Arab States have now entered into their second cycle of the UPR Process, which focuses on evaluating the implementation of the recommendations received during the first review. Considering the on-going changes in the region, the preparations for the UPR review are a unique opportunity to engage governments, civil society and media in a dialogue on human rights, re-enforcing cooperation on human rights related issues, and realizing the full potential of UPR as an important mechanism for social accountability.

More specifically, this mechanism presents a unique opportunity for civil society to have its voice heard. Indeed, it benefited from the lessons learnt from the difficulties of other mechanisms and now offers the possibility to present facts and also recommendations on how to address the human rights challenges in a certain country. The media also has an important role to play in defending human rights. However, to ensure that this collaboration is successful, both the media and civil society actors have strong responsibilities.

The UPR presents an important opportunity for inclusive participation, for strengthening collaboration between civil society and governments, and for promoting accountability of public authorities. This process should be seen as a tool to foster meaningful dialogue between all interested actors, at national, regional and international level. Because this mechanism requires the involvement of all three actors, the UPR process also creates demand and opportunities to enhance international and regional partnerships with organizations such as the League of Arab states or the United Nations in supporting national efforts on human rights, and, given its focus on a wide spectrum of issues.

However, it is important to understand that the UPR is not a stand-alone process or an end in itself. It enables joint planning, programming, and reaching across disciplines, all necessary for States to engage on their commitments towards more sustainable development and poverty reduction. The recommendations, as the second step of the cycle, can also be used to increase knowledge of human rights in the country. In the context of change of the region, it is also critical to link the UPR to other mechanisms of social accountability to ensure coherence and consistency.

This report is based on the key messages drawn from the deliberations of the event, as well as background papers commissioned prior to the event and other relevant UNDP policy documents.

Executive Summary

Most governments in the Arab region have recently experienced, either directly or indirectly, the vigor of ordinary citizens holding their governments accountable. Partly because there was a lack of formal institutions regulating and facilitating proper legal, political and social accountability, citizens used the only power they had, showing their resentment of the former regimes by protesting in huge numbers. This realization that a ruler can ultimately be held accountable by citizens created a temporary impetus for reinforcing the mechanisms and institutions that are essential for democratic governance.

Institutionalized mechanisms of communication between the state and its citizens are crucial for re-negotiating the social contract between the citizens and State in the Arab Region, and social accountability practices provide a range of relevant tools and approaches that can contribute to establishing a minimal level of trust and legitimacy. Social accountability is a form of accountability that emerges through actions of people, civic movements and civil society organizations aimed at holding the state to account, as well as efforts by government and other actors (media, private sector, donors) to support and respond to these actions. It can provide an extra set of checks and balances on the states in the public interest, exposing instances of corruption, negligence and oversight. Social accountability mechanisms have the potential to channel current, and sometimes volatile, levels of "social energy" in a constructive and productive manner. In contrast to some forms of advocacy and social activism that adopt confrontational approaches and aggravate citizen-state relations, social accountability approaches often result in strengthened citizen-state relations, while fighting corruption and achieving institutional/behavioral change.

Three key actors have a role to play in strengthening social accountability. Firstly, Governments have a central responsibility to implement the important political, legislative and judicial reforms needed to achieve a democratic transition. All Arab States have ratified various international human rights treaties and more than 16 countries have committed to implement the UN Convention against Corruption (UNCAC). Such international legally binding instruments codify the minimum standards that need to be achieved by duty-bearers at all levels of society—but especially organs of the State – and against which they will be held accountable. Newly formed governments headed by new political powers/actors need to recognize the crucial and foundational value of accountability to the citizens and foster mechanisms for citizens participation. Enabling legal environment guaranteeing the freedom of association and access to information, ensuring citizens' rights to public information and opening up public budget and expenditure records etc., has to be put in place. To ensure state responsiveness to the needs of its people, governance systems on local level need to be strengthened, with power and resources decentralized. To foster social accountability in the Arab region, social accountability infrastructure comprised of institutionalized and sustainable mechanisms that remain in place even after a change of the government, is required. There is also a need for an analysis of past failures in development policies and a systematic examination of accountability practices and codes of conduct that have been used in the past by governments and civil society in the region.

