

Independent Reporting Mechanism:

# JORDAN Progress Report 2012-13

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## EXECUTIVE SUMMARY: JORDAN

Independent Reporting Mechanism (IRM) Progress Report 2012–2013

**Jordan's action plan included a number of ambitious and innovative commitments. In its next steps, there is strong potential for the government to build on its commitments and fortify the achievements made. Stakeholders interviewed expressed dissatisfaction, however, over the limited opportunities provided by the government to engage in the OGP process. Due to the limited engagement, Jordan has much room for improving civil society participation. A positive sign, the government has made plans to engage civil society in the development and implementation of its next action plan.**

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Jordan officially began participating in OGP in September 2011, when the Council of Jordanian Ministers officially approved the government's intent to join.

The OGP in Jordan is led by an ad hoc committee of representatives from government ministries and civil society. The Jordanian Ministry of Planning and International Cooperation is at the centre of Jordan's OGP initiatives. Other key actors include four additional ministries and three civil society organisations (CSOs); the National Center for Human Rights (semi-governmental organisations), the Jordanian National Forum for Women (chaired by prince Basam), and the Jordanian Association for Businessmen.

### OGP PROCESS

Countries participating in the OGP follow a process for consultation during development and implementation of their OGP action plan.

The Government of Jordan did not offer civil society the opportunity to consult on the OGP action plan, citing time constraints, civil society deficiencies, and lack of knowledge of OGP requirements. Moreover, the government only consulted government-affiliated organisations while excluding other CSOs and stakeholders.

The government-organised ad hoc committee was also responsible for consultation during the implementation process. The government did not organise another forum or committee for consultation. Additionally, the government did not publish the committee's internal consultation. Even so, the government has expressed great interest in carrying out a high level of public consultation with all levels of civil society on the development and implementation of the second action plan.

### At a glance

Participating since: 2011  
Number of commitments: 31

#### Level of Completion

Completed: 6 of 31  
Substantial: 4 of 31  
Limited: 13 of 31  
Not started: 6 of 31  
Unclear: 2 of 31

#### Timing

On schedule: 8 of 31

#### Commitment Emphasis:

Access to information: 12 of 31  
Participation: 4 of 31  
Accountability: 17 of 31  
Tech & innovation for transparency & accountability: 2 of 31  
Unclear: 8 of 31

#### Number of Commitments with:

Clear relevance to an OGP value: 23 of 31  
Moderate or transformative potential impact: 28 of 31  
Substantial or complete implementation: 10 of 31  
All three (👍): 7 of 31

### COMMITMENT IMPLEMENTATION

As part of OGP, countries are required to make commitments in a two-year action plan. Table (1) summarises each of Jordan's commitments, including each commitment's level of completion, ambition, and whether it falls within Jordan's planned schedule, and key next steps for future OGP action plans. Jordan's plan covered a wide variety of sectors and had a number of ambitious commitments, as evidenced below. Jordan completed six of its commitments. Table (2) summarises the IRM researchers' assessment of progress on each commitment's implementation.

**Table 1: Assessment of Progress by Commitment**

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
★1.1.1. Amend the Government Services Improvement Bylaw.									Behind schedule	New commitment building on existing implementation
1.1.2. Ensure the implementation of the Government Services Improvement Guidelines Manual.									Behind schedule	New commitment
1.1.3. Conduct a comprehensive customer-satisfaction survey.									Behind schedule	New commitment
1.1.4. Design the second phase of the national program for improving public services.									Behind schedule	New commitment
1.1.5. Enhance partnership and integration among government entities.									Behind schedule	New commitment
1.2 Promoting the culture of excellence in public sector					Unclear				Unclear	Revision of the commitment to be more achievable or measurable
1.3.1 Continue working on linking the governmental institutions with the E-Government									Behind schedule	New commitment
1.3.2. Enactment of a new E-Transactions Law									Behind schedule	Further work
1.4 Improve citizen feedback and complaint mechanisms									Behind schedule	New commitment
2.1.1. Audit Bureau Law.									Behind schedule	New commitment
2.1.2. Establish an Internal Audit function in line ministries.									Behind schedule	New commitment
2.1.3. Set standards and indicators for the internal audit units.									Behind schedule	New commitment
2.2.1. Amend the Anti-Corruption Commission (ACC) Law.									Behind schedule	Revision of the commitment
2.2.2. Ensure the implementation of the Code of Conduct among government employees.									Unclear	Further work on basic implementation

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>⊛ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
2.2.3. <b>Strengthen</b> the financial and operational independence of the National Center for Human Rights.									Unclear	Further work
⊛ 2.3.1. <b>Approve</b> of the Independent National Electoral Commission Law.									On schedule	New commitment
⊛ 2.3.2. <b>Enhance</b> citizen participation in decision-making.									Behind schedule	New commitment
A. <b>Adopt</b> a new Political Parties Law by Parliament.									On schedule	New commitment
B. <b>Approve</b> the new Elections Law by Parliament.									On schedule	New commitment
C. <b>Hold</b> municipal elections in 2012.									Behind schedule	New commitment
⊛ 2.3.3. <b>Establish</b> a Constitutional Court.									On schedule	New commitment
2.3.4. <b>Establish</b> an Administrative Court.									Behind schedule	Further work
2.3.5. <b>Adopt</b> amendments to the Access to Information Law.									Behind schedule	New commitment
2.3.6. <b>Complete</b> the second phase of the Jordan Aid Information Management System (JAIMS).									Behind schedule	Further work
⊛ 2.3.7. <b>Publish</b> the annual reports for 2011 of the Audit Bureau and Anti-Corruption Commission.									On schedule	New commitment
3.1.1. <b>Self-assess</b> National Procurement Systems.									On schedule	New commitment
⊛ 3.1.2. <b>Create</b> a unified procurement bylaw.									On schedule	New commitment
3.2.1. Be transparent in public spending.									Behind schedule	Further work
3.2.2. <b>Include</b> gender and child aspects in government units' budget.									Ahead of schedule	Further work

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>⊛ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
<p>⊛ 3.2.3. Enhance the transparency of the state budget preparation and disseminate information on the process.</p>									On schedule	New commitment
<p>3.2.4. Prepare a strategy for the financial decentralisation project.</p>									Behind schedule	
<p>3.2.5. Computerise budget lifecycle (GFMIS).</p>					Unclear				Unclear	New commitment
<p>3.2.6. Increase transparency and accountability in the use of public funds.</p>									Unclear	Further work
<p>3.2.7. Initiate discussions to join the Extractive Industries Transparency Initiative.</p>									Unclear	Further work

**Table 2: Summary of Progress by Commitment**

COMMITMENT	SUMMARY OF FINDINGS
<p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>	
<p>★ <b>1.1.1. Amend the Government Services Improvement Bylaw</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>	<p>The government published and amended the Government Services Improvement Bylaw, improving the legislative framework governing the delivery of public services. Specifically, it tasked different government departments with duties such as identifying the public services the departments provide and publishing an electronic manual about these services. According to this bylaw, the departments must undergo a performance assessment that compares the departments' performances against best standards. Overall, the bylaw has improved public service delivery by enhancing accuracy and efficiency of transactions. Pitfalls of this commitment, however, are that its language is unclear and it lacks clear procedures and a clear timelines. It mostly guides the Minister of Public Sector Development in establishing many mechanisms and actions to deal with citizen complaints and appeals. Due to this vagueness, the government might have been hindered from fully implementing the commitment. Moving forward, the researchers suggest creating a new commitment that furthers this original goal; one that better articulates how the commitment strengthens citizen participation and accountability. Finally, this commitment should have concrete, actionable, time-bound articles that consider local needs and an effort to build the capacity of the government employees is recommended to better apply the bylaw.</p>
<p><b>1.1.2. Ensure the Implementation of the Government Services Improvement Guidelines Manual</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>	<p>The government provided training to department directors on a manual to improve government services. From there, the government, in cooperation with USAID, issued toolkit summaries for service delivery improvement, distributing them to all government entities. Due to insufficient information on this commitment. Consequently, it was difficult for the IRM researchers to assess impact of the manual. Moving forward, the IRM researchers suggest creating a new commitment that furthers this goal: one that better articulates how the commitment strengthens citizen participation and accessibility and government accountability. The government should also conduct a public awareness campaign and keep the public apprised of its actions. Moreover, government could develop new toolkits or manuals that guide officials in communication and interaction with customers or use of social media by government entities to enhance communication with the customers.</p>
<p><b>1.1.3. Conduct a Comprehensive Customer-Satisfaction Survey</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The government conducted a half-year survey in different ministries and departments to measure the public's satisfaction. However, the survey outcomes lacked clear measures for future improvement of services. Some departments published survey results in draft format, not in a proper final format. Stakeholders questioned the impact of this commitment. Specifically, they have questioned the benefit of the survey results. Moving forward, the government should develop concrete mechanisms for employing the survey results and should produce a public record of how the survey improved performance.</p>
<p><b>1.1.4. Design the Second Phase of the National Program for Improving Public Services</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>Although the government indicated it had completed this commitment, the IRM researchers have not found sufficient evidence. The first media announcement about government adapting the second phase for improving national services came in May 2013, nearly at the end of the research period. Moving forward, the IRM researchers suggests the government better articulate how the commitment can strengthen citizen participation and accountability, as well as take measures to further public awareness of activities associated with the commitment.</p>
<p><b>1.1.5. Enhance Partnership and Integration among Government Entities</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The Ministry of Public Sector Development reported in its self-assessment report that it had signed a number of memoranda of understanding (MOUs) with other governmental entities. However, completion of this commitment is unclear, especially because stakeholders could not tell the current stage of progress for this commitment. This might show that the government's process may not actually promote government openness. Moving forward, the IRM researchers suggest creating a new commitment that furthers this goal, one that better articulates how the commitment strengthens citizen participation and accountability.</p>
<p><b>1.2 Promoting the culture of excellence in public sector</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: None</li> <li>• Completion: Unclear</li> </ul>	<p>This commitment had language that was vague, not clear, and not time-bounded using the term "supporting The Innovation &amp; Excellence Fund". Thus, it was very hard to measure any impact precisely. Communications around the commitment are lacking. Moreover, the reported progress on the government self-assessment was also not clear and shows that government is still working on the "supporting process", but did not provide concrete outcomes within the implementation period. To this end, no published materials are available on the IEF given that the portal of the Ministry of Public Sector Development is under construction and the media has weak reporting materials over the fund. Thus, the IRM researchers suggest that the Ministry of Public Sector Development should increase its transparency in financial allocations for the fund and evaluation indicators and procedures for granting, in addition to tracking project progress, and allow stakeholders to contribute to project-s assessments, and most importantly to activate its website that has been under construction for long.</p>

