



ماعت للسلام والتنمية وحقوق الإنسان
Maat For Peace, Development, and Human Rights

The Role of Good Local Governance in the Promotion and Protection of Human Rights in the Middle East and North Africa



Prepared by: Mohamed Mokhtar

Reviewing and editing: Eslam Fawky

Local administrations play a fundamental role in the promotion and protection of human rights, especially since the local government is the closest level to the citizens, which seeks to enable them to participate effectively in the decision-making processes that affect their daily lives. Local administrations are better in terms of identifying the needs and priorities of citizens, they deal with human rights issues on a daily basis. In the course of performing its functions, the local authority may make decisions on housing, health, education, environment, etc., which are directly linked to the realization of human rights, and thus may enhance or weaken the ability of citizens to enjoy their human rights.

Local administrations aim to strengthen the link between the central government and the popular base made up of citizens, especially in remote and rural areas that the central government cannot reach. Despite the developments introduced to the range of powers of local administrations in many countries of the world, their role is still limited to implementing the decisions of local governments that were developed without consultation with them, which undermines human rights at the local level. Therefore, good governance is an important means for promoting and consolidating human rights at the local level, whose achievement includes the application of eight basic principles.

Improving health, education and other services lead to the realization of economic and social rights. Therefore, there is a direct relationship between the provision of these services and the strengthening or weakening of citizens' capabilities to enjoy their human rights. Citizens' participation in making local decisions on their daily affairs also leads to the promotion of civic and political participation. Also, based on the ability of local administrations to reach marginalized and vulnerable groups, they contribute to promoting equality among all members of society without discrimination or exclusion.

Despite the role played by these departments in the promotion and protection of human rights, they face many challenges that prevent their ability to fulfill their obligations. On top of these challenges comes the lack of basic capabilities and resources, centralization, imbalance in the distribution of powers between the local and central government, and the poor clarification of the nature of the roles played by all parties, with the lack of information available to local administrations about the conditions of citizens, especially social conditions, as well as the lack of independence of local administrations from the central government, especially in terms of financial powers, and the disproportionality of local units with the available resources or spaces.

Accordingly, and on the sidelines of the Human Rights Council's 52nd session, Maat for Peace, Development and Human Rights highlights in this paper the role that local administrations in protecting and promoting human rights in the Middle East and North Africa region, and refers to the challenges it faces in the implementation thereof. Maat believes that good local governance would contribute to strengthening its work with regard to supporting and consolidating human rights at the local level, and it also stresses the importance of implementing the principles of good governance as an effective means for the realization of human rights.

The Role of Local Administrations in Promoting Human Rights

Local administrations in the Middle East and North Africa have made significant progress toward promoting human rights at the local levels. However, this progress remains very limited. They work to provide goods and services, achieve economic development, meet the needs of citizens at the local level, and enable citizens to participate in decision-making, which contributes to promoting a number of rights, especially the right to health, education, work and housing, in addition to reducing poverty, promoting social inclusion and improving the living standard of citizens, in addition to the consolidation of the right to political participation.

At the level of economic and social rights, many local administrations work to promote the right to health by taking all necessary steps to prevent, treat and contain diseases, improve medical care, and ensure that the living environment of individuals and groups is not harmful. This responsibility includes promoting the right to health, food and nutrition, as well as access to safe water and sanitation. In 2020, **Tunisian** Veterinary Services within the municipality of Sfax seized more than 20 tons of spoiled meat unfit for consumption, and 800 kilograms of spoiled fish in market.¹ These efforts contribute to preventing the spread of diseases among citizens in order to promote the right to health.