Secondly, civil society emerged as a growing actor that can and should play an active role holding the State accountable and advocating for policy proposals to advance social justice agenda based on research evidence. Also, as many of the underlying grievances in the region that led to the revolutions come from socially excluded, poor, vulnerable, migrant and rural parts of the society, it is important to ensure that their voices are heard. Basic public services (water, sanitation, health, education) are vital for their welfare, and social accountability initiatives ensuring citizen oversight of such services and their participation in decision-making can significantly improve the quality and accessibility of such services.

Youth-led uprisings testify to a process of emergence and renewal of civil society after decades of control that have profoundly weakened societal organization. Social and youth movements (especially those using social networks and information and communications technology), volunteer initiatives, new civil society organizations, independent labor unions, and new political parties are on the rise, and established civil society organizations are growing in strength. Civil society organizations need to play a more active role in advocating for improved legal frameworks for access to information and freedom of association. Coordination among CSOs focusing on similar issues needs to be improved, to foster complementarity instead of competition.

Thirdly, both traditional media and new social media play a crucial role in amplifying the voice of the citizens and facilitating the dialogue between the civil society and the state. A strong, independent media has a powerful role to play in promoting social accountability, amplifying the voice of the citizens, facilitating the dialogue between the citizens and the state, acting as a sounding board for government policies, and fulfilling the watch dog function to protect against abuse of power. In times of transitions, the role of the media is even more complex. With many forces actively involved in the political process, such as the military, the revolutionary movement, the representatives of the old regime, traditional religious institution, figures of the opposition, to name just some of them, media has to strive for a delicate balance, of providing voice for all of those forces, but also holding them all accountable. The role of citizen journalists in offering alternative view to the public, alongside other sources of information, is also very important, and should be protected. Media should be playing more prominent role in educating citizens about their rights and responsibilities, placing a special emphasis on projecting a more positive and active image of the role of women in the society, and on advocating for the rights of women. Complementary relationships should be developed between the social and traditional media.

The lack of accurate, timely and relevant governance data affects the ability of citizens to hold their governments accountable and hinders efforts of national government and other stakeholders to ensure good performance management and measure progress in governance. As it stands, the Arab region is the poorest in the world in terms of data for reporting on MDGs, and in terms of publicly available data in general. In most Arab countries, the institutional framework for producing and disseminating traditional statistics is weak, and data critical for understanding how the state is governed (e.g. revenues of natural resources, budget allocations, salaries of governmental employees, and distribution of public and private investments by geographical location) is not publicly available.

The practice of nationally-owned governance assessments with emphasis on the process of active collaboration between policy-makers, national institutions, citizens and civil society in indicator definition and data collection, can contribute to regenerating the legitimacy of government and for enhancing the efficiency and efficacy of government service delivery. If such assessments are done in a highly participatory manner, they could empower citizens by informing them about their human rights and establish an initial, but very critical, means of communication between citizens and the government on all levels.

To ensure that the data on governance is collected and used for demanding accountability, the right to access public information needs to be established through relevant legislation and policies, and currently existing restrictive laws, policies and institutional arrangements need to be revised. The role of non-state actors in collecting and producing data on governance is also extremely important. Studies conducted by independent research organizations and universities and indicators of governance constructed by civil society organization generate independent debate about the quality of governance, key problems and proposed solutions, and contribute to informed dialogue with governmental actors.

Local governance assessments are particularly topical, as they allow establishing practices of dialogue between the citizens and the state. Citizens not only contribute to the assessment process by providing their opinions about the quality of service delivery and governance on the local level, but are also learning about the limitations faced by the local governments.

To identify differences in perspectives and access to services by women and men and boys and girls, assessment methodologies have to be inclusive and use gender sensitive indicators, and whenever possible carried out with direct participation of women and youth people. This could allow tracking the differing impacts of governance reforms on women and men and ascertain whether interventions are positively or negatively affecting one group more than the other.

Other mechanisms can support the various actors in strengthening social accountability in the region. The evolution of the social contract between the State and the people also requires a strong national and international human rights system to address inequality and discrimination, and to support both political and economic inclusion. The Governance Week took a closer look at one specific area where both OHCHR and UNDP have come together to support national partners, the Universal Periodic Review (UPR).

The UPR is a State-driven peer review process which underscores State responsibility to respect, protect and fulfill all human rights and fundamental freedoms, aiming at improving the human rights situation on the ground. The outcomes of the UPR cover diverse human rights issues, from accessibility of public services, gender equality, to human trafficking. Therefore, following up on these issues enables a holistic approach to development orientated programming and an investment in the capacity of all branches of the State and other relevant stakeholders.