<p><b>1.3.1 Continue working on linking the governmental institutions with the E-Government</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Limited</li> </ul>	<p>The E-Government sector has witnessed a significant decline recently, with Jordan dropping 47 ranks in a United Nations index on e-government capacity (from 51 in 2010 to 98 in 2012). Stakeholders debated on the impact of the e-services, while some stakeholders believed that government spent more money on the e-government without clear impact on the citizens' accessibility to e-services, other stakeholders believed that e-services has facilitated some of the transactions.</p> <p>IRM researchers suggest that the government should set a robust strategy to introduce public to the services provided by e-government, and allocate more resources for the e-government to enhance its performance and step up with the humble international rank Jordan has gained.</p>
<p><b>1.3.2. Enactment of a new E-Transactions Law</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Not started</li> </ul>	<p>The E-Transactions Law is still being drafted in the Legislation Bureau, and was not passed yet to the parliament for approval. IRM researchers suggest completion of the drafting of the new E-Transactions Law and pass it to Parliament for approval.</p>
<p><b>1.4 Improve citizen feedback and complaint mechanisms</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>During the reporting period only limited progress was made on completion of a bill to improve government institutions. A bill introduced by the Government faced setbacks when the lower house struck certain key representative mechanisms. The law draft returned to the Lower House and is expected to be discussed again in the ongoing session. As drafted, several stakeholders pointed out that the law fails to give the Ombudsman adequate authority to enforce decisions. The IRM researchers urge restoration of the Ombudsman with sufficient authorities and resources to handle citizen complaints on government performance in addition to awareness-raising activities about the office's services..</p>
<p><b>2.1.1. Audit Bureau Law</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: None</li> <li>• Completion: Limited</li> </ul>	<p>The cabinet approved the amendment to the Audit Bureau Law, but Parliament has yet to approve the draft law. To date, neither the government nor the Parliament has published it. Many stakeholders submitted recommendations to enhance fiscal transparency and integrity. They lacked confidence in the Audit Bureau because it lacks influence on other government entities and occasionally even hinders the work of these bodies, referring to the lack of capacities to the Bureau staff. Stakeholders also claim that the Audit Bureau is not as independent as it claims and that it lacks transparency and accountability values. While the IRM researchers could not determine the impact of this commitment because, at the time of this review, it had not been completed, they suggest that Parliament to pass the draft law quickly, and that government makes the draft law public and track reported cases of irregularities on a day-to-day basis. More specifically, the amendments should ensure financial and administrative independence of the Bureau, expand the spectrum of institutions subject to the audit process, and provide the Bureau with significant authority to refer cases to the general prosecutor.</p>
<p><b>2.1.2. Establish an Internal Audit Function in Line Ministries</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The government has made limited progress on this commitment. While it established the Central Audit Unit at the Ministry of Finance in 2011, 11 departments still lack internal audit units. Nevertheless, stakeholders considered the outcomes to be of major significance. Additionally, the Audit Bureau published its 2012 report, which revealed major irregularities in the internal auditing unit of the Ministry of Social Development according to the present legal framework. On the other hand, Audit Regulations No. 3 (2011), the legal framework governing the Internal Audit Units, received criticism from the staff of internal audit units. The IRM researchers suggests new commitments based on the existing implementation with a clear timeline to establish internal audit units in all government departments. The government should ensure proper qualification of personnel; involve the public, make public all audit reports, and institutionalizing feedback and monitoring mechanisms to enhance efficiency and accountability.</p>
<p><b>2.1.3. Set Standards and Indicators for the Internal Audit Units</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The government has not published official standards or indicators measuring the level of transparency, accountability, and good governance. Because there was a lack of transparency in these areas, the IRM researchers had a difficult time assessing the commitment's actual impact. The IRM researchers did, however, find that the cabinet approved the internal audit indicators in October 2011. This was a significant step ahead in enhancing fiscal integrity in the public sectors. The IRM researchers found that this was of great benefit to related bodies reporting on financial irregularities. The IRM researcher suggests that the process for developing standards and indicators for governmental transparency, accountability and good governance should be an inclusive process involving various civil society stakeholders.</p>

<p><b>2.2.1. Amend the Anti-Corruption Commission (ACC) Law</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>	<p>The government approved an amendment to the Anti-Corruption Commission draft law, which was a hugely important step, according to stakeholders, since the amendment annulled a highly debated article in the draft law. The article would have imposed heavy, disproportionate penalties on whistle-blowers who reported corruption without sufficient evidence to support their claims. This amendment significantly enhanced the protections of every person involved in reporting on corruption. There are, however, other measures the government failed to attain, such as criminalising bribery in the private sector and efforts to hide conflicts of interest, as well as imposing punishments for refusing to report corruption. Overall, stakeholders criticised the lack of public engagement in the amendment formalisation process and the lack of transparency of the Anti-Corruption Commission. The government should create a new commitment in the next action plan that enlarges the Anti-Corruption Commissions' scope and activities to improve its efficiency.</p>
<p><b>2.2.2. Ensure the Implementation of the Code of Conduct among Government Employees</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Minor</li> <li>• Completion: Limited</li> </ul>	<p>While the cabinet approved the Code of Conduct for public sector employees, not all government entities properly implemented it, and the Code's introduction to the public sector did not receive sufficient media coverage. For successful implementation, this code needs a mechanism that will ensure proper institutionalised dissemination and practice. To successfully accomplish this commitment, the government should include civil society in building a national strategy with tangible outcomes that will ensure code implementation. Implementers should also incorporate the customer satisfaction survey results while crafting this strategy.</p>
<p><b>2.2.3. Strengthen the Financial and Operational Independence of the National Center for Human Rights</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Not Started</li> </ul>	<p>The government has not started this commitment. However, the government reports that it is currently discussing its implementation with the National Center for Human Rights (NCHR). Additionally, in the spirit of this commitment, the NCHR representative has asked the government for an independent budget line in the national budget. The government has yet to approve this. While NCHR should be financially and operationally independent, the way the Center is currently legally structured, is neither of these. Also, because the NCHR prefers to discuss human rights violations with the government behind closed doors, stakeholders believe the NCHR should publish its human rights reports and documents, and it should allow media to be more involved. The IRM researchers recommend that this commitment remain in the next iteration of the Jordanian action plan.</p>
<p><b>✪ 2.3.1. Approve the Independent National Electoral Commission Law</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Transformative</li> <li>• Completion: Complete</li> </ul>	<p>The Parliament has approved the Independent Election Commission Law. The government had, however, already proposed the law to Parliament before the submission of the national action plan. Regardless, this law paved the way for the first independent electoral authority in Jordan, the Independent Election Commission (IEC). The IEC was granted authority over the 2013 parliamentary elections and a limited set of municipal elections held in 2013. Some stakeholders see the organisation of this law as a significant reform. Currently, this commission remains dependent on the government, financially and administratively. Additionally, the government regulates administrative functions behind closed doors. Some of the administrative regulations limit the IEC's ability, evident, for example, in its impaired ability to recruit qualified staff. In the upcoming national plan, Jordan should amend this commitment to ensure the IEC is adequately staffed, to allow for better public access to its information, and to function at a higher level of independence for the commission.</p>
<p><b>✪ 2.3.2. Enhance Citizen Participation in Decision Making</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Substantial</li> </ul>	<p>A. Adoption of a new Political Parties Law by Parliament—The government completed this aspect of the commitment according to its timeline. This law accomplished significant reforms, requiring each party to have a minimum membership of 10 percent female. While this is a positive step, the requirements to this law make it difficult to establish a political party (e.g., requiring a minimum of 500 founders). Moving forward, this law would benefit from further amendments allowing for easier political party formation, elimination of the Ministry of Interior's domination over political parties, and reduction of the minimum age for establishing a political party from 21 to 18.</p> <p>B. Approval of the new Elections Law by Parliament—The government also completed this measure. While this new law contained major steps forward in the electoral reform, it did not meet political parties' expectations, as a result, some of the parties boycotted the 2013 parliamentary elections. The next steps should include cancelling the single non-transferable vote system, increasing public participation, and ensuring enough partisan representation to meet the political aspirations of citizens.</p> <p>C. Holding Municipal Elections in 2012—While the government did not complete this section of the commitment according to its timeline, it did eventually complete this commitment in the beginning of 2013. This part of the commitment attracted a lot of attention and received substantial feedback from civil society. Although the government implemented some of these comments, it neglected many of them. In the end, this law allows central government domination over local self-governance councils because the central government is able to dissolve the elected councils at any time. In the next action plan, this aspect of the commitment should enhance the authority and independence of the elected municipal councils, meet international standards, regulate the relationship between the local councils and the central government, guarantee sufficient resources to meet local development needs, and minimise central government domination over the decision making process.</p>



