

**Highlights:**

*Government officials and civil society practitioners from Jordan, Morocco and Tunisia shared the latest developments around public consultations in their respective countries.*

*It was noted that there is limited legal framework for public consultations in Tunisia and Jordan, while in Morocco there are constitutional provisions.*

*Participants agreed on the need to develop mechanisms to conduct and evaluate public consultations.*

## Fostering citizen engagement through public consultations in Jordan, Morocco and Tunisia

**March 2013**

To support citizen engagement through public consultations in the Middle East and Northern Africa, the World Bank Institute and the World Bank Middle East and North Africa Vice-Presidency have organized a knowledge exchange series that brings together government officials and civil society practitioners from Morocco, Jordan and Tunisia to discuss how citizen engagement can contribute to more informed and inclusive policies and laws as a result of effective consultation practices.



Building on an offline session, where participants reflected on existing experiences around public consultations in their countries, Guenter Heidenhof, Sector Manager for MSNPS, welcomed participants on March 26, 2013 to the first regional VC session. Mr. Heidenhof noted that

*“Public consultations must be guided by standards and principles...all consultations should be underlined by the principles of transparency, accessibility and inclusiveness” Guenter Heidenhof, Sector Manager MSNPS.*

while public consultations may vary from country to country, they should be guided by three basic principles; transparency, accessibility, and inclusiveness. In light of the recent political developments in the region, he emphasized the importance of public consultations to build public consensus and strengthen public trust in governmental institutions.

*“Public consultations play a key role in collaborative governance” Jeff Thindwa, Practice Manager WBI.*

Jeff Thindwa, Social Accountability Practice Manager from the World Bank Institute, highlighted that the World Bank has also implemented its own consultations, such as the consultation process around the Global Partnership for Social Accountability (GPSA). Mr. Thindwa added that consultations constitute safeguards to better project design, and enable an effective crowdsourcing – tapping into the knowledge of the crowd.

Fabian Seiderer, Senior Public Sector Management Specialist for MNSPS, continued with the initial remarks explaining how public consultations can help countries that have expressed interest in joining the Open Government Partnership (OGP).

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### **Learning from each other: Experiences on Public Consultations.**

*“In Jordan the most recent consultation effort is the Royal Committee for Enhancing the National Integrity System” Participant from Jordan.*

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During this first VC participants had the opportunity to share their experiences with public consultations. In Jordan, a number of public consultations were conducted on topics, such as the National Charter, National Agenda, and more recently the Royal Committee for Enhancing the National Integrity System. These consultations have mostly relied on traditional tools, and made a relatively modest use of ICT tools. Participants included officials, parliamentarians, and other actors that were identified and invited by the government. Some of the challenges flagged by practitioners from Jordan were the lack of coordination among civil society groups and difficulties encountered by CSOs to mobilize citizens to participate in the consultation.

In the case of Morocco, the July 2011 Constitution represented a turning point. Pursuant to the constitutional mandate, governmental authorities are required to facilitate consultations and dialogue with citizens, civil society, private sector and other actors. The National Dialogue which was launched on March 13, 2013, aims to implement the new constitutional provisions that are meant to enhance the

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*“In Morocco the Ministry of Commerce used ICT-enabled tools to conduct a consultation regarding consumer protection” Participant from Morocco.*

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status and role of civil society and define the legal and policy framework for civil society engagement in public affairs. As part of this dialogue, a consultative committee has been set up with more than 67 representatives from government agencies, civil society, private sector, and trade unions, tasked with carrying out national consultations on the role CSOs in line with the new Constitutional provisions. Morocco also has had previous experience in the domain of public consultation, such as through the Ministry of Industry, Trade and New Technologies which uses ICT-enabled tools to conduct consultations regarding consumer protection. Also utilizing e-consultation, the Secretary General of Government (SGG) conducts regular public consultations on draft laws and regulations and includes a feedback mechanism on government responses. The Ministry of Health conducted consultations with civil society to reform the health sector and a national dialogue was launched led by a committee of experts and academics aimed to develop a national charter defining the scope for judicial reform.



