



SOUTH-SOUTH DIALOGUE ON CONSTITUTION BUILDING PROCESSES *“Strengthening Constitutional Legitimacy through Inclusive and Participatory Drafting Processes”*

10- 12 October 2011

Blue Nile Room, Intercontinental Semiramis Hotel ♦Cairo, Egypt

SPEAKER GUIDELINES

Objective of the dialogue

In holding the *South-South Dialogue on constitution building processes*, we seek to create an effective space for dialogue and the building of a global network of constitutional practitioners. The specific aim of this dialogue is to:

Distil practical lessons, share experiences, discuss challenges and generate new ideas for designing inclusive and participatory constitution building processes for the benefit of practitioners from North Africa and the Middle East.

Dialogue structure

The dialogue is structured to unfold over three days. The first two days will have approximately 35 participants drawn from established and emerging constitutional democracies and regional organizations. The third day will include up to an additional 40 participants from Egypt, including constitutional experts, political actors and civil society.

Agenda Rationale

Day 1

Session 1 will establish a baseline for the dialogue’s discussions through an examination of the normative parameters of democratic and participatory constitution building processes and the relevant international legal norms. Session 2 will build on session 1 by looking at the broader context of the constitution building landscape in the Arab World with particular attention to ongoing and anticipated processes (Egypt, Tunisia, Libya); recently completed processes (Jordan, Morocco); and contexts with stagnated constitutional and democratic transition processes (Lebanon, Iraq, Algeria). The objective is to disaggregate the issues at stake, and key challenges for ongoing processes and to understand what lessons can be learned from recently completed and stagnated processes in the region , going forward

Day 2

Session 3 moves the dialogue to a detailed discussion of the institutional options for constitution building and will explore, amongst others, the benefits and challenges with the options, and how they can impact on the process and ultimately the content of the constitution. Session 4 will ground the discussion on participation in concrete options for including a broad range of stakeholders, including ensuring the voices of marginalized groups are heard. Session 5 will probe the dynamics of negotiation, deadlock and compromise during constitution building and strategies to avoid stalemates and move the process forward when dealing with highly contested issues. Session 6 will attempt to consolidate key messages and lessons from the previous 5 sessions, providing space for participants to expand on pertinent issues.

Day 3

Session 7 will assess contemporary constitution building processes and will aim to uncover what makes a process 'democratic'. Session 8 focuses on human rights, the choice of rights to include in the constitution and the mechanisms for ensuring the protection and respect of these rights. Session 9 will examine how constitution builders can design separation of powers to be durable and respected. Session 10 will end the dialogue by examining what elements of decentralization may be desirable and viable for Egypt.

As participants in this dialogue, we are engaged in a learning exchange in which each participant substantively contributes to the generation of new, solution-oriented knowledge. To facilitate this exchange, we have outlined some guidelines below.

General Guidelines for Speakers

The following guidelines are for the benefit of all participants and are intended to facilitate the achievement of the dialogue objective.

- ***Be concise***
Each speaker is asked to make their presentations in a *maximum* of 10 minutes. Speakers have not been asked to prepare papers for this event, but rather in their preparations to reflect on the overall agenda and respond specifically the questions posed in their session.
- ***Be forward looking***
The purpose of your presentation is not to exhaustively cover the topic area or your country's experience; it is to contribute to the comparative knowledge available to constitution building practitioners in North Africa and the Middle East in order to design democratic, participatory constitution building processes. This requires that speakers focus not simply on the normative context or on their country experience, but rather consider what elements of the aforementioned are relevant to these practitioners.
- ***Focus on the unique and noteworthy elements of your experience***
Strategically approach your presentation to highlight unique challenges, problem solving mechanisms and process and institutional designs. What is the perspective that you can offer about the session's issues that no one else can?
Also keep in mind that learning comes from successes and failures – knowing what does not work can be as valuable as knowing what does. Sharing the process for dealing with failures is also beneficial.
- ***Be an active contributor***
As a speaker, you are limited to the time allocated by session Chair to make your presentation. However your role during the plenary discussion of all sessions is equally important. We ask all participants to pose questions and engage in creative problem solving throughout the dialogue.

What we need from speakers

A **two page summary** of your presentation; please submit to Tayuh Ngege (t.ngenge@idea.int) and Zaid Al-Ali(zalali@idea.int).