excluded areas

- Establishment of a program to fight against insecurity and poverty in the context of improving the quality of health care, education and housing
- Caring for vulnerable groups by developing plans and projects through the interactions of political, economic and social forces
- Promotion of a participatory policy involving people in precarious situations to enable them play a part in improving their conditions
- Strong system of justice and fairness, fundamental condition for the protection of society against extremism and violence fueled by feelings of injustice
- Cultural policy to preserve the Maghreb specificities while encouraging openness to inter-North African institutional cooperation
- Promotion of social mobility through ongoing assessment and reporting to governments and citizens

To this end, Amadeus Institute recommends:

- Designing a **large cultural project such as the creation of a regional multimedia space between the three countries** which highlights the heritage and shared values
- Setting up a **common social fund** as a first foundation stone of a specifically North African transversal tool of social management like the European Social Fund
- Creating of a **North African network of actors in social governance**, to share best practices and expertise, explore joint managers training programs and so on.
- **Monitoring and lobbying in favor of the participation of civil society**

In terms of territorial governance

Considering the institutional history of the Maghreb countries, their development potentiality and the current level of their involvement in a movement to reform local governance,

Considering the issues of autonomy and the various forms of territory management,

The Maghreb states should resolutely commit themselves to the path of regional territorial reforms.

In this context, call is made for:

- Implementing **instruments to measure progress made in the regionalization process**, by involving **companies**, as **key local actors**
- Launching a **regionalization diagnosis** in the Maghreb countries to identify deficiencies and **encourage citizen commitment at this level**
- **Changing mentalities**, and **empowering local actors**, as well as qualified elites, so as to get young people involved as **candidates for future elections**
- **Adapting governance systems according to the Spanish model of differentiated regionalization**, taking into account the **principle of subsidiarity**.

To this end, Amadeus Institute recommends:

- The **development of the culture of citizen participation in the development of territorial policies** such as measures of communication accompanying surveys, promotion of neighborhood interest committees, associations for the protection of the environment etc.
- An **asymmetric approach to decentralization / devolution targeting priority sectors** as a first step, leading **mandatory training** required for local actors to acquire the necessary management culture
- The **professionalization of the local managers' branch**, a key issue of professional training.

" Marrakesh Commitment ", taken at the end of the meeting, offers concrete recommendations and operational tools to decision makers in the public sector as well as the private sector to move towards significant progress in good governance in the Maghreb region.

Therefore, Amadeus Institute has planned in its 2009 agenda the organization of regular workshops to ensure long-term promotion, monitoring and implementation of recommendations and projects contained in Marrakesh Commitment.

In addition, in order to put into operation the desire of **Amadeus Institute to vouch for** the commitments taken, we will be meeting within two years, to set up a finding and a review of situations in a Maghreb in movement in terms of governance, human rights and fundamental freedoms.

Thank you for your attention and I look forward to seeing you in two years.