<p>🔗 <b>2.3.3. Establish a Constitutional Court</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Complete</li> </ul>	<p>The government established a constitutional court to ensure the consistency of current legislations with the constitution and to interpret constitutional texts as needed. Since its inception, this court has contributed significantly to constitutional clarifications, and it has provided important legal decisions. This commitment is considered one of the most significant reforms for advancing the rule of law. In the next OGP phase, the government must raise the knowledge of the members of Parliament on how to meet legal requirements and how to properly submit appeals to the constitutional court. Additionally, the constitutional court law should expand to allow a wider spectrum of actors to submit direct appeals to the court.</p>
<p><b>2.3.4. Establish an Administrative Court</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Not Started</li> </ul>	<p>The government has not started this commitment. The goal for this commitment was to expand the legal process to allow for appeals of judgments regarding administrative decisions, as currently rulings of the Supreme Court of Justice, mandated with litigating administrative disputes, cannot be appealed. In the next action plan, the government can include specific legislative actions allowing for administrative litigation in a two-tiered system, which will allow for enhanced transparency in the public sector and enhanced judiciary competence.</p>
<p><b>2.3.5. Adopt Amendments to the Access to Information Law</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Limited</li> </ul>	<p>While Jordan is the first country in the Arab world to adopt an access to information law, the government still has much to do to ensure the law meets international standards and best practices. For instance, there were no consequences for governmental departments if they failed to fulfil their obligations as stated in the law. Additionally, the information seeker is required to bear the expenses associated with the production of information with no specific ceiling. In 2012, the cabinet submitted a set of amendments to the law, but the government has yet to approve these. Until this happens, the 2007 law stands. The government should adopt further amendments to the Right to Access Information Law, consult stakeholders along the way, and increase public awareness of the right to access information from the government.</p>
<p><b>2.3.6. Complete the Second Phase of the Jordan Aid Information Management System (JAIMS)</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Not Started</li> </ul>	<p>This commitment aimed to introduce a second phase to the Jordan Aid Information Management System (JAIMS) that would include information on ongoing assistance to civil society and regional projects. The government is still working on coordinating with donors to complete this phase. Moving forward, the government should assign concrete milestones and should raise the public's awareness of this project.</p>
<p>🔗 <b>2.3.7. Publish the Annual Reports for 2011 of the Audit Bureau and Anti-Corruption Commission</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Complete</li> </ul>	<p>The government published the Anti-Corruption Commission's (ACC) and the Audit Bureau's reports on the respective portals. One of the report links on the Audit Bureau was not working properly. While the government regularly publishes these reports, members of Parliament did not discuss them, and the Financial Committee ignored them. In the next action plan, the government should ensure access to its annual reports. Additionally, the government should put in place timelines to implement the annual report's recommendations and should ensure that the Parliament discusses these reports.</p>
<p><b>3.1.1. Self-Assess the National Procurement Systems</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Unclear</li> <li>Potential Impact: Moderate</li> <li>Completion: Complete</li> </ul>	<p>The government reported using the methodology for the assessment of national procurement systems. In its progress report, the government states that this commitment is still in preparation. However, there were no perceivable results. Generally, informed stakeholders who the IRM researchers interviewed did not know the impact of this assessment, indicating the government was not open with the public about the process. Stakeholders were critical of the government's lack of transparency, highlighting the need to offer feedback to promote more innovative solutions. In the next action plan, a commitment should ensure transparency of this process and include a mechanism to keep the public informed about the self-assessment results.</p>
<p>🔗 <b>3.1.2. Create a Unified Procurement Bylaw</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Complete</li> </ul>	<p>The government adopted a unified procurement bylaw and submitted it for approval in 2008, at that time, the bylaw was a key requirement for Jordan to join the International Agreement for Government Purchase. There is, however, no evidence that shows the outcome or the next steps. This bylaw is still at the level of the Ministry of Public Sector Development, and it has yet to make it to the Prime Minister for approval. The bylaw is expected to encourage more investors to compete for major public tenders, which will in turn increase competition and provide the government an opportunity to select qualified bidders at competitive prices. Moving forward, the IRM researchers suggest that the government acquire public input before enacting this bylaw, introduce a definitive timeline, and outline clear procedures.</p>
<p><b>3.2.1. Be Transparent in Public Spending</b></p> <ul style="list-style-type: none"> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Limited</li> </ul>	<p>The government did not report any progress made on this commitment in its self-assessment report; however, as the IRM researchers reviewed public spending for sectors in the State Budget Law, they found a report on Public Expenditure co-authored by USAID showing that the government made an effort in water, health, education, social development, and transportation. This report was difficult to access through governmental portals, and it does not provide evidence that supports the government making strong efforts towards openness and transparency. In the future, the government should implement lessons learned from the Public Expenditure Report and should enlarge the report to include other sectors.</p>

<p><b>3.2.2. Include Gender and Child Aspects in the Government Units' Budget</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The impact of this commitment cannot be measured until the end of 2014. The government did, however, design the template in a way that highlights financial allocations for women and children. Even so, it did not consult civil society during the review of sections of the budget dealing with these allocations. Moving forward, the government should include civil society, and it could compare other countries' best practices.</p>
<p><b>3.2.3. Enhance the Transparency of the State Budget Preparation and Disseminate Information on Process</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Complete</li> </ul>	<p>The government produced the Citizen's Guide to Budget for 2012 and made it available on the State Budget Department portal. This portal also hosted the State Budget Law for 2012 and previously hosted the government units' budget law for 2012. While this commitment had an ambitious aim, stakeholders felt the government did not engage civil society during this goal's preparation and monitoring. Additionally, they felt that much of what the government did was a façade for the international community not local interest. In next steps, the government should use new mechanisms and tools to engage citizens, such as online consultation processes or public opinion polls.</p>
<p><b>3.2.4. Prepare a Strategy for the Financial Decentralisation Project</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Limited</li> </ul>	<p>The director of the local development unit at the Ministry of Interior announced the government's work toward a fiscal decentralisation strategy in three governorates. The executive council and the consultative council have yet to approve this strategy. While stakeholders attempted to engage in dialogue with the government about priorities, they expressed sentiment that the government disregarded their concerns and interests. Stakeholders also felt that the government implemented a decentralisation strategy through centralised techniques, which was not effective. Similar to several of the other commitments, in the next steps, government should engage citizens during the planning phase and involve civil society in the monitoring progress.</p>
<p><b>3.2.5. Computerise Budget Lifecycle (GFMS)</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Unclear</li> </ul>	<p>The government has made some efforts in introducing GFMS to some government entities and has designed a special portal on the system's project. The implementers of this commitment did not provide enough information about the system to higher-level ministries staff, and stakeholders do not find the GFMS portal informative. They believe the government should be more transparent and involve civil society in the monitoring and implementation of the project. In the future, the government should also provide adequate information online about the system, and design a mechanism for receiving feedback about the system.</p>
<p><b>3.2.6. Increase Transparency and Accountability in the Use of Public Funds</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Unclear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Not Started</li> </ul>	<p>The stakeholders did not have any knowledge about the implementation of this commitment, and the IRM researchers were also unable to find information on it. Additionally, the government's self-assessment report did not report on the commitment. From here, the government needs to work on basic implementation of this commitment such as ensuring engagement with citizens and experts and creating measurable milestones.</p>
<p><b>3.2.7. Initiate Discussions to Join the Extractive Industries Transparency Initiative</b></p> <ul style="list-style-type: none"> <li>• OGP Value Relevance: Clear</li> <li>• Potential Impact: Moderate</li> <li>• Completion: Not Started</li> </ul>	<p>Stakeholders could not point to any evidence that the government is working towards joining the EITI. Additionally, the government's self-assessment report states that it did not make progress on this commitment. Since transparency in managing extractive industries is extremely important to prevent corruption, joining this initiative would be beneficial to the public. In next steps, the government must work on basic implementation. To prepare for EITI certification, the government must issue a public statement of its intent to join, appoint a senior official, establish a multi-stakeholder work group, and maintain a work plan to meet certification standards.</p>

## RECOMMENDATIONS

For Jordan to maintain its role as a leader in reform efforts in the Arab region, the government will need to follow through on efforts to protect freedom of speech and expression and to ensure the rights of citizens to access information to engage in informed public policy discussions and decision-making processes. Recent setbacks relating to legal restrictions on the press attest to the need for greater openness in line with OGP values. It is noteworthy that Jordan has started implementing OGP commitment activities that have the potential to greatly benefit the country. However, the government needs to take intermediate steps to ensure that accompanying activities are properly implemented for the commitments to achieve their full potential impact.

### Stakeholder recommendations

According to stakeholders involved in the OGP process, the government should:

1. Implement a comprehensive reform strategy for municipal democracy, including an amendment to the Municipalities Law that would guarantee administrative and financial independence for local self-governance councils;
2. Provide enough resources for local developmental needs;
3. Continually engage local communities while they manage their affairs;
4. Minimise the domination of central authorities over municipal councils;
5. Commit to a higher transparency level while preparing the national budget and financial allocations, which would mean providing sufficiently detailed allocations and setting a publicly accessible tracking system for government spending; and,
6. Amend the Parliamentary Elections Law to guarantee compatibility of the electoral process with international standards of integrity, transparency, equity, and freedom; and reconsider the SNTV voting system through an inclusive national dialogue.

### Researchers' recommendations

Based on information obtained and analysed by the IRM researchers, the government should:

1. Be more transparent in practice.
  - Actively inform citizens about official proceedings.
  - Allow the public to access information on government performance.
  - Set clear and measurable indicators for self-evaluations, and publish these regularly.
  - Guarantee sufficient, accurate, and updated information.
  - Engage the public to advance democratic development and engage in the prioritisation and evaluation of public policies.
  - Establish an institutionalised communication strategy to communicate more constructively with stakeholders.
2. Raise public awareness.
  - Invest in awareness-raising campaigns related to global citizenship values and international instruments and conventions approved by Jordan.
3. Enhance public consultation with universities, academics, and research centers.
  - Use non-governmental experts as a foundation for policy-making.
  - Document and submit the outcomes of public and expert consultations.
  - Include key experts and stakeholders in strategy development and allow them to be involved with simultaneous feedback on implementation, impact assessment, and evaluation of action plan development.
4. Provide informative commitments as part of OGP.
  - Submit reports that provide sufficient information on implementing a timeline, involved parties, risks, progress-tracking paths, and allocated resources.
  - Provide reliable indicators in the commitment's language to measure progress, and use clear language to assign implementation responsibilities to leading institutions.
  - Do not submit commitments on behalf of independent institutions.
5. Enhance the partnership between government and CSOs.
  - Follow international best practices for building a robust strategy to advance a partnership with civil society institutions.

- Grant governmental departments a higher level of independence to build and actively seek partnerships, and allocate sufficient resources for it.
- 6. Advance the work of community-based organisations.
  - Allow CSOs to develop a strategy to build the capacities of Community-Based Organisations (CBOs) so they are effective on a local and national level.
- 7. Enhance the use of technology for openness and accountability.
  - Work with other countries to learn from and use their experiences in this realm.
  - Use technology to encourage wider public participation, allow public access to information, and be more open in its actions.
- 8. Enforce legislation that requires government to use more consultative efforts.

**Eligibility Requirements 2012:** To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit <http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria>. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

<b>Budget Transparency:</b> Executive Budget and Audits	(4 of 4)	<b>Access to Information:</b> Law Enacted	(4 of 4)
<b>Asset Disclosure:</b> Elected Official to Parliament Only	(2 of 4)	<b>Civic Participation:</b> 3.82 of 10	(2 of 4)

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

Dr. Amer Bani Amer, and Mrs. Mai E'leimat, of the Al-Hayat Center for Civil Society Development authored this report. The Al-Hayat Center is a Jordanian, independent, non-governmental and non-profit organisation. Established in 2006 by a group of Jordanian civil activists. It aims to enhance political life in Jordan within the frame of democratic principles, human rights and rule of law, through raising public awareness on the values of civil society based on justice, equality, freedom, participation and acceptance.



