



Platform on
**“CONSTITUTIONAL
KNOWLEDGE-
BUILDING
IN THE MENA REGION”**





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A- Background

- 1** The Constitutional Justice became a central concern of the MENA countries for its primordial role in reinforcing the rule of law respect. The constitutional judiciary is a cornerstone of democracy, human rights protection, and ,sustainable development.

- 2** The Constitutional Judiciary issues decisions on the constitutionality of laws, while the ordinary Judiciary issues its rulings according to the laws.

- 3** The constitutional judiciary was recently established in the Arab countries. Egypt was the first country that has established a constitutional court back in 1969; the other Arab countries have founded their constitutional courts in the nineties of the twentieth century. The Union of the Arab Constitutional Councils has been established in 1997 comprising 11 member states of the Arab countries. Therefore, their experiences, although important, are still in need of development and improvement.

- 4** In the Arab countries, there is a lack of similar platform to increase constitutional knowledge building on both cultural and practical levels.



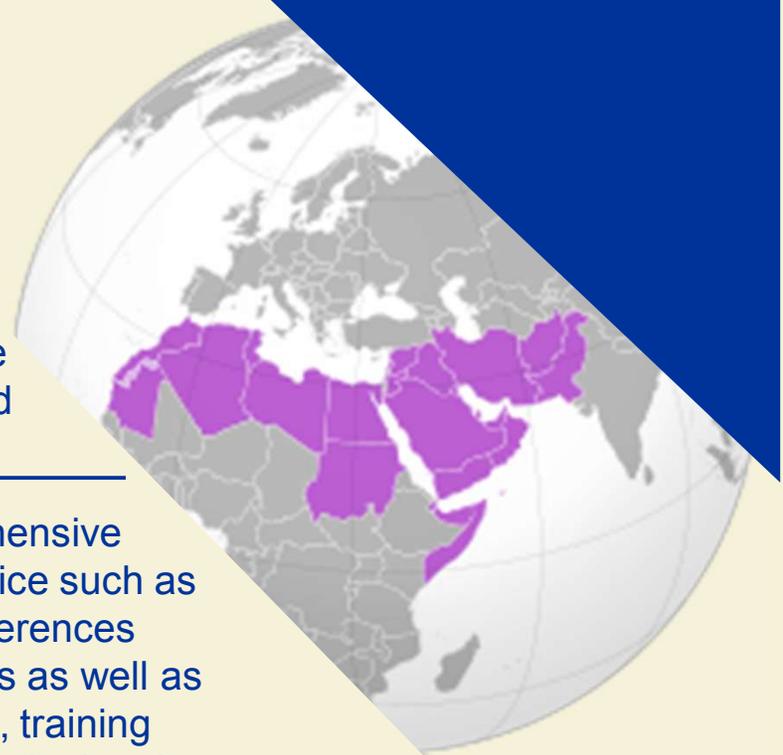


5 The proposed platform will increase the level of knowledge and improve the performance of the constitutional judges and all concerned parties; especially in creating a tool to promote and increase the level of cooperation between South to South and South to North countries

6 The platform is composed of a reliable and comprehensive collection of documents related to constitutional justice such as decisions of the constitutional councils, doctrinal references (books, studies, etc.), policies, statistics and analysis as well as regional and international resources and references, training materials and courses, who's who (key players, constitutional institutions across the world, academics, universities, activists, etc.) and relevant events, etc.

7 The platform is also composed of an interactive section where participants can share experiences and benefit from best practices.

8 The Arab constitutional courts need to equip themselves with a friendly-use, modern and low-cost electronic tool as well as to keep pace with the development of the digital network which will benefit from this project to become also a part of this digital development.



B- Project Description



Objectives



Target Groups



Partnerships

A

The **Arab Center for the Rule of Law and Integrity (ACRLI)** has launched this new initiative on building knowledge and enforcing the Constitutional justice reform in the MENA Region through the development of the Constitutional knowledge-building Platform.