In Algeria, the municipality of Aïn Séfra launched, in January 2023, in coordination with local civil society organizations, the "National Campaign to Prevent the Danger of Carbon Monoxide", in order to raise the awareness of citizens about public health concepts.² In October 2022, the municipality had launched a campaign to combat the "sand fly", with the aim to preserve and enhance public health³, given the fact that this fly causes many diseases, including Leishmaniasis, and this measure is part of the disease prevention programs. In May 2022, the same

¹ المراقبة البيطرية ببلدية صفاقس، بلدية صفاقس، <https://bit.ly/3xgSU07>

² الصفحة الرسمية لبلدية عين الصفراء، <https://bit.ly/3xkrRAY>

³ هيكل البلدية لحفظ الصحة والنظافة العمومية، بلدية عين الصفراء، أكتوبر 2022 ، <https://bit.ly/3Yp1PbZ>

municipality launched a campaign to combat scorpion poisoning by spraying with pesticides.⁴

In the State of Bahrain, the local health administration in Muharraq Governorate worked in coordination with the Central Ministry of Health to provide good levels of health care for citizens. In June 2022, the administration organized the National Genome Campaign, which aims to conduct medical examinations aimed at preventing genetic diseases, and also developing effective medicines and antibiotics to treat these diseases.⁵

In Dhofar Governorate in the Sultanate of **Oman**, the local administration is working on implementing many health projects, such as the new Sultan Qaboos Hospital project and the Al Mazyouna Hospital project, with the aim of improving the levels of health services provided to citizens.⁶

In the **Kingdom of Saudi Arabia**, the Human Rights Unit in the Emirate of Al-Qassim organized, in cooperation with the Mental Health Hospital in the Emirate, an event on the occasion of World Mental Health Day, with the aim of promoting human mental health, being an essential part of human rights.⁷ Local administrations support health services for workers within them. In February 2016, the UAE Emirate of Umm Al Quwain implemented a health insurance system for all working employees of the Emirate, citizens and residents, which provides health insurance services to them, and enhances the level of health care provided to them.⁸

In **Lebanon**, Beirut Governorate worked to adopt an emergency plan to counter the repercussions of the spread of cholera, while promoting awareness and taking measures aimed at avoiding the spread of this epidemic.⁹

In this context, the local government in the Tunisian city of Sfax adopted exceptional measures to provide basic livelihoods for the vulnerable population during the spread of the Covid-19 pandemic. These measures ensure their access to comprehensive health services, especially for irregular migrants. However, it

⁴ الصفحة الرسمية لبلدية عين الصفر، <https://bit.ly/3YGZKru>
⁵ محافظة المحرق تقيم حملة (الجينيوم) بالتعاون مع المنسقية العامة للمحافظات وإدارة الصحة العامة، البلاد، يونيو ٢٠٢٢، <http://bit.ly/3xiw7fS>
⁶ عمان الخدمات الصحية بمحافظة ظفار تواصل مسيرة التقدم والتطور، العاصمة، نوفمبر 2022، <https://bit.ly/3RSY63M>
⁷ حقوق الإنسان بإمارة القصيم تشارك باليوم العالمي للصحة النفسية، الرياض، أكتوبر 2021، <http://bit.ly/3jTigy5>
⁸ حكومة أم القيوين تقر التأمين الصحي لموظفي الدوائر المحلية، العين الإخبارية، فبراير 2016، <http://bit.ly/3YImNIG>
⁹ بلدية بيروت، <https://bit.ly/3YH4qy9>

coordinated with local civil society organizations to provide food and nutrition to these people on a large scale.¹⁰

With regard to providing various social services to citizens, many municipalities have launched various projects and services to improve the quality of life of citizens and raise their living standard. In 2022, the Tunisian municipality of Sfax installed many public lighting poles in various facilities and roads, and renewed lightning in many sports facilities¹¹. In addition, the Tunisian municipality of Sousse has developed a digital platform in order to receive reports, suggestions and complaints of citizens, in the context of improving the response to daily needs in various fields.¹²

In the Tangier-Tétouan-Al Hoceima region of **Morocco**, the local administration has planned to implement approximately 65 development projects in 2020, with the aim of supporting the various social sectors, especially in the sectors of health, education and urban development sectors. These projects contribute to providing job opportunities for citizens at the local level.¹³ In March 2018 in the **UAE**, the Emirate of Umm Al Quwain opened a center to enhance the provision of public services to citizens.¹⁴

In **Egypt**, Cairo Governorate has facilitated the provision of services to citizens through the development of the electronic kiosk, which facilitates the process of mutual communication between citizens and service providers, thus reducing citizens' long waiting to obtain the service, and reduces the time, saving efforts and money, preserving public resources, and building trust between government agencies and citizens.¹⁵

