

Strengthening the Rule of Law: Effective and transparent delivery of justice and rule-making in Egypt.

STUDY VISIT: ITALY



ABOUT

THIS STUDY VISIT TO PARIS, FRANCE WAS ORGANISED WITHIN THE FRAMEWORK OF THE MENA TRANSITION FUND OF THE G7 DEAUVILLE PARTNERSHIP, FROM 01-12 FEBRUARY 2016 TO ROME, ITALY.

SUMMARY

The programme of the visit was coordinated by the Ministry of Justice, Italy and tailored towards the needs of the Egyptian delegation in building legislative drafting capacities. The objective was to deepen the common understanding on issues related to quality of legislation and regulation policy. It was addressed to two representatives from the General Department of Legislation of the Ministry of Justice, Egypt, and included visits to the Ministry of Justice, the Gazzetta Ufficiale della Repubblica Italiana, the Court of Cassation, the Parliament and Commission for Regulation, the

Department of Legislation – Presidency of Council of Ministers and the Caserta National School of Public Administration. The delegation benefited from in-depth exchanges of ideas and practices to take place between peers from both Egypt and Italy. In addition to a series of visits to Italian public institutions, a dedicated 2-day training course on legislative drafting was delivered by the Caserta National School of Public Administration. The meetings between public officials from both countries also addressed the state of the bilateral cooperation between Egypt and Italy.

HIGHLIGHTS

TOWARDS BETTER REGULATIONS

The participants welcomed the exchange of expertise with the Italian justice institutions. In the wrap-up session, they highlighted similarities and differences between both systems. In particular, they recommended the consultation process on legislation across levels of governments in Italy (i.e. between the regions and the central government). The study visit has shaped further options for consideration for the **Legislative Drafting Guide and options for Regulatory Impact Assessments**. In

addition, the participants welcomed the suggestions to organize a seminar in Cairo to a) take stock of the previous study visits in a comparative perspective, b) provide practical examples of law drafting techniques and c) prepare the ground for the legislative drafting guide. Furthermore, delegates learned the similarities between drafting in all countries, in particular the need for constitutionality for clarity, coherence, and that differences in process are largely caused by history and personalities.



“This study visit made me see first-hand how other OECD member countries face similar problems and challenges,”
Judge. Dr. Amani Ismail (EG)

THE PARLIAMENT AND THE LAW DRAFTING PROCESS



The Parliament hosted the delegates to explain the role of the Commission for Regulation in ensuring the quality of the laws to be reviewed. Further details were presented on the law drafting process and the role of the parliament in Italy. Moreover, after the meeting, the delegation had the opportunity to attend a plenary session of the parliament.

ACCESS TO JUSTICE

The Visit to the **Supreme Court of Cassation** allowed for a thorough depiction of Italy's judicial system to take place from the standpoint of the **Court of Cassation** by high level judges of the **Court of Cassation**. Discussions tackled, issues of uniformity of the interpretation by the court of cassation, the appointment of the 10,000 Italian judges, and the provision of the court's official documents to the Italian citizens via electronic portals.



From right to left, Dr. Ismail (EG), Judge Abouzeid (EG) and Experts from Italy

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LESSONS LEARNED

The study visit has raised the delegates awareness of :

1. **Drafting** good legislation is a complex process that requires the mastering of a comprehensive set of skills, techniques, instruments.
2. **Database** of laws is crucial for accessing legislation in its original form as well as it is (has been) in force (i.e. further to amendments) at any given point in time
3. **Use** of Better Regulation tools such as Regulatory Impact Assessment or the Standard cost model and improved consultations.
4. **Simplification** (i.e. reduction of time and cost) of the administrative cycle for all the stakeholders of the Italian public life and for easing Italy's key economic actors and its SMEs in particular.
5. **Drafting** better regulations is a global challenge. It requires constant and consolidated efforts and initiatives.