B

The proposed project aims to shed light on the role of the constitutional courts in the consolidation of the rule of law. It will facilitate the identification of the challenges and needs for reforms in the constitutional judiciary in the MENA Region, through the development of the Constitutional knowledge-building Platform.

C

The goal of the project is to support the democratic reform, and to develop a strategy for a coherent and robust constitutional judicial system by improving the performance of the constitutional courts in the MENA region.



Objectives

- ❑ An important lever for reinforcing the constitutional concepts, culture and knowledge in the MENA region
- ❑ An essential lever for strengthening politician's awareness of the value on the democratic performance practices and the culture of the rule of law
- ❑ Contributing to reforming the constitutional laws and deepening knowledge on the important role of the constitutional judiciary
- ❑ Reinforcing the institutional performance as well the efficiency and the performance of the constitutional councils' members e.g. judges and administrates



Target groups

1 Members of the constitutional councils (judges and administrators)

2 Ordinary judiciary (judges and lawyers)

3 Academic and universities professors of constitution

Governmental institutions (parliament, parliamentarians, the presidency of the council of ministers; ministries and public administrations officials)

5 Think Tanks and research institutions concerned in the constitutional topic

6 Concerned media and the public in general



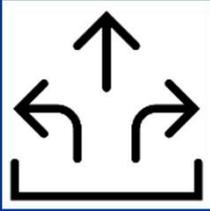
Partnerships



ACRLI's vision is to work with regional partners specialized in constitutional justice, which will provide assistance to promote the activities of this project within the donors' community and raise funds for the implementation.

The **European Commission for Democracy through Law** (Venice Commission) will provide support in capacity building and sharing EU countries' experience and best practices on constitutional justice.

The proposed partnership will be consolidated by joining mutual efforts and ensuring direct coordination with some prestigious universities and think tanks including the Max Planck Institute given its strong and considerable experience in the constitutional justice and reform.



C–Expected Outputs

1- Developing the "Constitutional knowledge-building Platform"

Description of the platform (Link to annex 1)

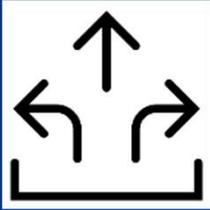
The "Constitutional knowledge-building Platform" is an online, Interactive Informational Platform composed of two sections e.g. the informative and interactive sections.

The informative section will comprise a reliable and comprehensive set of information that is accessible, informative, and easy to navigate, including:

- Constitutional laws,
- Decisions of the constitutional councils,
- Doctrinal references (books, studies, etc.),
- Policies, statistics and analysis as well as;
- Regional and international resources and references, training materials and courses;
- Who's who (key players, constitutional institutions across the world, academics, universities, activists, etc.) and relevant events.
- Periodicals, news and announcements.

The interactive section will include:

- chatting room where concerned experts can share knowledge and exchange best practices and increase their capacities;
- Online meetings where webinars and conferences will be organized periodically and bring together concerned participants and institutes to discuss different topics of constitutional reform.
- **Training program** combining theory with practical application and skills developed in professional settings.
- Questions and adequate advices from specialized expert/s.



This platform will constitute a learning tool to build the knowledge and capacities of relevant stakeholders (officials, lawyers, academics in addition to law students' universities, who are interested in the Constitution and constitutional adjudication)

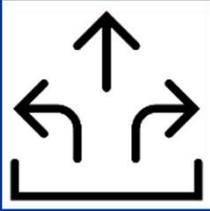
It also acts as a **watchdog** for the constitutional practices in the Mediterranean countries and monitors the functioning of the constitutional courts, the wrongdoings, and the best practices which may extend to monitor the accountability of the concerned officials.

This platform will be composed of the constitutional councils combining the Arab countries' members of the Arab League and the European countries members of the European council which are parts of the Mediterranean Sea including Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, France, Greece, Italy, Malta, Monaco, Montenegro, Morocco, Slovenia, Spain, and Turkey.

The platform will be developed in two or three languages (Arabic, English and French), user friendly and accessible through different Information-Retrieval Methods mainly by country, type of content, by topic e.g. keyword or abstract and free search.

