



MENA-OECD
Governance Programme
Training Centre



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Better Rule-making and Access to Justice for recovery

MENA-OECD Working Group on Regulatory Reform and the Rule of Law

21 March 2022 via [Zoom](#)
(9:45 – 12:00, Paris Time)



MENA - OECD
Governance Programme



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Meeting Overview and Objectives

The MENA-OECD Working Group on Regulatory Reform and the Rule of Law (WG IV) is organising its annual meeting on the **“Better Rule-making and Access to Justice for recovery”** on 21 March 2022 at 9:45 (CET) via Zoom. This meeting is jointly organised with the MENA-OECD Governance Programme and the [MENA-OECD Governance Programme Training Centre](#).

As highlighted during the previous MENA-OECD Working Group IV meeting in 2020, it becomes hard to anticipate and identify the impacts of emergency regulations in times of crisis. Therefore, good practices and recommendations on regulatory policy and governance for a better business-enabling environment and access to justice remain crucial to ensure the respect of the rule of law principles.

The 2012 OECD Recommendation of the Council on Regulatory Policy and Governance¹ acknowledges these specific circumstances and recommends that when designing regulations, governments need to be aware of the impact of regulations on businesses.

Nonetheless, navigating the legal environment and complying with regulations tend to be cumbersome for businesses which are also less resilient in the face of legal challenges when compared with large businesses. They face particular challenges to access the justice system including the navigation of the high level of complexity, costs and length, as well as lack of access to clear information that slow down their operations.

In this context, this meeting, organised by the MENA-OECD Governance Programme, will showcase challenges and opportunities and identify lessons learnt about measures taken by governments to facilitate business through regulation and justice services during the pandemic. The meeting will discuss the impact of these efforts and will provide the opportunity to reflect on areas where regulatory management tools and access to justice can be adapted and further improved.

This meeting will complement the MENA-OECD Governance programme of work on Good Governance and the Rule of Law. Over the past few years, the programme published several country assessments and regional reports on Good Governance and legislative drafting manuals that benchmarked practices in the MENA region against OECD and international practices.

¹ <https://www.oecd.org/governance/regulatory-policy/2012-recommendation.htm>

For more information:

- OECD (Forthcoming, 2022), Policy Paper on Access to Justice for SMEs
- OECD (2021), [Recommendation for Agile Regulatory Governance to Harness Innovation](#)
- OECD (2021) [Framework and Good Practice Principles for People-centred Justice](#)
- OECD (2021), [Regulatory Policy Outlook](#)
- OECD (2020) [Access to justice and the COVID-19 pandemic: Compendium of Country Practices](#)
- OECD (2020), [Regulatory Impact Assessment](#)
- OECD (2020), [Regulatory Quality and COVID-19 Note: Managing the Risks and Supporting the Recovery](#)
- OECD (2019), [Equal Access to Justice for Inclusive Growth: Putting People at the Centre](#)
- OECD (2019), [Legal Needs Surveys and Access to Justice](#)
- OECD (2018), [Regulatory Reform in the Middle East and North Africa: Implementing Regulatory Policy Principles to Foster Inclusive Growth \(Arabic version\)](#)
- OECD (2018), [Legislation and Good Governance: The Role of Legislative Drafting Manuals](#)
- OECD (2016) [Regional Charter for Regulatory Quality, MENA-OECD](#)
- OECD (2013) [Regulatory Reform in the Middle East and North Africa: Implementing Regulatory Policy Principles to Foster Inclusive Growth](#)
- OECD (2012) [Policy Recommendations of the Council on Regulatory Policy and Governance](#)

AGENDA

Monday, 21 March 2022

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Simultaneous interpretation between English, French and Arabic is available.

9:45 -10:00 **Welcoming of participants**

Opening remarks

- 10:00-10:15
- **H.E. Ambassador Antonio Bernardini**, Representative of the Government of Italy
 - **State Secretary Anabela Pedroso**, State Secretary for Justice of Portugal, Co-Chair of the MENA-OECD Working Group on Regulatory Reform and the Rule of Law
 - **Counsellor Nabil Ajroud**, Legal Advisor of the Government of Tunisia, Co-Chair of the MENA-OECD Working Group on Regulatory Reform and the Rule of Law (TBC)

Master of Ceremony: **Amr Soliman**, Policy Analyst, MENA-OECD Governance Programme

Session 1: Leveraging regulatory impact assessment to increase agility and quality of the rule-making systems, in particular for businesses and citizens

10:15-11:00

According to the OECD Regulatory Policy Outlook 2021² and the OECD Recommendation on Agile Regulatory Governance to harness Innovation³, one of the likely effects of the COVID-19 pandemic is that regulators might be operating in an environment with increased uncertainty in the future. Therefore, regulatory management techniques such as problem identification or impact analysis also need to be adjusted and tailored to specific groups of stakeholders. Good regulatory practices, instruments and tools that foster agile regulatory governance such as Regulatory Impact Assessment (RIA) or stakeholder engagement but also international regulatory cooperation therefore allow to anticipate impact and address challenges faced by companies in this regard.