Many municipalities provide population services to citizens. In Tunisia, the state of Kairouan is working to improve the quality of services provided to citizens, by removing slums and replacing them with new housing units,¹⁶ in activation of their rights related to adequate housing.¹⁷

¹⁰ Challenges and responses to COVID-19: A local perspective from the cities of Sfax and Douala. UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights (UCLG-CSIPDHR). <https://bit.ly/3LVv5iC>

¹¹ تركيز الإنارة العمومية بعدد من المنشآت والطرق، بلدية صفاقس ، <https://bit.ly/3Ynl4m2>

¹² فضاء الشكاوي والمقترحات، بلدية سوسة، <http://bit.ly/3Ikfs6v>

¹³ الوكالة الجهوية لتنفيذ المشاريع تستثمر ما يفوق 1.2 مليار درهم لإنجاز 65 مشروعا تنمويا خلال 2020، جهة طنجة تطون الحسيمة،

<http://bit.ly/3Equdm7>

¹⁴ مركز خدمات أم القيوين 7 نجوم لإسعاد المتعاملين، البيان، مارس 2018، <http://bit.ly/3E59HqN>

¹⁵ الكشك الإلكتروني النافذة الإلكترونية، <https://bit.ly/3YpQ7xK>

¹⁶ الصفحة الرسمية لولاية القيروان، <https://bit.ly/3HP8OUc>

¹⁷ ولاية بومرداس الصفحة الرسمية، <https://bit.ly/3IIXQql>

Many local administrations are trying to improve the quality of education provided to children and youth. For example, in the Rabat-Salé-Kenitra region in Morocco, in May 2022, the activities of the third regional days of school, university and vocational guidance were organized, within the framework of the local administration's strategy aimed at contributing to raising the quality of education.¹⁸

In this context, many local administrations are trying to provide good job opportunities for citizens, while raising their capabilities through a number of medical workshops. In November 2022, the northern governorate in Bahrain, in cooperation with the Taj Medical Center, organized a training workshop for a number of newly graduated nurses, to qualify the trainees to engage in the labor market.¹⁹

With regard to political and civil rights, local administrations work to enable citizens to participate effectively in decision-making that affects their daily lives. In Morocco, the "Tangier -Tetouan Al -Hoceima region" allows citizens to present a petition to the authority's council to discuss an issue affecting the local needs of citizens which fall within the competencies of the entity such as various development projects²⁰. In June 2022, the same entity worked to enhance the participation of all stakeholders at the local level in its development program, as it launched an electronic gate to receive proposals from all parties, in a way that enhances democratic participation.²¹

In Bahrain, the Capital Governorate has allocated 20 channels to communicate with the people, both direct and indirect, which enhances the communication mechanisms between the local administration and citizens, and responds to their claims and complaints. In 2022, the administration received 921 complaints, requests, and proposals through various communication channels, most of which were regarding the service aspect, 47%, and the share of the social aspect reached 44%, while the share of the security file was 9%.²²

In the Iraqi governorate of Basra, the local administration, in cooperation with civil society organizations, launched a training workshop between the technical team represented by government departments in the governorate and the voluntary team represented by civil society organizations and voluntary teams, in order to

¹⁸ جهة الرباط سلا القنيطرة، <https://bit.ly/3lhQ5Ce>
¹⁹ المحافظ الشمالية تنظم ورشة تدريبية بالتعاون مع مركز تاج الطبي، مركز الإعلام الأمني، <http://bit.ly/3YsOZIG>

²⁰ ما هي العريضة، جهة طنجة تطوان الحسيمة، <https://bit.ly/40VnJF9>

²¹ المشاركة في إعداد مخطط التنمية الجهوية طنجة تطوان الحسيمة، <https://bit.ly/3xiAj3P>

²² مقارنة بين عدد الشكاوي والمقترحات الواردة إلى محافظة العاصمة للأعوام 2013 إلى 2022، <https://bit.ly/40Sm8Qv>

develop mechanisms and monitor performance by community accountability teams and to enhance the ability and desire for public participation in planning public services.²³