2- Monitoring the status of constitutional justice in the MENA region

Organizing a series of focus groups and workshops (on-line) combining relevant key stakeholders (the constitutional Councils, governmental institutions, universities and think tanks) from different regions to share best practices and monitor the work of constitutional justice in compliance with international principles.



3- Building the capacities of the law students' universities

- i) Developing a constitutional curriculum which will be adopted in Law universities and political sciences,
- ii) Creating an internship program between law universities and Constitutional research institutes.
- iii) Integrating classroom knowledge and theory with practical application and skills developed in professional settings.

4- Annual conference to discuss and analyze the constitutional justice status in the Arab countries.

This conference will be divided into several sessions; each will be dedicated to different types of participants (judges, lawyers, public administrations officials, academic and professors, etc.)

5- Launching an annual Award “Constitutional Justice and Democracy”

A financial aid for one year specialization in constitutional justice, focusing on one aspect of the “Constitutional Justice and Democracy” at a foreign university (European, etc.) that teaches and awards a specialized high university degree in constitutional justice.

6- Fundraising

- To secure a fund to elaborate the detailed study and the design of the platform and building the network.
- To secure a fund for the implementation of the project e.g. the platform development and elaboration of the project materials.



D – Expected Outcomes

The project will contribute in achieving the following outcomes:

A platform for constitutional reform will be developed to enhance the constitutional culture to strengthen the performance and effectiveness of the constitutional judiciary;

A network of Arab and European constitutional councils is created to increase awareness and promote the role of the constitutional judiciary;

Constitutional Judges and professionals have deepened their constitutional culture and practices; and improved their knowledge and experience on their important roles in controlling the law constitutionality and the procedures thereof;



D – Expected Outcomes

Constitutional Judges and professionals have strengthened capacities through sharing best practices with a network of constitutional key players in the Mediterranean countries.

Public knowledge on constitutional issues has empowered to enhance awareness of human rights and sound democratic practice, especially good governance.

Constitutional judiciary empowered to protect the Supremacy of the constitution, procedures & mechanisms of participation.

Constitutional and law professors have empowered and increased their level of educational performance.



Initiative's Structure and Roles

(Link to Annex 2 the Project's structure)

The initiative's structure is composed of a management unit, producers and consumers of constitutional information:

1

The management Unit is composed of members from ACRLI and the donor. ACRLI will be responsible to manage and carry out all the administrative and executive work of the initiative. The donor will be responsible for the initiative financing and the budget management.

2

The steering committee is composed of information producers, mainly representatives of the constitutional courts from the Arab and European countries, Union of the Arab Constitutional councils, Union of the Arab Parliaments, Commission de Venice; relative think tanks and institutes such as Max Plank Institute and donor/s of this initiative.

The role of the steering committee is to define the mission of the initiative, provide support, guidance, and oversight of the progress of the initiative outputs and the achievement of the initiative outcomes. It will set the budget and seeks to ensure financial support to the initiative.



Initiative's Structure and Roles

(Link to Annex 2 the Project's structure)

3

The General assembly is composed of the constitutional councils, judges, academic and university professors of constitutional law; governmental institutions such as the parliament, parliamentarians, the presidency of the council of ministers; ministries and others public administrations, the concerned press, relevant civil society organization.

The role of the general assembly is to contribute to the implementation of the initiative and the development of the platform.

4

The Public. This initiative will address the general public as the end-users and will provide them with access to free legal information on constitutional justice and reform in the region.



