

Declaration of Marrakech

## INSTITUTIONAL MEDIATION

The Presidents of the international networks on mediation, the Mediators, the Ombudsmans, and the related representatives of international instances and institutions, gathered on the occasion of the meeting during the encounter organized by the Mediator of the Kingdom of Morocco in Marrakech, on the 28 in the framework of the Human Rights World Forum, held upon the joint initiative of the National Human Rights Council and the Inter-ministerial Delegation on Human Rights.

Reaffirming the importance of the above mentioned meeting organized under the form of round-tables, around which there is an exchange concerning the related visions on mediation as pillar of November 2014, of democracy building and lever of good practices. Also, it was conducted on that same occasion, a deep thought on the notion of administrative security and mediation becoming, all in making prospects on the means of reinforcing cooperation between the different international networks on institutional mediation;

Appreciating the high calibre, quality presentations, as well as the most relevant comments from the audience commending the positive atmosphere prevailing during the well-organized event;

Recalling the important role played by the Kingdom of Morocco when adopting the United Nations General Assembly resolution n° 65/207, on the 21 fostering the necessity to strengthen the capacity of institutions / mediators or ombudsmans;

Recognizing the special role that mediators and ombudsmans play in the building of democracy and its major roles in the implementation of good governance and the protection of rights;

Acknowledging the contribution of ombudsmans, mediators in the different countries in addressing the expectations and concerns of individuals and groups, in order to put an end to the violations of their rights regarding their relations with the administrations;

December 2010, and the subsequent resolutions :

Considering that whatever the variety of their denominations, their creation modes, exercising means and their attributions, these institutions gather around their founding principles that are the basis of their existence be it independence, impartiality and their objectives;

Recalling the values and common universal principles upon which rely institutional mediation that foster and deploy all our efforts to assist those who recourse to it, whatever their nationality and place of residence, there is need, even in the lack of existing bilateral agreements, to establish cooperation relations between the different institutions in order to help out the counterparts nationals finding out solutions to potential litigations that they may have with the administration relevant to their own countries;

In view of the progress achieved in the framework of regional groups or linguistic ones, having demonstrated the importance of common action and the opportunity to exchange experiences and expertise knowing and adopting the best practices and enforcement in administrative mediation field;

Starting from the conviction that motivates all the institutions: that openness to cultures and accomplished actions by counterparts worldwide constitute an important asset allowing to

develop and enhance the undertaken work, it seems appropriate to think about the creation of an international multilingual training center and experiences exchange;

Considering that the legality, the good governance and the respect of the justice and equity principles constituting the action's essence of all mediation institutions that draw from universal common values aiming at maintaining the wellbeing of humanity within an environment that respects legality and dignity and allowing each person to benefit from rights and to fulfill his/her duties, which must lead to the adoption of a compendium gathering common rules;

Convinced that it is time to examine the possibility to implement an international mechanism constituting the core of a global body gathering, under the auspices of the United Nations Organization, all the States- and representing a development lever and a support to the action of Ombudsmans and Mediators- which mechanism should include groups gathered in Marrakesh and to widen to other counterparts groupings-must be in charge of the design, in that standpoint ,of a project to be submitted to the UN Secretary-General.

Considering the foregoing :

Therefore, We hereby propose the creation of the above mentioned mechanism, dedicated to institutional mediation, as a determining actor in democracy building, which would be in charge of the rights defense, uphold the strengthening of good governance, maintain to groups and individuals the necessary administrative services, ensuring conditions of an efficient communication between the administration and its users in the framework of the administrative action based on legality and equity;

To do so, the participants have unanimously decided to solicit presidents of other international networks in order to put in place a communication framework and regular one, constituting thus a prelude to the creation of the mechanism above mentioned that should be open to all national specialized institutions intervening in the institutional mediation field, whatever is their designation, and be raised to a system-model of mediation to be promoted and developed, also must it proceed to the elaboration of a preparation of a multilateral agreement, in accordance with the different institutions that sustain and assist the other countries nationals , each time they are in conflict with the administration of their countries, as well as the achievement of everything that may widen the prospects and cooperation fields.

For this purpose, the participants entrusted a chaired committee, by the ombudsman of the organizing country, Honorary Chairman of the Association of Mediterranean Ombudsmans,

President at BAR, Abdelaziz BENZAKOUR including Ms. Raymonde Saint-Germain, Quebec Parliamentary Ombudsman, Quebec, Canada, and President of the Association of Ombudsmans and Mediators of the French speaking countries and Mr. John Walters, Ombudsman of Namibia, President of the International Ombudsman Institute, in order to conduct the necessary thought related to the legal framework suitable to the above mechanism, and to proceed to the required connections with all the concerned actors and submit all the appropriate requests, regarding that field, to the Mr. the Secretary-General of the United Nations.