In Tunisia, the municipality of Sousse has developed a mechanism to achieve communication with citizens, and receive complaints and proposals on various issues, with the aim of improving the social services provided to them and promoting their political participation.²⁴ The same municipality publishes an assessment of the performance of employees, supporting the citizens' right to obtain information, which is of great importance in consolidating democracy.²⁵

In this context, local administrations play an important role in responding to disasters, reducing losses, and helping citizens prepare for them. In the Dhofar Governorate in the Sultanate of Oman, the local administration responds to the heavy rains by equipping shelters with supplies and food supplies, while providing emergency medical services to citizens.²⁶

In the Jordanian governorate of Zarqa, the municipality receives complaints and claims in cases of climatic emergencies.²⁷ The emergency teams in the Greater Jordanian Municipality of Irbid respond effectively to complaints related to climatic problems and try to provide aid.²⁸

It is worth noting that many local administrations in the region have national mechanisms for preserving and promoting human rights. In Egypt, the Cairo Governorate has a human rights unit that works to monitor, study and address human rights-related problems within the local administration to develop solutions. It also spreads a culture of human rights and follows up on the implementation of international agreements signed by the central government.²⁹ In the Kingdom of Saudi Arabia, the Emirate of Al-Qassim has a human rights unit that carries out a set of awareness-raising initiatives to introduce human rights and participate in human rights-related international events and days.³⁰ Despite the presence of these mechanisms in many local administrations in the region, they are absent in other departments.

²³ قسم شؤون المواطنين محافظة البصرة، <https://bit.ly/3lrBNWJ>

²⁴ فضاء الشكاوي والمقترحات، بلدية سوسة، <https://bit.ly/3Ikfs6v>

²⁵ تقييم أداء بلدية سوسة، مدينة سوسة، <https://bit.ly/3K3o9mU>

²⁶ السلطنة تستقبل مكونو بإخلاءات وإجلاءات وطوارئ، الخليج، مايو 2018، <http://bit.ly/40QozDf>

²⁷ إعلان حالة الطوارئ في عدد من المحافظات استعدادا للمنخفض، السبيل، <http://bit.ly/3jrSrOS>

²⁸ بلدية اربل الكبرى، <https://bit.ly/3YOzGum>

²⁹ وحدة حقوق الإنسان بمحافظة القاهرة، <https://bit.ly/3ImPBuU>

³⁰ سمو أمير القصيم يشيد ببرامج وحدة حقوق الإنسان بديوان الإمارة، إمارة منطقة القصيم، <http://bit.ly/3K47GyV>

Challenges Faced by Local Governments in Promoting and Protecting Human Rights

Maat's information analysis shows that local governments face huge challenges in the field of protecting and promoting human rights. At the top of these challenges is the **control of the culture of centralization over the work of local administrations**, especially in the financial aspects. Because of this control, local administrations suffer from a lack of information and restrictions on access to citizens Social and economic information. Despite its direct dealings with citizens, it still lacks the ability to assess the economic and social conditions of citizens more accurately, and therefore it also loses the solid knowledge base that enables it to address human rights issues on a large scale. This is due to its lack of sufficient powers when dealing with urgent issues related to citizens. In Egypt, most of the powers are concentrated in the hands of the central government rather than the local ones. As a result, the greatest burden of responding to the demands and complaints of citizens falls on the shoulders of the central government, which is reflected in their social and economic rights.³¹

The second **challenge** that hinders local administrations from performing their role in promoting human rights lies in the lack of resources available to many of them, due to the financial centralization enjoyed by central governments, and the lack of independence of many local administrations in imposing local taxes and fees. In Algeria, local administrations are still suffering from the inability to control the financial allocations, and suffers from the accumulation of debts with the central government.³² As to the third **challenge, it** is the lack of coordination between the local and national government, especially in light of the absence of a dividing line between the powers and authorities of the two parties at times, so the Tunisian local levels suffer from an overlap in powers between the state, the delegation and the municipality, which are the levels of local administration there.³³

Although the **spread of corruption** is the fourth **challenge** impeding local administrations from carrying out their role in promoting human rights, in Iraq, the Basra governorate still suffers from financial and administrative corruption at the local level, which causes poor services provided to citizens and negatively affects the human rights situation.³⁴ The lack of adequate infrastructure, basic facilities and services make up the **fifth major challenge** for local administrations to carry out