## I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organisations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

### Introduction

Jordan officially began participating in OGP in August 2011 when the Council of Ministers officially approved Jordan's participation. The Prime Minister formed an Ad Hoc Committee in October 2011 chaired by the Ministry of Planning and International Cooperation (MoPIC).<sup>1</sup> According to the government, it is comprised of representatives from the public and private sectors, and civil society organisations (CSOs).

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Indicators produced by organisations other than OGP were used to determine the extent of country progress on each of the dimensions. Points were awarded, as described below.

Jordan entered into the partnership exceeding the minimum requirements for eligibility, with a high score in each of the criteria. At the time of joining, the country had the highest possible ranking for Open Budgets (four out of a possible four)<sup>2</sup>, the principle of access to information, embodied in its 2007 law, received a high score (four out of a possible four)<sup>3</sup>, Asset Disclosure, with only elected politicians required to declare assets to the Parliament, received a moderate score (two out of four)<sup>4</sup>, and the country received a score of 3.82 out of a possible ten on the Civil Liberties category of the Economist Intelligence Unit's Democracy Index<sup>5</sup>.

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programs. (See Section IV for a list of grand challenge areas). Action plans should then set out each government's OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other cohort OGP countries, Jordan developed its national action plan from January through April 2012.<sup>6</sup> The official effective start date for the action plan submitted in April was January through 31 December 2012 (the government in Jordan thought the plan should cover only the year 2012)<sup>7</sup>. Jordan published its self-assessment report in February 2013.<sup>8</sup> And at the time of this report (November 2013), the Jordanian government was working on the second national action plan.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent national researcher to carry out an evaluation of the development and implementation of the country's first action plan. In Jordan, the IRM partnered with Dr. Amer Bani Amer and Mrs. Mai E'leimat from the Al-Hayat Center for Civil Society Development, who authored this progress report. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP participating country.

### **Institutional Context**

The Jordanian Ministry of Planning and International Cooperation (MoPIC) was the leading institution for Jordan's OGP commitments. MoPIC and another 25 ministries comprise the Jordanian government. Of these, four ministries and a representative of the Prime Minister's office were part of the Ad Hoc Committee formed by the Prime Minister to develop and implement the OGP action plan. The Committee also included another three non-governmental organizations; the National Center for Human Rights (NCHR), the Jordanian National Forum for Women (JNFW), and the Jordanian Association for Businessmen. MoPIC recommended the committee members to the Prime Minister mid-October 2011. The Prime Minister approved them at the end of that same month, and communication with the committee members started on 1 November 2011. Despite the quick selection and communication with the members, they were not called by MoPIC to a first meeting until mid-January 2012<sup>9</sup> (The plan was drafted in April 2012). MoPIC was very powerful in leading the committee. MoPIC led coordination among the members; it most likely prepared the plan with some consultation from the committee members. A clear domination was obvious by the absence of role distribution among the members. The OGP idea as a whole was not clear to the members.<sup>10</sup>

### **Methodological Note**

The IRM researchers, Dr. Amer Bani Amer, and Mrs. Mai E'leimat, of the Al-Hayat Center for Civil Society Development authored this report. The Al-Hayat Center is a Jordanian, independent, non-governmental and non-profit organisation. Established in 2006 by a group of Jordanian civil activists. It aims to enhance political life in Jordan within the frame of democratic principles, human rights and rule of law, through raising public awareness on the values of civil society based on justice, equality, freedom, participation and acceptance.

The IRM researchers reviewed the government's self-assessment report, gathered the views of civil society, and interviewed appropriate government officials and other stakeholders. OGP staff and a panel of experts reviewed the report. Government and selected members of civil society were also given an opportunity to comment, provide additional information, and identify factual errors prior to publication.

To gather the voices of multiple stakeholders, the IRM researchers organised three stakeholder forums in the southern (Karak Governorate), northern (Irbid Governorate), and central (the capital Amman) regions of Jordan. In addition, a number of semi-structured interviews were conducted with government officials, journalists, and Parliament Members. The IRM researchers also reviewed two key documents prepared by the government: Jordan's first action plan and the self-assessment report published by the government in February 2013. Numerous references are made to these documents in addition to review of the media outlets and other related materials.

Summaries of these forums and more detailed explanations are provided in the Annex.

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<sup>1</sup> Ministry of Planning and International Cooperation, Government of Jordan, <http://www.mop.gov.jo>

<sup>2</sup> Open Budget Partnership, *Open Budgets Transform Lives: The Open Budget Survey 2010* (Washington, DC: International Budget Partnership, 2010), <http://bit.ly/1hTd9TQ>

<sup>3</sup> The Hashemite Kingdom of Jordan, "Constitution and its amendments," 1 January 1952, at Article 15.1-2, [Arabic] <http://bit.ly/NjpLJK>

<sup>4</sup> Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009): [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1334126](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1334126); Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009). <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009). <http://bit.ly/1cIokyf>

<sup>5</sup> The Economist, *Democracy Index 2010: Democracy in Retreat*, by the Economist Intelligence Unit (Report, London, 2012), <http://bit.ly/1i3Ddvn>

<sup>6</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership Jordan: National Action Plan* (plan, Amman, April 2012), <http://bit.ly/1pOY5v7>

<sup>7</sup> N.Z., Ministry of Planning and International Cooperation (MoPIC) official responsible for OGP, interview with the IRM researchers, 6 October 2013.

<sup>8</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHr>

<sup>9</sup> Ministry of Planning and International Cooperation (MoPIC), official documents to the IRM researchers, 28 October 2013.

<sup>10</sup> R.S., National Centre for Human Rights (NCHR), Report Stakeholders Meeting, 8 October 2013.

## II. PROCESS: DEVELOPMENT OF ACTION PLAN

**The Jordanian action plan development process was marked by a series of small, ad hoc meetings. They will need to be expanded to a much larger segment of civil society to meet OGP expectations.**

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at a minimum) prior to the consultation;
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views; and, make a summary of the public consultation and all individual written comment submissions available online;
- Undertake OGP awareness-raising activities to enhance public participation in the consultation;
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in Section III, Consultation during Implementation:

- Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is discussed in the next section, but for ease of reference, evidence for consultation both before and during implementation is below in Table 1.

**Table 1: Action Plan Development Process**

<b>Phase of Action Plan</b>	<b>OGP Process Requirement (Articles of Governance Section)</b>	<b>Did the Government Meet this Requirement?</b>
<b>During Development</b>	Timeline and process: Prior availability	No
	Advance notice	No
	Awareness-raising activities	No
	Online consultations	No
	In-person consultations	Yes
	Summary of comments	No
<b>During Implementation</b>	Regular forum	No



### **Advance Notice of Consultation**

The government's first announcement about OGP was on April 2012 (despite having joined in September 2011) through a press release issued to cover the Third Deauville Partnership Meeting that was held at the Dead Sea, between 11 and 12 April 2012. The press release indicated that the Minister of Industry and Trade announced that Jordan joined the OGP as an outcome of the Third Deauville Partnership Meeting.<sup>1</sup> The press release not only did not emphasise the OGP (114 out of 491 words) but also, provided mistaken information about when and why Jordan joined the OGP. This suggests a lack of government effort to publicise OGP.

The webpage dedicated to OGP on the Jordanian government portals was hard to find, one page of information was located under an irrelevant heading, "Reports" on the MoPIC website. The page, uploaded on April 2012 provided an introduction to the OGP initiative in Arabic then followed by a link to the action plan at the bottom of the page.<sup>2</sup> Unfortunately, the action plan was only available in English at this link.

Wrongly listed under reports (the OGP action plan is not a report) and missing an Arabic copy, the action plan is very hard for citizens to access. Thus, the process itself lacked transparency.

The government attributed lack of publicity or advance notice of consultation to (1) limited time between joining the OGP and submitting their action plan, (2) weakness and immaturity of CSOs to form alliances or a platform and to develop tools to communicate and facilitate efforts to engage with the government, and (3) lack of knowledge about OGP obligations such as providing advance notice of consultation, thereby placing blame on the international OGP support structure for not being clear on the whole process and requirements.<sup>3</sup>

### **Quality and Breadth of Consultation**

Public consultation was very limited in Jordan. It was limited to an ad hoc centralised committee formed on the recommendation of MoPIC and approved by the Prime Minister after joining the OGP in September 2011 (see commitment 1.2.). The committee was chaired by MoPIC and included five governmental institutions: the Ministries of Political Development, Finance, Public Sector Development, and Foreign Affairs, and the Anti-Corruption Commission. The government selected two non-governmental organizations for the Ad-hoc Committee, the Jordanian National Forum for Women (JNFW) and the National Center for Human Rights (NCHR)<sup>4</sup>, based on the fact that the selected organisations are umbrella institutions representing various walks of civil society.

According to the government, this committee held a number of ad hoc meetings throughout the OGP process to measure the progress of the commitments. Additionally, MoPIC made field visits to the members' offices.<sup>5</sup> However, stakeholders really did not consider the committee to be a reliable mechanism. Largely recognised as a highly centralised committee, none of the subnational governorate's representatives were included in the committee, and the representation was entirely centralised in the capital of Amman<sup>6</sup>.

The consultation outcomes were not published online or shared among other stakeholders. except for NCHR, civil society stakeholders first learned of OGP during

meetings held by the IRM researchers for the purpose of this report. Stakeholders interviewed claimed that civil society was not represented in the development and implementation of the plan<sup>7</sup>; According to stakeholders JNFW is an organization chaired by Princess Basma Bint Talal, and NCHR is a semi- governmental organization. Despite it has been provided in Art. 3 of the NHCR Law No. 51 of 2006, that the NCHR enjoys financial and administrative independence. In the same law, however, Art. 13 states that a board of trustees is responsible for supervising the Center, with the president and the members of the board appointed by royal decree based on the Prime Minister's recommendation<sup>8</sup>. This was supported also by NCHR representative during the stakeholder meeting in Amman, who pointed that the process lacked CSOs engagement, and since NCHR doesn't consider itself a CSO; NCHR can't speak on behalf of CSOs<sup>9</sup>. Nevertheless, NCHR has lead a number of coalitions of CSOs to conduct some of its programs.

