



POLICY RECOMMENDATIONS

SOCIAL JUSTICE IN THE MIDDLE EAST AND NORTH AFRICA

[SOLIDAR](#), a progressive European network of 59 NGOs active in over 90 countries striving to advance social justice in Europe and worldwide, works on a daily basis in equal partnership with civil society organisations, think tanks, social movements and independent trade unions in **Algeria, Egypt, Iraq, Israel, Jordan, Lebanon, Mauritania, Morocco, Palestine, Syria, Tunisia and Western Sahara**. This work is based on SOLIDAR's historical commitment – for more than 60 years – to empower local activists; in the seventies, our network supported movements in Spain, Portugal and Greece to break the yoke of dictatorship, while in the nineties we supported 'actors for change' to promote democratic transitions in Central and Eastern Europe and the Western Balkans. The briefing paper "[Learning from good development practices in Morocco, Tunisia, Algeria, Libya and Egypt](#)" provides an accurate indication of the engagement and achievements of SOLIDAR and members in promoting Social Justice in North Africa.

In 2012, SOLIDAR together with members and partners organised two extensive consultations amongst more than 80 civil society organisations, think tanks, social movements, progressive political forces and independent trade unions during two international conferences: [26-27 June in Brussels \(Belgium\)](#) and [13-14 November in Amman \(Jordan\)](#). These consultations aimed at setting up a new agenda that promotes the development of modern pluralistic societies in the Middle East and North Africa and to bring forward the social dimension into the development equation, in which civil society organisations, think tanks, social movements and independent trade unions are recognised as a crucial actors to ensure the respect of civic, economic, social and cultural rights and for ensuring equal opportunities – both women and men – for all.

Together with the 'actors for change' SOLIDAR and members have developed a new cooperation program **Social Justice in the Middle East and North Africa** aimed at: Building progressive alliances of civil society organisations, think tanks, social movements, independent trade unions and progressive political forces; Promoting the creation of secure and democratic spaces in society and at the workplace – based on the respect for freedom of peaceful assembly and association; Strengthening welfare redistribution and the reduction of inequalities as central goals of policy making in the region, though promoting social protection; Realizing the creation of decent work opportunities to obtain a just income and to actively reduce the gender pay-gap, as well as stimulating local and rural development; and Facilitates the freedom of movement between both borders of the Mediterranean.

Social justice: six benchmarks

Despite positive developments since the Arab Spring the civil society organisations, think tanks, social movements, progressive political forces and independent trade unions from the region shared some concerns around six benchmarks related to the Progress reports on implementation of the European Neighbourhood Policy and with 'recommendations' we would like to take the opportunity to share some of their concerns with you, in conjunction with the publication of the Progress reports on Wednesday 20 March.

1. Freedom of peaceful assembly and association

After the Arab Spring, countries in the Middle East and North Africa embarked on the promising path towards becoming societies in which human rights, active citizenship and inclusive governance are being respected. Two years after, however, one can witness those civil society organisations, think tanks, social movements, independent trade unions and progressive political forces that stood at the heart of the Arab Spring have come under growing pressure. This development is echoed in the Progress report on the following countries:

- **Egypt:** Current NGO legislation continues to hinder the work of NGOs in terms of registration and funding.
- **Jordan:** In July Jordan refused to allow the civil society organisations 'Tamkeen' (Partner of SOLIDAR member ARCI – Italy) and 'Acted' to accept foreign funding for projects targeting the rights of migrant workers and refugees respectively. These were the first refusals of European funding since the adoption of the 2008 Law of Societies, as amended in 2009.
- **Palestine:** The lack of respect by the PA for freedom of expression and freedom of assembly was a cause of increasing concern particularly in light of the arrests of journalists and bloggers and the violent suppression of peaceful demonstrations in July 2012.
- **Israel:** The situation in the occupied territories remained tense, given the stalled peace process and worrying developments on the ground, including increased settlement activity in East Jerusalem and the rest of the West Bank. Exercise of the freedom of association and freedom of expression continued to be problematic.
- **Morocco:** In the field of freedom of association, practical difficulties (registration and grant applications) persist. The publication of the list of Moroccan subsidised associations and a draft circular on the funding of associations have raised strong opposition from CSOs, who request a wider debate on freedom of association. Numerous peaceful demonstrations were held in 2012; several cases of violence by the security forces against protesters and arbitrary arrests were reported.

2. Freedom of expression and information

The Arab Spring also provided itself as a historic opportunity to lay the foundations for democratic transition, by fostering and safeguarding the right to freedom of expression and information. Consequentially, progress can be witnessed in Morocco where a new constitution with protections for freedom of expression and information has been adopted, while in Tunisia media reforms have been implemented. At the same time, however, there one can witness examples of regressive legislative practices and state actions. Good examples are shown in the following country progress reports:

- **Egypt:** Interference towards individuals and the media are still reported, including prosecutions against critics of the President and of the ruling party, and arrests and prosecutions under the blasphemy law, which predates the new administration.

- **Jordan:** In a number of instances in 2012, the General Prosecutor continued referring civilians to the State Security Court with offences involving free speech, contrary to the constitutional amendments made in 2011.
- **Israel:** The exercise of media freedom, freedom of expression and freedom of assembly remained problematic in Palestine.
- **Morocco:** Obstacles to the exercise of freedom of association and assembly persisted, as well as intimidation and repression against journalists and the media. The reform of the press law has not yet been completed.
- **Tunisia:** Outbreaks of violence of some extremist groups have put pressure on the limited progress achieved in the field of freedom of association and expression.

