

**MENA-OECD
GOVERNANCE
PROGRAMME**



Paris, 18 April 2011

Setting the Rules for Democratic Transition

Preparatory Meeting of the Task Force on Legal and Constitutional Reform

Working Group IV on Regulatory Reform of
the MENA-OECD Programme

Organised by the
MENA-OECD Governance Programme

Seminar venue: Paris, OECD, Conference Centre Room 18

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www.oecd.org/mena/governance

Monday, 18 April 2011

09.30 –10.00 **Introduction: Fostering Transition to Democracy**

Change in the political landscape of the Middle East and North Africa is a direct response to popular demands for democracy and good governance. Interim governments and newly-created commissions in Tunisia and Egypt have to adopt new constitutional and legal frameworks that give real voice to citizens and parliament and promote sustainable economic and social development. These reforms need to be based on sound principles for good legislation that include civil participation from all segments of society.

This session will discuss the role of legal and constitutional framework in the democratic transition process in Tunisia and Egypt that supports transparency and reflects public interests.

- **Mr. Rolf Alter**, Director, Public Governance and Territorial Development Directorate, OECD
- **Mr. Ahmed Zarrouk**, Prime Minister’s Office, Tunisia and the National Coordinator of the MENA-OECD Governance Programme, Tunisia
- **Mr. Jeroen Nijland**, Chair of the OECD’s Regulatory Policy Committee

10.00-11.00 **Democratic Transition in Egypt and Tunisia**

Moderator: Public Governance and Territorial Development Directorate, OECD.

In this session, two distinguished speakers who are playing an active role in the transition process will share their first-hand experiences with adopting constitutional reforms and preparing the ground for the first democratic elections in Egypt and Tunisia.

- **Mr Alaa Kotb**, Vice President of the State Council, Legal Adviser to the Minister, Prime Ministry, Egypt
- **Mr. Ghazi Gherairi**, Spokesman of the High Commission for the Realisation of Revolution Objectives, Political Reform and Democratic Transition, Tunisia

11.00 –11.30 **Coffee break**

11.30 –12.30	Democratic Transition: Insights from OECD countries that underwent transition processes
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Moderator: Mr. Ghazi Gherairi, Spokesman of the High Commission for the Realisation of Revolution Objectives, Political Reform and Democratic Transition, Tunisia

By definition, the transition phase implies decisive legal reform, as seen in OECD countries that have undergone transition from authoritarian rule to democracy.

This session will provide a comparative perspective on transition processes in

- Portugal, **Mr. Pedro Bacelar de Vasconcelos**, Professor of Constitutional Law, University of Minho
- Chile, **Mr. Mario Marcel**, Deputy Director, Public Governance and Territorial Development Directorate, OECD
- The Czech Republic, **Mr. Daniel Trnka**, Policy Analyst, Regulatory Policy Division, Public Governance and Territorial Development Directorate, OECD

12.30 –13.30	Setting the Rules for Democratic Transition: The Role of the Task Force
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Moderator: Mr. Josef Konvitz, Head of the Regulatory Policy Division, Public Governance and Territorial Development Directorate, OECD.

This session will summarise the discussions and set the priorities of the Task Force. The work of the Task Force will be divided into two phase. The first phase will start at once and continue until after the election in Tunisia and Egypt. The second phase will provide further ongoing support for legal reform in the transition to democracy.

The Task Force together with the OECD can help the newly-created commissions in the short-term and the governments and Parliament in the medium-term to prepare constitutional reform, consign outdated laws to history books and pave the way to pass new laws. This session will priorities the work of Task Force in the following areas:

- setting strategic economic and social objectives in legal and constitutional reform,
- providing guidance to engage the civil society and in sequencing reforms,
- advising on tools to communicate legal and constitutional reforms to stakeholders and the wider public,
- balancing power between the executive and parliament for rule of law in the new constitutional arrangements,
- building regulatory capacities for coherence and clarity in legal and constitutional reform.

A draft action plan, based on the outcomes of the preparatory meeting, will be submitted to the Steering Committee and Working Group IV on Regulatory Reform, to be held on 31 May 2011 in Tunis for endorsement.