Other stakeholders interviewed in the course of this report were disappointed, but not surprised by exclusion of CSOs and other stakeholders. They stated that, as in other processes, government primarily engages government-affiliated CSOs for consultation. Further, according to the stakeholders, often government invites participation for consultative activities as an opportunity for positive media images or to meet donor priorities. These same organisations believe that CSOs actively working on issues closely related to OGP values are easy to approach and have a clear track record of impact, so the government has little excuse for not engaging them. According to these groups, effort should be made first to open the process before raising concerns about CSOs being unorganised or hard to approach.<sup>10</sup>

On the other hand, according to stakeholders interviewed, the action plan commitments are a product of the limited process. Stakeholders interviewed were not sure that the commitments met the priorities of organised civil society. They believed the commitments did not touch on serious or sensitive issues regarding government openness and were not time bound, comprehensive, or measurable.<sup>11</sup> The government itself described criteria for developing the commitments, supports their beliefs: official interviewed stated that commitments were developed based on each committee member's priorities.<sup>12</sup> This suggests that if government had included more stakeholders or more governmental entities then the action plan may have had more integrative commitments and more diverse views. For example, stakeholders wondered why the Ministry of Municipal Affairs was not included, despite the existence of commitments already within their scope of work. They asked why CSOs with a well-known record of advocacy on topics like access to information or anti-corruption were excluded.<sup>13</sup>

Stakeholders stated that the process itself did not support the core OGP values of transparency and participation nor, more importantly, open government<sup>14</sup>. Some stakeholders interviewed also believed that the exclusion of stakeholders was to avoid any kind of monitoring or evaluation of its functions or practices, which also affects accountability<sup>15</sup>.

Even with limited consultation through the Ad Hoc Committee, it was unclear how feedback and opinions of the committee members were integrated in the action plan. While the government stated that, the opinions of the committee members were highly integrated in the plan; according to the NCHR representative (was member in the

committee), the consultation was clearly dominated by MoPIC and marked by an absence of clearly defined roles for committee members. He stated that even some other ministries on the committee were complaining about the domination of MoPIC, where in some cases, international organisations offered to assist the ministries in implementing their commitments; however, MoPIC, as the lead agency, ensured that all communication was made through them, which prevented other ministries from benefiting of some cooperation.<sup>16</sup> However, reviewing the legal framework organizing this process it was found that according to the Planning Law number 68 for the year 1971, MOPIC is the focal point between the international donor community and the line ministries and institutions inside of Jordan. Accordingly, all cooperation activities in this context have to be coordinated through MoPIC. MoPIC clarified that “this procedure is being observed by MoPIC for the sake of coordination, ensuring the harmony between any foreign intervention with the national priorities, and avoiding any sort of duplication, in addition to ensuring optimal utilization of foreign assistance (technical and financial)”<sup>17</sup>. In this context a thorough revision process should be made to this legal framework to enable sufficient coordination of this process among the governmental agencies, at the same time, allow an adequate space for the governmental agencies to follow and coordinate for opportunities on the level of agency and avoid any hindering Bureaucratic procedures.

Despite the issues with the process around development of the action plan, the Government of Jordan has nonetheless managed to come up with quite interesting set of commitments.

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<sup>1</sup> Jordan News Agency (Petra), “Jordan Joins the Open Government Partnership,” press release, 12 April 2012, [Arabic] <http://bit.ly/1cve1tv>

<sup>2</sup> Ministry of Planning and International Cooperation (MoPIC), “Jordan Action Plan,” <http://bit.ly/1bXj4Dh>

<sup>3</sup> N.Z., MoPIC official, interview with the IRM researchers, 6 October 2013.

<sup>4</sup> Ministry of Planning & International Cooperation, Jordan Self-Assessment Report, February 2013 <http://www.opengovpartnership.org/country/jordan/assessment> & N.Z, MoPIC official responsible for OGP, interview, 6 October 2013.

<sup>5</sup> N.Z., MoPIC official, interview with the IRM researchers, 6 October 2013.

<sup>6</sup> Stakeholders Meeting, Amman, 8 October 2013.

<sup>7</sup> Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013.

<sup>8</sup> Stakeholders Meeting, Irbid, 7 October 2013, Karak 8 October 2013 & Amman 8 October 2013.

<sup>9</sup> R.S., NCHR representative, Stakeholders Meeting, Amman, 8 October 2013.

<sup>10</sup> Stakeholders Meeting, Amman, 8 October 2013.

<sup>11</sup> M.R., journalist, interview with the IRM researchers, 10 October 2013; N.Z., MoPIC official, interview with the IRM researchers, 6 October 2013.

<sup>12</sup> N.Z, MoPIC official responsible on OGP, interview with the IRM researchers, 6 October 2013.

<sup>13</sup> Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013; Stakeholders Meeting, Amman, 8 October 2013.

<sup>14</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>15</sup> H.A., journalist, interview with the IRM researchers, 12 October 2013.

<sup>16</sup> R.S., NCHR representative, Stakeholders Meeting, Amman, 8 October 2013.

<sup>17</sup> N.Z, MoPIC official responsible on OGP, government comment on the IRM report , 26 February 2014

### III. PROCESS: CONSULTATION DURING IMPLEMENTATION

**Consultation during the action plan through the MoPIC-led Ad Hoc Committee was limited by conflicting views regarding the necessity and ability of civil society to participate in decision making within the action plan.**

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarises that information.

The same Ad Hoc Committee formed by the government to develop the action plan was responsible for consultation during the implementation process. The Committee met on ad hoc basis at the office of the MoPIC in Amman. MoPIC also made a few field visits to the members' offices. The government established no other forum for consultation.<sup>1</sup>

Based on documentation the IRM researchers obtained from the government, implementation of the action plan did not start until the Prime Minister approved it in May 2012. Official communications in October 2012 between MoPIC and the committee members indicates a request by the latter for MoPIC to provide progress reports on the level of achievement for each commitment.<sup>2</sup>

The government again attributed the lack of consultation to time limitations and CSOs' weakness to form a platform of mutual communication with the government. The government also claimed they did not know OGP required consultation. However, this was doubted by the stakeholders.<sup>3</sup>

By contrast, the government showed great interest in and made multiple attempts at high-level public consultations during the development and implementation of the second action plan. They stated that they would work to include all level of civil society in the process with a special focus on including governorates level communities<sup>4</sup>.

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<sup>1</sup> N.Z, MoPIC official responsible on OGP, interview with the IRM researchers, 6 October 2013.

<sup>2</sup> Ministry of Planning and International Cooperation (MoPIC), official documents to the IRM researchers, 28 October 2013.

<sup>3</sup> Stakeholders Meeting, Amman, 8 October 2013.

<sup>4</sup> N.Z, MoPIC official responsible on OGP, interview with the IRM researchers, 6 October 2013.

#### IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five “grand challenges” that governments face. OGP recognises that all countries start from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- **Access to Information**—These commitments:
  - pertain to government-held information;
  - are not restricted to data but pertain to all information;
  - may cover proactive or reactive releases of information;
  - may pertain to strengthening the right to information; and,
  - must provide open access to information (they should not be privileged or internal only to government).
- **Citizen Participation**—Governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more

responsive, innovative and effective governance. Commitments around citizen participation:

- open decision making to all interested members of the public; such forums are usually “top-down” in that they are created by government (or actors empowered by government) to inform decision making;
  - often include elements of access to information to ensure meaningful input of interested members of the public into decisions; and,
  - Often include enhancing citizens' rights to be heard, but do not necessarily include the right to be heeded.
- **Accountability**—There are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
    - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
  - **Technology and Innovation**—Commitments for technology and innovation:
    - promote new technologies and offer opportunities for information sharing, public participation, and collaboration;
    - should make more information public in ways that enable people to both understand what their governments do and influence decisions;
    - may commit to supporting the ability of governments and citizens to use technology for openness and accountability; and,
    - may support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts will have the greatest impact.

Recognising that achieving open government commitments often involves a multi-year process, governments should attach time frames and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible.

This section details each of the commitments Jordan included in its initial action plan. A number of the commitments have been grouped together on a single fact sheet to avoid repetition and make reading easier for OGP stakeholders.

While most indicators used to evaluate each commitment are self-explanatory, a number of indicators deserve further explanation.

- **Relevance:** The IRM researchers evaluated each commitment for its relevance to OGP values and OGP grand challenges.
  - **OGP values:** To identify OGP commitments with unclear relationships to OGP values, the IRM researchers made a judgment from a close reading of the commitment's text. This judgment reveals commitments that can better articulate their relationship to fundamental issues of openness.
  - **Grand challenges:** While some commitments may be relevant to more than one grand challenge, the reviewers only marked those that had been identified by government.

- **Ambition:** The IRM researchers evaluated each commitment for how ambitious commitments were with respect to new or pre-existing activities that stretch government practice beyond an existing baseline.
  - **Potential impact:** To contribute to a broad definition of ambition, the IRM researchers judged how potentially transformative each commitment might be in the policy area. This is based on the IRM researchers' knowledge and experience as public policy experts.
  - **New or pre-existing:** Based on the facts, the IRM researchers also recorded whether a commitment was based on an action that pre-dated the action plan.
- **Timing:** The IRM researchers evaluated each commitment's timing, even when clear deliverables and suggested annual milestones were not provided.
  - **Projected completion:** In cases where this information is not available, the IRM researchers made their best conjecture based on the evidence of how far the commitment could possibly be at the end of the period assessed.