Some of the challenges identified as part of these consultations included the need to further develop selection criteria for participants in a consultation process and challenges to ensuring inclusiveness, particularly given the high prevalence of illiteracy among the most vulnerable groups. Marcos Mendiburu, Senior Social Development Specialist from the World Bank Institute noted that while illiteracy might be a challenge for public consultations, it is important to target the most vulnerable as they are often the ones who get excluded. Thus greater efforts should be employed to make sure the consultations reach them.

In Tunisia informal procedures rather than laws provide the framework to conduct public consultations. After January 14, several ministries from the new government have undertaken consultative initiatives to increase transparency. Participants highlighted three initiatives that currently take place in Tunisia. As part of this, a consultation on the new constitution is being conducted and the draft constitution is available online for public revision. Participants from Tunisia concluded that there is a lack of practical assessment mechanisms to measure impact, results and success of public consultations.

A Q&A session followed the presentation from the three countries; Moroccan participants identified the need to raise awareness of citizens on the importance of participation and the institutionalization of public consultations, whereas Tunisian participants were interested in mechanisms to implement public consultations and in the use of ICT tools to promote participation. Participants agreed that there is often a lack of follow up activities after the completion of a consultation, and the need to develop tools to address this issue.

### ***An overview of Public Consultations: benefits and barriers***

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*“The objective of a consultation is to seek information, advice and opinion. In any consultative process, the convener is not only gathering input, but sharing information as well” Jennifer Shkabatur, WBI.*

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Immediately after the Q&A session, Jennifer Shkabatur from WBI Social Accountability practice, gave a presentation on public consultation that provided an overview of principles and benefits. The spectrum of public engagement has the following dimensions: inform, consult, involve, collaborate and empower. Answering to the participants, Shkabatur explained that while there is no single definition of consultations, this should be a two-

way process to engage with citizens. The benefits of public consultations include the possibility to improve government decisions by supplying information upward from citizens to decision makers, build public trust, and legitimate government decisions by ensuring that the voices of those impacted by the policy have been heard, considered and addressed. Consultations are particularly important as government does not have all solutions.

When deciding who to consult, there are different mechanisms that facilitate the criteria for the selection of participants. A consultation should be “representative,” thus engaging participants who represent a cross section of the target audience. A consultation can take an “instrumental” approach, and thus involve participants with relevant knowledge and stakes in the decision-making process. Consultations may also target participants who are directly affected by the subject of the consultation (e.g. all residents within a poor neighborhood), or simply rely on a “self-selective” mechanism, and thus engage self-identified participants who are interested in contributing to the process.

The presentation outlined some of the common challenges of public consultations, such as lack of government commitment, dearth of citizen expertise, and limited time and resources. Shkabatur noted that challenges of citizen expertise and citizen mobilization can be solved by providing information in accessible formats and if needed in several languages and sometimes using

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*“Bad participatory practice creates mistrust, wastes time and money and can seriously undermine future attempts at public engagement” Jennifer Shkabatur, WBI.*

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intermediaries who can help reach target groups. This was the case in Philippines, where government partnered with civil society organizations to obtain feedback on budget allocation from the grassroots level. Adding to this example, a participant noted the importance of engaging with civil society networks for conducting public consultations. To conclude Shkabatur highlighted the importance of having sufficient buy-in from policy makers to ensure the results of the consultation are reflected in government policy. She also emphasized the need to provide feedback about the outcomes of the consultation to participants, explaining which suggestions were taken into account as part of the resulting policy, and which were rejected (and why).

### **What is next? Developing public consultation frameworks**

The final presentation prompted further discussion on the need of developing a framework on public consultations. Participants from Tunisia and Morocco expressed their interest in best practices around public consultations and mechanisms to help civil society participate in consultation processes, and Jordan participants were also concerned on how to tackle obstacles to conduct consultations.

To address these concerns and provide a space to develop a public consultation framework and a code of practice, a second VC session will be organized at the end of April. Participants will learn from two country experiences and an expert will offer a presentation on successful design and implementation of codes of practice for public consultations.

