



GLOBAL COOPERATION NEWSLETTER

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Governance in the Maghreb countries

February saw the first regional conference of Maghreb countries on the subject of *Governance: individual rights, economic development and social and cultural advance*. The conference was hosted by the newly established Amadeus Institute. The Maghreb (العربي المغرب) (meaning "place of sunset" or "western" in Arabic), is a region in North Africa. The term is generally applied to all of Morocco, Algeria, and Tunisia. (Wikipedia <http://en.wikipedia.org/wiki/Maghreb>).

There were four panel discussions on governance in four fields: politics, economics, social and territories.

In the panel on social matters ICSW Global President Christian Rollet spoke on the role of the civil society in the building of an inclusive society and good governance in social policies. There were four other panellists: Mrs. Nouzha Skalli Minister for Social Development, Family and Solidarity (Morocco); Mr. Abdelhafidh Harguem Vice Minister for Foreign Affairs (Tunisia); Mr. Abdelsam Abouddrar Chairman of the Center for Corruption Prevention (Morocco) and Mr. El Houssain El Moujahid Secretary General of the Royal Institute of Amazigh Culture (Morocco).

The UN Deputy High Commissioner for Human Rights Ms. Kyung-Wha Kang spoke. The following is all but a few paragraphs of Ms. Kang's speech.

Representing an office whose mission is to see the world through the prism of human rights, I am very heartened that the organizers have identified individual rights as one of the central elements for discussion at this First Regional Conference on governance. Indeed, we believe human rights are integral to economic development and social and cultural advance, both as a goal and as a tool. In a globalized era of deepening interaction and mutual learning among people of different backgrounds, of heightened political awareness and civic activism around the world, development and social progress are most effectively pursued when anchored in protection and promotion of universally established human rights standards. Indeed, the human dimension, articulated in the language of rights, must be fully incorporated for development to be sustainable. Thus, in my remarks I would like to address human rights as an essential basis of socio-economic development and good governance, and why a human rights-based approach must be taken in overcoming the current economic and financial crises."

"The origin of the human rights approach can be traced back to the Universal Declaration of Human Rights, the 60th anniversary of which we commemorated last December. Article 28 of the Universal Declaration states that "everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized." In other words, social order and progress should be nurtured in a way that upholds the rights of all individuals without discrimination. In current parlance, this is called the rights-based approach to development, which is being continuously refined and increasingly employed by UN agencies and other actors on the ground as a guiding tool in development cooperation and partnerships.

The political will of member states in support of the rights-based approach has been reaffirmed over the years, most forcefully at the 2005 World Summit, which called for the further mainstreaming of human rights throughout the United Nations system, and resolved to integrate human rights into national policies. More specifically, the rights-based approach is aimed at integrating UN human rights standards and principles into development programming, and to ensure that those standards and principles guide all aspects of the development process. At the practical level, it means helping to build the capacities of governments to better meet their human rights obligations, as well as empowering individuals, in particular the most vulnerable members of society, so that they may claim and enjoy their rights.

The standards and principles are drawn from the full range of UN human rights instruments, including the Universal Declaration of Human Rights and human rights treaties. Of particular relevance for the topic of this conference is the Declaration on the Right to Development, which stipulates the right of everyone to participate in economic, social and political development, and articulates the principles of "free, active and meaningful participation" in development. Other key principles drawn from the human rights instruments include equality and non-discrimination, as well as accountability and the rule of law.

Lately, the rights-based approach to development has been questioned in some intergovernmental fora as a conditionality on development assistance. This is far from the essence of the rights-based approach. All countries in the world have voluntarily ratified at least one, and most countries more than three, international human rights instruments. Human rights are also anchored in national constitutions, thus giving concrete expression to the "national ownership" of human rights. Indeed, as the focus is on the rights of development beneficiaries, the rights-based approach does not embrace conditionality or externally imposed models, but rather facilitates local ownership and empowerment of the beneficiaries.

Governance is not government, and good governance is not solely the work of a responsible government. To be sure, let us go back to the Universal Declaration of Human Rights, which proclaimed in Article 21 that "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives".