### 1.1.1. - 1.1.5. Service Delivery Monitoring and Ethics

- 1.1.1 *Amending “the Government Services Improvement Bylaw” number 64 for the year 2006 in a view of introducing adequate follow-up and accountability mechanisms and to improve the legislative framework governing the delivery of public services. In addition, the amended bylaw will enhance transparency and strengthen the trust between the recipients of services and the government entities. The amended bylaw will also assist in combating administrative and financial corruption. Equality and justice will be ensured to all citizens based on the fact that their voice and suggestions will be taken into consideration, by virtue of the bylaw.*
- 1.1.2 *Improving and ensuring wider implementation of the “Government Services Improvement Guidelines Manual” to enable Governmental entities to deliver services through unified general scheme and best international practices. This will institutionalize the culture of constant improvement of the government services.*
- 1.1.3 *The Government will also ensure wider implementation of the Manual, and will conduct a comprehensive customers- satisfaction survey in 2012. This will enhance citizens- satisfaction by empowering citizens to be active partners in the development of service delivery mechanisms. It will also improve constant monitoring of service providers which will ensure the good quality of service delivery, and accordingly strengthen the trust among citizens and service providers.*
- 1.1.4 *Designing the second phase of the national program aimed at improving public services and simplifying procedures on governorate and district levels for the period 2014-2016 through tackling additional departments and services. This will ensure justice in providing services across the Kingdom.*
- 1.1.5 *Concluding cooperation agreements among the Ministry of Public Sector Development and the different Governmental institutions to enhance partnership and integration. These agreements aim at restructuring the various processes and services and automate them. This will strengthen harmonization among government service providers. In addition, a manual for public services will be developed. It will also improve transparency and reduce the cost of services, which will assist in combating corruption as citizens will be aware of the exact cost of provided services.*

COMMITMENT DESCRIPTION		
Answerability	Lead institution	Ministry of Public Sector Development
	Supporting institutions	NA
	Point of contact specified?	No
<b>Specificity and measurability</b>		Low (The commitment’s language describes activity that can be construed as measurable with some interpretation on the part of the reader.)



Relevance	<b>OGP grand challenges</b>	Improving public services				
	<b>OGP values</b>					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1.1.1. Amend the Government Services Improvement Bylaw	✓		✓		
	1.1.2. Ensure the implementation of the Government Services Improvement Guidelines Manual					✓
	1.1.3. Conduct a comprehensive customer-satisfaction survey			✓		
	1.1.4. Design the second phase of the national program for improving public services					✓
1.1.5. Enhance partnership	✓		✓			

	and integration among government entities					
<b>AMBITION</b>						
<b>Milestone</b>		<b>New vs. pre-existing</b>	<b>Potential impact</b>			
1.1.1. Government Services Improvement bylaw		New	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
1.1.2. Government Services Improvement Guidelines Manual		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
1.1.3. Customer satisfaction survey		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
1.1.4. National program for improving public services		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
1.1.5. Partnership and integration		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
<b>LEVEL OF COMPLETION</b>						
1.1.1. Government Services Improvement Bylaw						
Start date: NA		Actual completion	Substantial			
End date: NA		Projected completion	Complete			
1.1.2. Government Services Improvement Guidelines Manual						
Start date: NA		Actual completion	Substantial			
End date: NA		Projected completion	Complete			
1.1.3. Customer satisfaction survey						
Start date: NA		Actual completion	Limited			
End date: NA		Projected completion	Complete			

1.1.4. National program for improving public services		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Complete
1.1.5. Partnership and integration		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Complete
<b>NEXT STEPS</b>		
1.1.1. Government Services Improvement Bylaw	New commitment building on existing implementation	
1.1.2. Government Services Improvement Guidelines Manual	New commitment building on existing implementation	
1.1.3. Customer satisfaction survey	New commitment building on existing implementation	
1.1.4. National program for improving public services	New commitment building on existing implementation	
1.1.5. Partnership and integration	New commitment building on existing implementation	

### What happened?

Overall, this set of commitments largely has been implemented. Mostly administrative in nature, it is unclear how many of these sub-commitments serve the goals of open government, even when there is a clear tie to improving public service and fighting corruption.

The Government Services Bylaw is a notable exception. The bylaw was amended and officially published in the Gazette on 19 September 2012.<sup>1</sup> (The government's self-assessment report indicated that the bylaw was officially published in the Gazette on 27 August 2012).<sup>2</sup>

The amended bylaw addressed follow-up mechanism, accountability mechanisms, and improved the legislative framework governing public service delivery. In addition, the amended bylaw committed different departments to carry out a number of tasks including identifying which public services are provided, publishing a hardcopy and electronic manual about all services, and providing the services on specific updated forms.

The bylaw also mandates a performance assessment of the entities and a comparison with best standards. It requires each entity to develop a complaint mechanism, and it provides citizens the right to complain if the governmental entity fails to provide the services according to published standards.<sup>3</sup>

In terms of the second commitment, trainings were conducted for the directors of services improvement departments to introduce the toolkits in July 2011,<sup>4</sup>. Then in October 2011, with assistance from USAID under the Fiscal Reform Project II, the government issued toolkit summaries for improving service delivery<sup>5</sup>. In January 2013, the Minister of Public Sector Development announced the launch of the toolkit summaries for improving service delivery with assistance from USAID through the same project.<sup>6</sup> The government's self-assessment report indicated that the Government Services Guidelines Manual was improved and updated in accordance with international best practices; thus, they were ready to be published and distributed to all concerned entities. However, the Income and Sales Tax Departments portal indicated in the beginning of 2013 that the Ministry of Public Sector Development provided all ministries and governmental entities with copies of the toolkit summaries for improving service delivery.<sup>7</sup> The stakeholders did not have adequate information in this regard. Thus, there was significant lack of clarity about the process and further explanations by the government are needed.

The third commitment, a half-year survey, was conducted in different ministries and departments to measure the degree of satisfaction of the public. However the results of the survey lack clear application to improve future services. Further, some departments published survey results in draft format, not in a proper final format.<sup>8</sup>

Regarding the fourth commitment about a second phase for improving national services, a government spokesperson announced during a press conference on 22 May 2013 that they had adopted a new three-year program on public sector development. A series of reform projects are planned and will be implemented, including promoting good governance, restructuring government hierarchy, and enhancing transparency and monitoring of the public sector. During the press conference, the spokesperson explained the plan in great detail. He did not, however, suggest that the new program was related to Jordan's OGP commitments.

It is unclear whether this second phase has been fully designed. Given the lack of documentation on the second phase of the plan at the time of writing, stakeholders hoped that the government would engage them in the process. According to them, the government does not believe in the feasibility of public engagement and instead is working according to the old style of one-way communication.<sup>9</sup>

The end date of the process is unclear. The government's self-assessment report indicated that the process had been completed within the assessment period. However, the first media announcement came in May 2013. Thus, the IRM researchers cannot assess whether the commitment was implemented within the assessment period, although it is clear the process was started.

The fifth commitment requires signing MOUs between the Ministry of Public Sector Development and other governmental entities within the scheme of public sector improvement. The level of completion of this commitment was not clear. The government's self-assessment report indicated that a number of MOUs were signed within the assessment period. However, MOUs were not reported in the media, except for MOUs reported in the media during the first phase of public sector improvement. Stakeholders as well were unable to report on the level of completion due to lack of

awareness. In that sense, while progress may have been made, the process does not clearly indicate an open government.

### **Did it matter?**

The bylaw was a step forward in improving service delivery by the public sector. It enhanced the accuracy and efficiency of transactions.

However, the language is vague. It is better described as a set of policy objectives rather than a more typical bylaw. Because of this, full implementation may be difficult, thus affecting citizens. Furthermore, the bylaw lacks guidance on concrete procedures or clear timelines to establish those procedures. The bylaw also does not consider some issues (like services for disabled people). It mostly guides the Minister of Public Sector Development in establishing many mechanisms and actions to deal with citizen complaints and appeals (i.e. Art. 6).

Given that Jordanian governments are well known for short life-spans, citizen complaint and appeal mechanisms are unstable. The bylaw could be made more measurable and efficient with concrete procedures for these mechanisms, which is the aim of this commitment and it would help to establish appropriate institutions and procedures. One of the civil society stakeholder interviewed stated that, "I don't know how I could benefit from the bylaw if I don't know how I can complain or what the timeline is for receiving an answer to my complaint!"<sup>10</sup>

Yet, Article 4.d. of the bylaw stated that a regular performance assessment for services will be implemented in accordance with international best practices. However the bylaw did not mention the procedures or means for publicly disseminating results of performance assessments. In a recent interview with the Minister of Public Sector Development, a journalist asked about the mechanisms used for assessment. The Minister did not provide a clear answer. Instead he explained evaluator's qualifications, aspects of the assessments, and the field visit process.<sup>11</sup>

Among stakeholders interviewed in this process, there was a clear lack of awareness about the substantive content of the bylaw. Stakeholders had heard about the bylaw in the media, but they never received any specific information from the government, despite being the intended recipients of services.

Stakeholders raised a point pertaining to the impact of the bylaw on the performance of the employees at the public sector: most employees do not follow the existing regulations or bylaws, instead relying on personal influence to determine service delivery. Thus, according to stakeholders, the problem lies not in the legal framework for service delivery, but in the personnel who enforce the legal framework. The stakeholders recommended that the bylaw specify clear penalties for employees who fail to deliver services. Specific steps to address these issues include strengthening mechanisms to ensure rule of law; having clear unified legislation; building employees' capacity; sufficiently raising citizen awareness about the responsibilities of the staff and citizens' rights to receive quality services; and, having a clear and practical citizen-initiated complaint mechanism that enables easy tracking. These reforms would make important contributions to ensure successful implementation of the bylaw<sup>12</sup>.

Unfortunately, without adequate awareness on many of the commitments, stakeholders could not for example comment on improving the service delivery manual, the content

of toolkit summaries, or the second phase of the national program on improving public services. Stakeholders did, however, critique the government's lack of efforts to publicise their actions on fiscal reform. Stakeholders also questioned the impact of the customer satisfaction survey in solving challenges in service delivery or updating the manual, as well as whether the government would benefit from the results.

Nonetheless, stakeholders encouraged the government to promote publicly the service delivery manual as well as the method, results, and impact of the customer satisfaction survey. They believe that citizens will understand the importance of these types of exercises if they see practical impact on the quality of services. Only then will they be encouraged to evaluate and provide concrete feedback.<sup>13</sup>

### **Moving forward**

The IRM researchers recommend that new commitments be developed on each of these foundational steps to better articulate their relationship to strengthening citizen participation and accountability.

Further amendments should be made to the bylaw to provide concrete, actionable, and time-bound articles, taking into consideration different needs of local communities. There should also be an emphasis on a clear mechanism for the complaints process because it is considered the cornerstone of public integrity and a great motivator of better services. Moreover, wide public consultation is essential, as is a serious assessment of the current situation. To achieve transparency in the process, all milestones for consultation and implementation should be publicly disseminated, and sufficient materials should be available online.