Presentation of OECD good practices by Christiane Arndt-Basacle, Head of Programme, Measuring Regulatory Performance OECD

² <https://www.oecd.org/publications/oecd-regulatory-policy-outlook-2021-38b0fdb1-en.htm>

³ <https://www.oecd.org/fr/gov/politique-reglementaire/better-regulation-and-innovation.htm>

Speakers

- **Dr. Heba Shahein**, Executive Director, ERRADA, Egypt
- **Ms Nouf Al Mukhaini**, Senior Researcher, Department of Economic Development, Abu Dhabi
- **Dr. Francesco Sarpi**, Head of Unit for Rationalisation and Improvement of Regulation, Head of Regulatory Impact Analysis Unit, Presidency of the Council of Ministers, Italy
- **Mr. Sang-young Lee**, Deputy Director, Ministry for SMEs and Start-ups, Republic of Korea

Open discussion and Q&A:

Participants will be invited to provide brief feedback (2 min) on the topic

Session 2: Fostering inclusive growth and the rule of law through better access to justice

This session will focus on how the rule of law and developing a justice system that addresses effectively the specific needs of business can foster socio-economic growth and broader public trust. It will consider the types of legal issues businesses face, the effectiveness of current justice systems to address those needs and potential avenues to design more efficient services for small and medium commercial entities. In addition, it will explore the trade-offs that may need to be made to achieve efficiency and equity in this effort.

11:00 –11:45

Presentation of OECD good practices by Dr. Tatyana Teplova, Head of Division, Senior Justice Counsellor, OECD

Roundtable discussion with intervention from:

- **Mr Ahmed Thabaleh**, Deputy Minister of Justice, Palestinian Authority
- Tunisia (TBC)
- **Ms Samia Chakri**, Direction of Cooperation and Modernisation, Morocco
- **Ms Anna Skrjabina**, ESF Project Leader, Court Administration, Latvia

Open discussion and Q&A:

Participants will be invited to provide brief feedback (2 min) on the topic

The programme of work of the MENA-OECD Working Group on Regulatory Reform and the Rule of Law

11:45 –11:50

Amr Soliman, Policy Analyst, MENA-OECD Governance Programme

Closing remarks

11:50 –12:00 **Mr. Maurizio Mensi**, Executive Director of the MENA-OECD Governance Programme Training Centre

MENA-OECD Working Group on Regulatory Reform and the Rule of Law

The MENA-OECD Working Group on Regulatory Reform and the Rule of Law (WG IV) promotes a forum for MENA countries and international experts to exchange on good practices in regulatory reform and discuss how to ensure effective access to justice services and strengthen the rule of law. The Working Group is part of the MENA-OECD Governance Programme - a strategic partnership between MENA and OECD countries to share knowledge and expertise, with a view to disseminating standards and principles of good governance that support the ongoing process of reform in the MENA region. The outcomes of discussions will be presented to the OECD Public Governance and Regulatory Policy Committees.

The Working Group aims at enhancing the regulatory environment by using sound evidence, systematic consultations, regulatory tools, and regular reviews of the stock of legislation is a common priority for MENA countries. It has also developed a Regional Charter for Regulatory Quality (2016) providing MENA countries with a common framework of principles and good practices for regulatory management. It is also based on the OECD Recommendation on Regulatory Policy and Governance (2012) which supports the implementation of regulatory reform to achieve strategic public policy objectives. The Working Group is aligned with the Public Governance Committee, the Regulatory Policy Committee and the Access to Justice roundtable.

The MENA-OECD Governance Programme

The MENA-OECD Governance Programme is a strategic partnership between MENA and OECD countries to share knowledge and expertise, with a view of disseminating standards and principles of good governance that support the ongoing process of reform in the MENA region. The Programme strengthens collaboration with the most relevant multilateral initiatives currently underway in the region. In particular, the Programme supports the implementation of the G7 Deauville Partnership and assists governments in meeting the eligibility criteria to become a member of the Open Government Partnership. Through these initiatives, the Programme acts as a leading advocate of managing ongoing public governance reforms in the MENA region. The Programme provides a sustainable structure for regional policy dialogue as well as for country specific projects. These projects correspond to the commitment of MENA governments to implement public sector reforms in view of unlocking social and economic development and of meeting citizens' growing expectations in terms of quality services, inclusive policymaking and transparency.

The MENA-OECD Governance Programme Training Centre

The MENA-OECD Governance Programme Training Centre was established in 2012 by the OECD and the Italian National School of Administration (SNA), to support the public administrations of Middle East and North African countries and promote initiatives for capacity building in order to enhance efficiency and effectiveness in the public sector and foster Good Governance. The Centre is hosted by the SNA in the prestigious setting of its training centre in the Royal Palace in Caserta. It is part of the MENA-OECD Governance Programme which fosters public sector reforms and strengthens international cooperation, supporting dialogue among public administrations to promote sustainable economic growth in the MENA Region. The Training

Centre is also part of the Action Plan on Open Governance and Anticorruption of the Deauville Partnership for Arab Countries in Transition (Governance Pillar).

The OECD

The Organisation for Economic Co-operation and Development (OECD) is an international body that promotes policies to improve the economic and social well-being of people around the world. It is made up of 38 member countries, a secretariat in Paris, and a committee, drawn from experts from government and other fields, for each work area covered by the Organisation. The OECD provides a forum in which governments can work together to share experiences and seek solutions to common problems. We collaborate with governments to understand what drives economic, social and environmental change. We measure productivity and global flows of trade and investment.

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