"Promoting the Rule of Law and Integrity in the Arab Countries" Project

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

Introductory paper

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First: Project Background

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

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

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

Second: Media Pillar Background Selection

A society of knowledge is a society based on Media and Information crossing the world's continents easily facilitated by the communications revolution.

The Arab societies' standards are below those of the societies of knowledge due to their incapacity in both Media and Information fields. This originates from the diminishing margin of public liberties in Arab Countries, including the freedom of expression and the freedom of the media, and information obtained from its original sources without suspension, censorship or various degrees of sanction.

On one hand, the drawback of the society of knowledge or free Media in Arab countries in general is one of the freedom's drawbacks in these countries. On the other hand, some radical religious groups impose their mentality and behavioral patterns in specific environments, which practically contributes to diminishing the margin of public and private liberties. This consequently leaves its negative implications on the freedom of expression since adversary views come under the category of the outlawed.

Some different designations of constriction samples of liberties in Arab societies of which some are cultural linked to the systems of education, values and behavioral patterns, i.e. the privacies which distinguish these societies from others, so they encircle the societies' cognitive, social, and political development and block their passageways towards natural development in all these areas. Others are constitutional, laying the foundation for a number of preventative laws which restrict the Media's Liberties and make the Media institutions, especially visual and audible Media, dependent on the governments, under their power, and propagate their policies and which are monitored by the intelligence agencies and trialed before a dependent judiciary. The philosophy of Arab constitutions defines the relations between societies and government's systems. The philosophical dimension of each constitution is definitely related to the citizens' rights and to the authority's limitations.

If the philosophy of the constitution considers its people as citizens, however, their rights remain confided, and the authorities remain without limitations. The problematic of the Media in the Arab Countries is complicated in its constitutional and cultural backgrounds and what emanate from practices and laws in need of a structural and comprehensive reform reinstating the Arab citizen's right in a free Media open to the development technology and modernism.

Third: Project Implementation Strategy

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

The center has entrusted a group of well known competent experts, to prepare reports, on the countries concerned, on the three pillars. These reports were discussed in National Workshops with the participation of parliamentarians, legal experts, judges,

academics and civil society representatives aiming for the development of these reports, to elaborate its ideas raised, and to set of reforms strategies. Experts from the Center have also prepared Comparative Reports, based upon the National Reports in the three Pillars, and commented on them, for a thorough examination and for the participation in drawing Reform Policies.

Fourth: Regional Conference Background

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

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

- The Principles and Methodologies of the National Reports on the State of Media in Lebanon, Jordan, Egypt and Morocco.

- The National Reports on the State of Media in Lebanon, Jordan, Egypt and Morocco.

- The Comparative Report on the State of Media in Lebanon, Jordan, Egypt and Morocco.

- The Comments on the Comparative Report on the State of Media in Lebanon, Jordan, Egypt and Morocco.

- The Reforming Policies and the work plan.

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