For the best results, serious application of the bylaw and an effort to build the capacity of the government employees is highly recommended. In addition, the government should raise public awareness about the bylaw and its usefulness to citizens.

A national awareness campaign is recommended regarding the service improvement manual and the customer-satisfaction survey. A campaign would enhance citizens' confidence in the process and encourage them to provide concrete evaluation and feedback. Moreover, the government should develop a tangible mechanism to use the survey results in future actions and to leave a public record of how, if at all, the survey improved performance.

Further, the IRM researchers highly recommend raising public awareness on designing the second action plan and concluding cooperation agreements between governmental entities. Awareness would enhance public confidence in the process. The government should realise that citizens are part of the decision making process. Thus, keeping them updated is essential in this scheme.

The IRM researchers also recommend that the government develop new toolkits or manuals in the following areas:

- Communication and interaction with customers to enable better customer satisfaction and more flexibility in delivering services; and,
- Use of social media by government entities to enhance communication with the customers. Highly accessible and cost-effective tools can be used for broadcasting information as well as for obtaining feedback. This would enable

two-way communication and address consumer demands and comments. In the long term, it could foster the inclusion of customers feedback in the decision making process. Jordan might benefit from the recent experiences in Dubai.

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<sup>1</sup> The Hashemite Kingdom of Jordan, "The Government Services Improvement Bylaw No. 64 for the Year 2012," The Official Gazette No. 5179, 19 September 2012, at page 4270, [Arabic] <http://bit.ly/1gPmF9r>

<sup>2</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

<sup>3</sup> "Prime Ministry Enacts the Government Services Improvement Bylaw," Jordan Politics, 14 August 2013, [Arabic] <http://bit.ly/1b5z0SM>

<sup>4</sup> "Training workshop on service improvement", Addostor Newspaper, 7th July 2011, <http://bit.ly/1qBNqmQ>

<sup>5</sup> USAID, "Toolkit Summaries for Improving Service Delivery," Fiscal Reform II Project, October 2011, <http://bit.ly/1j8MqW9>

<sup>6</sup> "Compel Government Departments to Develop and Publish Services Standards," Al-Rai Newspaper, 28 January 2013, [Arabic] <http://www.alrai.com/article/565168.html>

<sup>7</sup> Jordan Ministry of Finance, Income & Sales Tax Department, "The Department Disseminates the Toolkit Summaries for Improving Service Delivery", 2013, [Arabic] <http://bit.ly/1eEPDqV>

<sup>8</sup> Jordan Department of Land and Survey, "Findings and Recommendations of the Study of Customer Satisfaction Survey in 2012," , 2012, [Arabic] <http://bit.ly/NJDXeT>

<sup>9</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>10</sup> M.R., journalist, interview, 7 October 2013.

<sup>11</sup> "The Development of Government Services Aims at Institutionalize the Work of Departments," Addustor Newspaper, 30 September 2013, [Arabic] <http://bit.ly/19ws7if>

<sup>12</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>13</sup> Stakeholders Meeting, Irbid, 7 October 2013.

**1.2 Promoting the culture of excellence in public sector**

1.2 Supporting “the Innovation and Excellence Fund” to encourage governmental institutions to implement the projects pertaining to enhancing public services. This fund will encourage the culture of excellence in the public sector, and will increase competition among government service providers which will be reflected on the quality of services.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (Commitment language contains no verifiable deliverables or milestones)				
Relevance	OGP grand challenges	Improving public services				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
pre-existing		None (the commitment maintains the status quo);				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Unable to tell from government and civil society responses		
End date: NA		Projected completion		No dates or milestones attached or inferable		
NEXT STEPS		Revision of the commitment to be more achievable or measurable				

**What happened?**

The “Innovation and Excellence Fund (IEF)” was an initiative launched by the government in 2004. It aimed to develop the quality of public services by providing technical and financial support to governmental bodies to enhance government efficiency .

The IEF was converted into a department in the Ministry of Public Sector Development within the government restructuring process. It is currently being developed with USAID assistance.



Because the commitment language was vague and did not provide clear milestones, (“*supporting* The Innovation & Excellence Fund” [emphasis added]), it was hard to measure precise intentions and impact. Progress reported in the government self-assessment was also not clear and showed that government was still working on the “supporting process”, but did not yet provide concrete outcomes.

To this end, no published materials are available on the IEF given that the portal of the Ministry of Public Sector Development is under construction and the media has few reports on the fund.

### *Did it matter?*

The IEF has provided significant funds throughout the past years for innovative public sector development projects governmental outcomes. However, the provided fund was not sufficient to meet true developmental needs and capacity requirements in governmental bodies. Concurrently little media reporting has been undertaken. Stakeholders’ lack knowledge on the mission and scope of the IEF’s department, the projects being funded, selection criteria, or the amount of funds. Thus, no tracking of project progress, or impact assessment is available. In contrast, more media and public attention has been given to the King Abdullah II Fund for Excellence (an annual award for excellence in the private and public sectors since 2006).

While the IEF and the King Abdullah II Annual Award for Excellence are expected to improve the performance of the governmental entities, motivating them toward advanced developmental projects, in October 2013, the king indicated that government performance has been declining, which is not acceptable and should be reformed<sup>{1}</sup>. In this regard, the deputy chairman of the King Abdullah II Fund declaimed that the participation of governmental entities in the 2013 King Abdullah Award for Excellence has been declining as well, and didn’t meet the ambitions of the program<sup>{2}</sup>. This may suggest that the effectiveness of such awards is limited by other factors.

### *Moving forward*

Given the need to make the fund more viable, noteworthy, and even more relevant to OGP, the Ministry of Public Sector Development should increase its transparency in financial allocations for the fund and evaluation indicators and procedures for granting, in addition to tracking the project’s progress, and allow stakeholders to contribute to project’s assessments, and most importantly to activate its website that has been under construction for long.

The Ministry should also focus on promoting for the fund and approach public engagements in setting the fund’s priorities.

### *Sources*

{1} King Abdulla II prize for excellency; what is next, Al Rai Newspaper, 20th October 2013 (online) <http://www.alrai.com/article/612497.html>

{2} The King emphasis on the importance of excellence in the public sector. Addustor Newspaper, 9th October 2013 (online) <http://bit.ly/1gXBwfO>

**1.3.1 & 1.3.2 Enhancing E-services**

1.3.1 Continue working on linking the governmental institutions with the E-Government. This will facilitate obtaining the services, and enhance the competitiveness of the public sector.

1.3.2. Enactment of a new E-Transactions Law in view of covering all public, civil and business communications.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
<b>Specificity and measurability</b>		Low (The commitment's language describes activity that can be construed as measurable with some interpretation on the part of the reader.)				
Relevance	<b>OGP grand challenges</b>	Improving public services				
	<b>OGP values</b>					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1.3.1 Continue working on linking the governmental institutions with the E-Government	✓			✓	
1.3.2. Enactment of a new E-Transactions Law	✓		✓			
AMBITION						
<b>Milestone</b>		<b>New vs. pre-existing</b>	<b>Potential impact</b>			
1.3.1 Continue working on linking the governmental institutions with the E-Government		Pre-existing	Transformative (the commitment entails a reform that could potentially transform "business as usual" in the relevant policy area)			

1.3.2. Enactment of a new E-Transactions Law	New	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)
<b>LEVEL OF COMPLETION</b>		
1.3.1 Continue working on linking the governmental institutions with the E-Government		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Unable to tell from government and civil society responses
1.3.2. Enactment of a new E-Transactions Law		
Start date: NA	Actual completion	Not started
End date: NA	Projected completion	Complete
<b>NEXT STEPS</b>		
1.3.1 Continue working on linking the governmental institutions with the E-Government	New commitment building on existing implementation	
1.3.2. Enactment of a new E-Transactions Law	Further work on basic implementation	

### *What happened?*

The E-Government Program began with a 2001 royal decree aiming to facilitate government transactions<sup>{1}</sup>. The e-government website was established in 2006. However, it is still “trial launching” according to its front page. Some of the official portals for other ministries showed great progress while others such as the Ministry of Public Services Development is under construction<sup>{4}</sup>.

Despite this modest success, e-government sector has seen a significant decline with Jordan dropping 47 places in a United Nations index on e-government capacity (from 51 in 2010 to 98 in 2012). The 2012 UN Global E-Government Survey, covering 190 countries, pointed out that Jordan placed 14th among West Asian countries, while it was 8th among Arab states. In the survey, Jordan scored 39% for online services, 10 % for e-participation, 80% for human capital and 27% for infrastructure<sup>{2}</sup>.

The E-Transactions Law is still being drafted in the Legislative Bureau, and has not been passed to the Parliament for approval yet.

### *Did it matter?*

While e-government services are of a great value, public use remains limited, due to insufficient promotion. Stakeholders interviewed during the IRM process debated on the

impact of the e-services. Stakeholders interviewed disagreed about whether e-government had a clear impact on citizens {3} .

Referring to the notable drop in Jordan's UN e-government ranking, a spokesperson of the Ministry of Industry and Trade has stated that the drop in ranking is mainly due to the slow pace in introducing e-services to the public and the lack of financial allocations for e-government services is also negatively affecting our progress in this regard{5} .

### *Moving forward*

The IRM researchers recommend a mix of new commitments and continued work on legislation. The government should set a robust strategy to introduce public to the services provided by e-government. More resources should be allocated for the e-government to enhance its performance and counter the low international rank Jordan has gained.

The government should complete the drafting of the new E-Transactions Law and pass it to Parliament for approval.

### *Sources*

{1} Official Website for E-Government (online) [www.jordan.gov.jo](http://www.jordan.gov.jo)

{2} E-Government Survey 2012;E-Government for the people, United Nation, 2012 (online)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan048065.pdf>

{3} Stakeholders Meeting, Irbid, 7 October 2013 & Karak, 8 October 2013.

{4} Official Website of the Ministry of Public Services Development (online)

<http://www.mopds.gov.jo/>

{5} "Jordan drops 47 places in UN e-government survey," The Jordan Times,17 March 2012 (online) <http://jordantimes.com/jordan-drops-47-places-in-un-e-government-survey>

### 1.4 Improve citizen feedback and complaint mechanisms

1.4. Strengthening the independence of the Ombudsman Bureau and allowing it to become a member in relevant international organizations.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability	None (Commitment language contains no verifiable deliverables or milestones)					
Relevance	OGP grand challenges	Improving public services				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
pre-existing		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Limited		
End date: NA		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

The Jordanian Ombudsman is an independent entity established in 2009 to receive and follow up with citizens' complaints on the performance of governmental bodies and service providers.