3. Democratic transition and civil dialogue

At the heart of any democratic transition stands civil dialogue, in parallel to democratically elected representative bodies and sound social dialogue with independent social partners. Hence, the informed policy dialogue between decision-makers and community leaders on one side and civil society organisations, think tanks, social movements and independent trade unions on the other has to be strengthened. Unfortunately in **Morocco**, the reform of the electoral framework and the stimulation of participation in the elections has not been a political priority in 2012. Also in **Tunisia**, the assassination on 06 February 2013 of Chokri Belaid, General Secretary of the Party of Democratic Patriots, and the resignation of the Head of Government H. Jebali following the murder highlighted the need to accelerate the process towards the adoption of a new constitution and the organisation of elections that will follow.

4. Respect for labour rights and decent work

The respect for International labour standards (which provides the basis for decent work and inclusive development and contributes to inclusive and equitable wage-led economic growth) requires greater attention. Especially, as the ratification rate of ILO conventions remains low in the region; core conventions on trade union rights and non-discrimination are poorly respected (even in countries where they have been ratified), legal restrictions and violations remain widespread and the implementation of enforcement mechanisms are too often weak or nonexistent.

- **Egypt:** according to independent trade unions, the amendments to the already restrictive Trade Union Law 35/1976 would further weaken workers' and trade unions' rights, including in relation to freedom of assembly and freedom of association.
- **Israel:** Palestinian economic and social rights are still hampered by Israeli restrictions on the freedom of movement. The economic and physical isolation of the Gaza Strip is still a source of great concern.
- **Morocco:** Precarious, informal and child labor remain widespread and continue to lead to situations of fragility and vulnerability... Labor legislation is often not respected by companies.

- **Tunisia:** initiatives to improve youth labour inclusion (coaching, training professional) have not achieved their objectives.

5. Access and coverage of quality services

The provision of social welfare in the Middle East and North Africa has been strongly influenced by local cultural, political, social, and economic traditions, and is one of the largest challenges in the region. These include improving the quality of public health services, access to education services, access to basic social services, access to water services and the quality and coverage of community services – especially for socially excluded and poor people. As can be seen in the progress report with regards to:

- **Palestine:** Overall the Palestinian Authority made reasonable progress in implementing the Action Plan in the areas in which it is able to exercise control. The challenges imposed primarily by the occupation and the deepening fiscal crisis continued to have an impact on the PA, threatening its viability and undermining its ability to deliver essential services to the population.
- **Morocco:** Despite the budget increase for social spending (over 50%), equitable access to social services is not assured and social inequalities persist.

6. Ensuring income support

The Middle East and North Africa is the region with the highest levels of youth unemployment in the world, and that was one of the reasons for the millions of young people to take to the streets during the Arab Spring. Despite that, only a small proportion of the population is legally covered by unemployment benefits and other types of social security provisions (such as old-age pensions): slightly over 20 per cent in North Africa, less than 20 per cent the Middle East. This is shown in the country progress reports from both Jordan and Lebanon:

- **Jordan:** Job creation and employment generation are among the most critical challenges for Jordan and have a direct bearing on internal stability. As of January, the government increased the minimum wage from JOD 150 to JOD 190 per month, excluding non-Jordanians from the measure.
- **Jordan:** In the area of social protection, social-security coverage was extended to include more enterprises and workers, and health care coverage for vulnerable groups was expanded.
- **Lebanon:** There was no progress with regard to social protection reforms.

Policy recommendations

The 80 civil society organisations, think tanks, social movements, progressive political movements and independent trade unions attending the two consultation conferences also endorsed a set of key policy recommendations for EU decision-makers that could contribute to tackling the above indicated challenges and we would kindly invite you to take these recommendations from the people in the region into further consideration while strengthening the European Neighbourhood Policy towards the Middle East and North Africa:

1. Promoting the freedom of association

- The European Institutions could do more to actively support independent and democratic 'actors for change' in the region, to promote social protection, decent work and inclusive development and enable the spread of a 'culture of citizenship' based on the right to freedom of peaceful assembly and association.
- The new European Neighbourhood Policy approach could put even more emphasis in lessons learnt from past and take into consideration the space and time and processes needed to nurture civil and social dialogues that co-shape political, economic and social reforms.

2. Promote social protection and decent work

- The current economic model in the region cannot remain the status quo and must include strong standards for social protection, respect for workers' and migrant workers' rights, social and civic dialogue and inclusive development.
- The EU can step up its fight against all forms of discrimination against women in the region. Gender mainstreaming should be integrated into all European Neighbourhood Policy programmes and projects.

3. Build true equal partnerships based on shared values

- Strengthen the foundations of equal partnerships. The EU could provide, together with the international community, an arena for multi-stakeholder dialogue at regional and national levels, in order to ensure participatory decision making processes and to create new democratic governance structures.
- The European Neighbourhood Policy should incorporate even clearer objectives for reforming legislations and policies, in consultation with social partners and social movements, taking into special consideration laws allowing for the development of independent and democratic civil society.