"Everyone has the right to equal access to public service in his country. The will of the people shall be the basis of the authority of government; this will be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

This key democratic right of participation in public affairs is an essential element of a human rights-based approach. Good governance can only be possible if based in human rights, including the principles of accountability, transparency and participation. In this context, it is important to stress that civil society, through the work of non-governmental organizations and professional associations as well as of individual human rights defenders, is key to exercising the required oversight and to promoting accountability and the rule of law. Equally, freedom of expression, particularly the role of media and independent journalists, as well as freedom of association are also seen as an essential part of governance. Governments have the responsibility to encourage these roles by opening channels through which people may seek redress against human rights violations, be it through the independent judiciary, ombudspersons or national human rights institutions.

At this time of economic crisis, there is concern that there will be setbacks in the enjoyment of economic, social and cultural rights. Thus in February 2009 in Geneva, the Human Rights Council held a special session on the impact of the global economic and financial crises on the universal realization and effective enjoyment of all civil, political, economic, social and cultural rights. Among the most critical impacts, the Council highlighted higher unemployment rates, reduced access to social security, health and education, inability to pay for adequate food and housing.

At the opening of the meeting, the High Commissioner asserted that while it is imperative to respond to the current crises with a thorough review of the functioning of the international financial and monetary mechanisms, a human rights approach is needed to make the solutions more equitable and sustainable in the medium and long run. Accountability is at the heart of the human rights-based approach, which offers the legal rationale and ground to guide policies and programmes countering the negative effects of the financial crisis at national, regional and international levels. Crucially, human rights-based policies go beyond temporary stop-gap measures and address the deeply rooted causes of discrimination and marginalization in order to prevent crises from snowballing and having enduring effects on ever larger sectors of the populations, and lead to international responses to the economic downturn that serves the interest of individuals and communities most adversely affected and marginalized by the crises.

In other words, the human rights responsibilities of States are not diminished because of economic or financial crisis, although the level of obligations of States is inevitably affected by the availability of resources. Even in times of growing budget constraints, economic policy decisions must pay particular attention to the necessary allocation of resources to fulfil basic human rights obligations to ensure access to education, health care, social security, adequate food and housing, and other rights.

The decision-making on the allocation of resources must be transparent, and scarce resources must be allocated in a way that ensures no group of the population is discriminated against. Particularly in times of crisis, it is essential that those who are already most vulnerable should not be the ones to suffer the brunt of any resource shortfalls. Education, for example, must be provided in an equal manner to girls and boys, and health services must take into account the specific health needs of women, the elderly, children or those with disabilities.

In summing up, if we are to effectively address the challenges of today and reduce vulnerability, we need to embrace a human rights approach to

governance, economic development and social and cultural advances. But in all countries of the world to varying degrees, the reality still lags behind, even though it has been sixty years after the Universal Declaration of Human Rights first challenged States to take a critical look at their relationship with the rights of individuals and devise a proactive programme of reforms to address their responsibility towards promoting such rights. OHCHR's mission is to assist all governance actors so as to accelerate the full implementation of the rights-based approach and the full realization of the aspirations of the Universal Declaration.

New publications

South-South Learning Unit

Title: South-South Cooperation in Times of Global Economic Crisis Authors: Michelle Morais de Sá e Silva Series: One Pager # 76

Download: <http://www.ipc-undp.org/pub/IPCOnePager76.pdf>

Title: Is the South Ready for South-South Cooperation? Author: Melissa Andrade

Series: One Pager # 77

Download: <http://www.ipc-undp.org/pub/IPCOnePager77.pdf>

Title: Brazil-Africa Newsletter Series: Newsletter # 4 of the Africa-Brazil Cooperation Programme on Social Development

Download: http://www.ipc-undp.org/publications/cct/brazil/news_eng4.pdf

The first One Pager argues that South-South cooperation is likely to survive the current global slump. However, as the second one argues, the South needs to develop the capacity to cooperate and invest in the institutional architecture required for South-South learning. The Brazil-Africa Newsletter highlights recent activities from the Africa-Brazil Cooperation Programme on Social Development.

New on ICSW Website

Upload date	Content	Link
26.02.2009	European Newsletter February 2009	www.icsw.org/doc/ICSW_Europe_newsletter_February_2009.doc
01.03.2009	South Asia Newsletter March 2009	www.icsw.org/doc/South_Asia_Newsletter_No2_March09.doc
18.03.2009	European Newsletter March 2009	www.icsw.org/doc/ICSW_Europe_newsletter_March_2009.doc
24.03.2009	International Union of Black Sea NGOs Newsletter No3, March 2009	www.icsw.org/doc/IUBSNGO_Newsletter_No_3_March_2009_eng.pdf

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