Annex 1: Platform on Constitutional Knowledge-building

Constitutions

Court
Decisions

Doctrinal
references

Advices and
Questions

Periodicals

Who's Who

Platform on Constitutional Knowledge-building

Debate in
Parliament on
constitution issues

On-line
Conferences

Annual
Forum

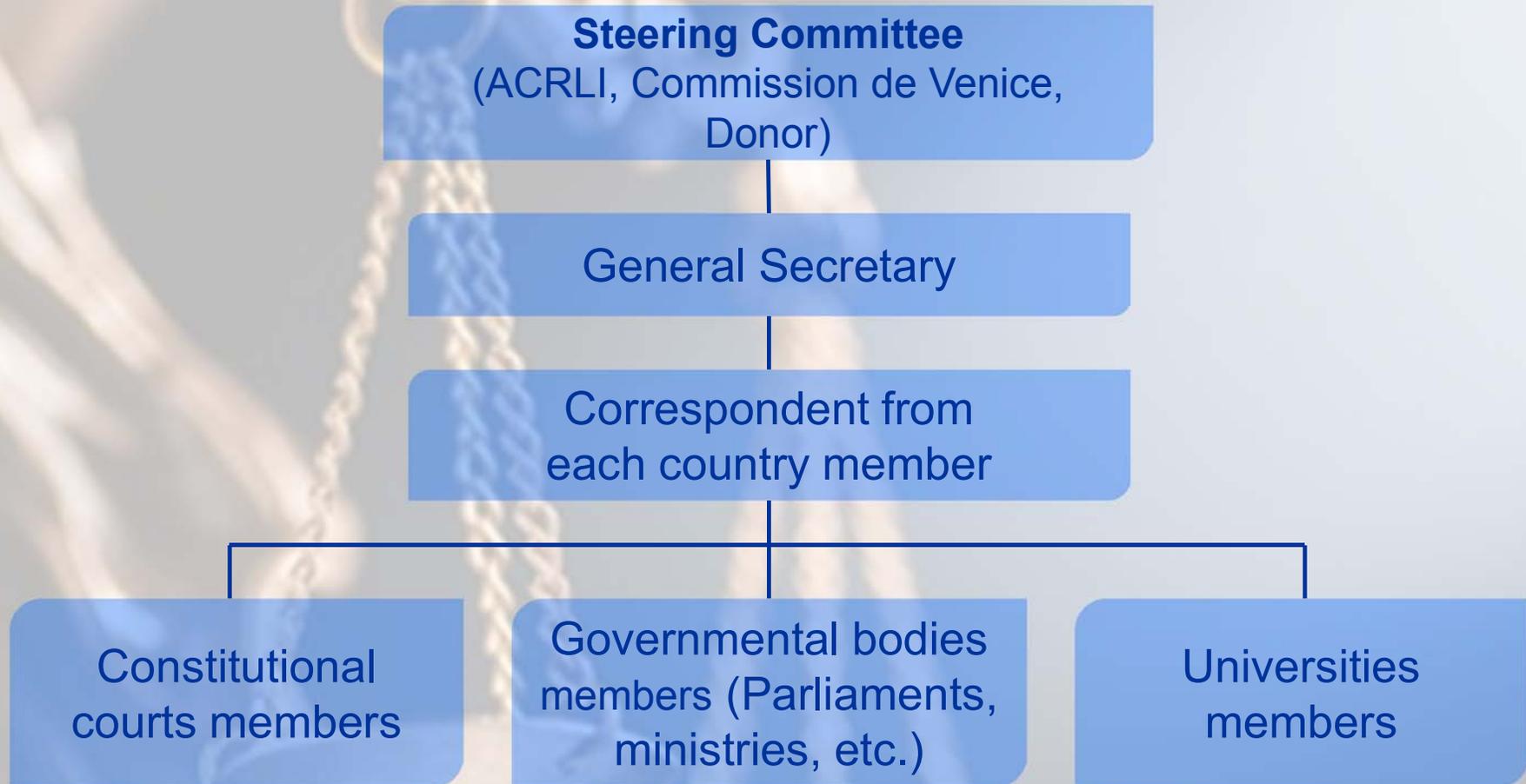
International
resources

Job
Recruitment

Announcement
and Events



Annex 2: The Project's Structure



Annex 3: Stakeholders and Beneficiaries



Public

General Assembly: Constitutional courts, Union of Arab Parliaments, Parliaments, Universities of law, NGOs, Specialized institutions and press, Donors

Steering Committee: Commission de Venice, Union of Arab Constitutional councils, Arab Constitutional Courts, relevant Think Tanks

Arab Center for the Rule of Law (ACRLI)
& Konrad Adenauer Stiftung