³¹ إصلاح الإدارة المحلية في مصر رؤية مغايرة في ضوء دستور ٢٠١٤، مجلة كلية سياسة واقتصاد، أبريل ٢٠٢٢، <https://bit.ly/3VsSLjM>

³² إصلاح الإدارة المحلية في الجزائر ما بين الواقع والتحديات، دراسة حالة بلدية بسكرة، <https://bit.ly/3VIDEcM>

³³ الانتخابات البلدية في تونس. هل من مشارك؟، مرجع سابق

³⁴ المعتمد ملفات الفساد المالي والإداري في محافظة البصرة، <https://bit.ly/3XsTTFf>

their work, and this appears clearly in the northern governorate of Bahrain, which suffers from a lack of basic infrastructure and sewage networks.³⁵ Likewise, the capital governorate in Kuwait suffers from a lack of infrastructure for sanitation and rains³⁶. Finally, the weakness of local civil society administrations increases the vulnerability of local government institutions and increases the burdens on them. Many local civil society organizations do not play the role assigned to them due to the absence of coordination mechanisms between them and local administrations or due to poor capabilities.

Recommendations

Generally speaking, the role played by local administrations in promoting and protecting human rights cannot be overlooked, as they are the closest link to citizens and interact directly with their daily needs. Therefore, the local administration must be aware of the importance of its role in promoting human rights, especially since local administrations face many challenges that limit its effectiveness in implementing these rights. Therefore, Maat for Peace, Development and Human Rights recommends working on applying the standards of good local governance in order to ensure that it fulfills the role assigned to it according to the following:

- i. **Enhancing the process of political participation at the local level**, by enabling individuals and groups, especially minorities, marginalized groups, and citizens in remote areas, to express their basic demands, and this is done through legitimate channels such as the media, social media, internet platforms, and all platforms related to opinions that concern the demands and needs of citizens daily, while ensuring that elections for localities are held freely and fairly, in accordance with international standards and national legislation.
- ii. **Strengthening the rule of law at the local level**, through bringing all persons, institutions and local entities to trial, according to an independent judiciary and legal rules consistent with international standards. The rule of law at the local level is expressed in many mechanisms, including the necessity of the commitment of the local body, whether the municipality or villages with all the laws and regulations in force with the need to respect and implement decisions issued by neutral judicial bodies and the application of legal rules in a neutral manner and announce administrative and judicial penalties against members of the Municipal Council, which

³⁵ المحفوظ لبناء مستشفيات ومدارس بالمحافظة الشمالية، البلاد، ديسمبر 2022، <http://bit.ly/3IkueKI>

³⁶ محافظة العاصمة، <https://bit.ly/3jRhpOv>

contributes to reducing local corruption and the integrity of local institutions..

- iii. **Promoting local transparency** by making information about the work of local bodies accessible to all stakeholders. This information should be published to the public at the local level, with the exception of information related to protecting privacy or harming national security.
- iv. **Enhancing the local response** by responding to the needs of citizens at the local level. There should be a set of goals, rules, structures and procedures that meet the legitimate needs of citizens within a specific and reasonable time context, so that services are provided to citizens as quickly as possible.
- v. **Promoting consensus in the local community**, by collecting many opinions related to decision-making at the local level, and trying to achieve consensus among all these opinions and conflicting interests to uphold the public interest, and this appears in the case of launching a local service that benefits a group of residents at the local level. There are conflicting opinions on this issue such as the construction of a new road or an educational or medical building.
- vi. **Achieving fairness, justice, and inclusion** at the local level by representing every member of society, especially the poorest, most vulnerable, and marginalized, in making public policies of the state, so that no one feels excluded, and providing services to citizens equally.
- vii. **Ensuring the efficiency of local institutions** by using the resources available to them to achieve the best results in the performance of their work to ensure effectiveness in providing services, and the performance of local institutions is constantly reviewed with the aim of evaluating and improving performance, taking into account the opinions of citizens.
- viii. **Achieving local accountability**, which relates to the commitment of those in charge of the local authority to bear responsibility for the actions they perform while carrying out their work, while being subject to punishment in the event of deviations or failure to perform their duties.