The Ombudsman joined the International Ombudsman Institute (IOI) on the 30 November 2011<sup>{1}</sup>, and is also a member of the Mediterranean Ombudsman Association since the 20 December 2009, and it was elected to be a member of the administrative committee of the Association.

In 2013, however, the Government submitted a draft law for restructuring governmental institutions, and on 5 May 2013, the Lower House decided to add two articles to the law. The first one implies shutting down the Insurance Commission and merging it with the Ministry of Trade and Industry and the second implies shutting

down the Ombudsman and refereeing all its belongings and duties to the Anti-Corruption Commission{2} .

The decision of the Lower House was challenged by the Government. In fact, the Prime Minister stated that the government had studied shutting down these two institutions and concluded that they should stay functioning independently, and that adding these two articles could be a constitutional violation.

The Lower House insisted on its decision and passed the law to the Senate for further approval, where the Senate rejected the law due to a suspected constitutional violation, and recommended a consultation from the Constitutional Court before conducting any further discussions.

Thus, as a result of such disagreement between the two parliamentary chambers, the law draft has returned to the Lower House and is expected to be discussed again in the ongoing session.

### *Did it matter?*

The Jordanian Ombudsman has been significant in ensuring citizens' rights to government services. It has received a total of 8066 complaints, and of the 78% of the cases where government mistakes were found, were to be successfully resolved{3} .

The parliamentary decision of shutting down the Ombudsman provoked various reactions, including spurring the Jordanian Transparency Center to release a statement condemning such decisions{4} .

Additionally, Dr. Jawad Al-Anani , an economic expert and former chairman of the royal court stated in an article entitled, "The Execution of Ombudsman," stated that the decision to shut down the institution came from a governmental recommendation, and was not sufficiently studied. In particular, closure of the Ombudsman could overload the already burdened Anti-Corruption Commission. Dr. Al-Anani concluded by recommending the parliament to conduct sufficient studies before shutting down a well-used Jordanian institution{5} .

Other experts opposed the decision as well, as they believe that the Ombudsman's duties are different from the ones entitled of the ACC. Thus, the damage resulting from merging the two institutions could not be contained.

On the other hand, some stakeholders interviewed during this process indicated that the establishment of the Ombudsman in the first place was unjustified, driven by available international aid, creating a duplication of the ACC. Still others perceived the decision to shut down the Ombudsman as a step toward reducing the paths of submitting public complaints on governmental performance. Several other stakeholders pointed out that the main challenge in taking a stand regarding this decision is that the Ombudsman is not granted any authorities to enforce its decisions. These particular stakeholders said they would fully oppose the decision if it were granted such tools. Stakeholders also indicated that such wide debate on the decision reflects the disunity of decision-making in Jordan, and that this decision should be linked with the current political context to enhance democratic development{6} .

### *Moving forward*

The IRM researchers recommend a renewed commitment on the Ombudsman in Jordan. The government should work on the restoration of the Jordanian ombudsman and granting it sufficient authorities and resources in handling citizens' complaints on the performance of governmental bodies. Moreover, more publicity to the ombudsman should be undertaken to gather public advocacy for its sustainability and to enhance the awareness of the citizens to use the ombudsman in order to protect and fulfill their rights and hold the government accountable for its actions.

### *Sources*

- {1} Jordan Joins the International ombudsman Institute, official Portal of ombudsman (online) <http://www.ombudsman.org.jo/arabic/news/Pages/JordanjoinsInternationalOmbudsmanInstitute.aspx>
- {2} MPs approve the cancellation and merging of governmental entities, Al Rai Newspaper, 6th June 2013 (online) <http://www.alrai.com/article/589371.html>
- {3} Kurdi: The Ombudsman handled 8066 complaints, from which 78 % were solved, 28 February 2013 (online) <http://www.alrai.com/article/570942.html>
- {4} “The decision of cancelling the ombudsman is improvised”, Jarasa News, 2nd June 2013 (online) <http://www.garaanews.com/jonews/garaanews-1/71863.html>
- {5} Jawad Al Anani, “The Execution of Ombudsman”, AlGhad Newspaper, 19th June 2013 (online) [http://alghad.com/index.php/afkar\\_wamawaqef/article/33215.html](http://alghad.com/index.php/afkar_wamawaqef/article/33215.html)
- {6} Stakeholders Meeting, Amman 8 October 2013

**2.1.1. Audit Bureau Law**

*Amendment of the Audit Bureau Law to ensure enhancing the independence of the Audit Bureau as a Supreme Audit Institution according to international best practices*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	Governmental Committee formed by the Prime Minister				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		Medium (The commitment's language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
Pre-existing		None (The commitment maintains the status quo.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Limited		
End date: Unclear		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

**What happened?**

The Cabinet approved the amendment to the Audit Bureau Law on 25 January 2013. However, the draft law has not yet been approved by Parliament. Neither government nor parliament published the draft. Thus, the nature of amendments and developmental impact could not be construed or predicted due to lack of transparency.

Several civil society institutions, academics, economic experts, and the head of the Audit Bureau submitted significant recommendations to enhance fiscal transparency and integrity through supporting the work of the bureau. Recommendations include enhancing bureau officers' authority, expanding the spectrum of institutions governed by the law, and enhancing independence by decreasing government power over the Bureau's administrative and financial affairs. Still, it remains unknown whether such amendments were included in the draft law passed by the government.<sup>1</sup>

Among civil society stakeholders interviewed, there was a clear lack of confidence in the feasibility of an Audit Bureau with a weak mandate. They stated that despite the



important role of the Audit Bureau, it lacks the authority to have a tangible impact on other government entities, and sometimes the Audit Bureau hinders the work of other entities. They claimed that currently the Bureau is closer to a “Follow-up Bureau” rather than an “Audit Bureau” because it has not taken any concrete actions that actually conserve resources or controls public spending. The Bureau’s work has been limited to issuing annual reports<sup>2</sup> that attract media attention.<sup>3</sup>

Moreover, stakeholders questioned the independence of the Audit Bureau. They claimed that, although the Audit Bureau submits reports to Parliament as an independent entity, the Bureau’s staff comes from the Civil Service Bureau,<sup>4</sup> whose president is appointed by the Prime Minister.<sup>5</sup>

Stakeholders also emphasised that transparency and accountability values should be applied to the Audit Bureau. They questioned the updates on the irregularities raised in the Bureau reports. Moreover, stakeholders criticised the short, insufficient, and inadequate discussions about the annual report by the Members of the Parliament (MPs). On the other hand, inadequate time and formats for presenting the report always hinder the MPs’ review of the reports.<sup>6</sup>

Finally, the stakeholders discussed the lack of capacity of the Audit Bureau staff, which impacts the quality of their work, henceforth public’s confidence in the Bureau’s findings.<sup>7</sup> The stakeholders were sceptical of the staff recruitment process within the Bureau. According to the stakeholders interviewed, the process lacks transparency. “How can we trust that the Bureau is transparent if the recruitment of its staff is not transparent?” asked one person interviewed.<sup>8</sup>

### **Did it matter?**

The commitment’s actual impact could not be assessed because, at the time of this review, it had not been completed. Thus, the implementation was criticised for not being transparent and not seeking public input. The government did not publish the draft law yet, thus no legal analysis or public debates could be undertaken. Moreover, no efforts have been made by the government to investigate public opinion on how to enhance the quality of and confidence in the Audit Bureau’s work.

### **Moving forward**

Adequate feedback should be acquired from economic experts, civil society, the Audit Bureau, and other relevant stakeholders to insure comprehensive amendments and proper remedies for current challenges faced by the Bureau. Then, the new draft law of the Audit Bureau should be passed by Parliament as soon as possible.

Another recommendation pertains to enhancing transparency of the amendment process. Stakeholders emphasised that the government should make the draft law public.

As it moves toward implementation, the draft law will need to include a number of key reforms. Specific reforms should include:

- ensuring financial and administrative independence of the Bureau;
- expanding the spectrum of institutions subjected to the audit process; and,
- Providing the Bureau with significant authority to refer cases to the General Prosecutor.

In terms of day-to-day implementation, the IRM researchers recommend that the Bureau work towards a more transparent process of tracking cases of reported irregularities. Additionally, the capacity of Bureau employees will need to be strengthened.

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<sup>1</sup> M.R., journalist, interview, 7 October 2013.

<sup>2</sup> Jordan Audit Bureau, “Annual Reports,” [Arabic] <http://bit.ly/1fBaVdW>

<sup>3</sup> Stakeholders Meeting, Irbid, 7 October 2013.

<sup>4</sup> Civic Service Bureau, The Hashemite Kingdom of Jordan, [Arabic] <http://www.csb.gov.jo>

<sup>5</sup> Stakeholders Meeting, Karak, 8 October 2013; Stakeholders Meeting, Amman, 8 October 2013.

<sup>6</sup> Stakeholders Meeting, Amman, 8 October 2013; Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013.

<sup>7</sup> F. E., government official, interview with the IRM researchers, 12 October 2013.

<sup>8</sup> Stakeholders Meeting, Karak, 8 October 2013.

**2.1.2. & 2.1.3. Internal Auditing Functions**

2.1.2 Establish a modern Internal Audit function in line ministries in accordance with international good practices following a study that clarifies the appropriate balance between ex-ante and ex-post controls and the organization required for such arrangement.

2.1.3 Setting and developing standards and indicators to measure the level of transparency, accountability, and good governance, in addition to activating the role of the internal audit units at the government institutions.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	The Ministry of Finance and the Audit Bureau				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment’s language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values					
	Commitment	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	2.1.2. Establish an internal audit function in line ministries					✓
2.1.3. Setting standards and indicators to the internal audit units					✓	
AMBITION						
Commitment		New vs. pre-existing	Potential impact			
2.1.2. Establish an internal audit function in line ministries		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			
2.1.3. Setting standards and indicators to the internal audit units		Pre-existing	Moderate			

<b>LEVEL OF COMPLETION</b>		
2.1.2. Internal audit function		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Complete
2.1.3. Standards and indicators		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Complete
<b>NEXT STEPS</b>		
2.1.2. Internal audit function	New commitment building on existing implementation	
2.1.3. Standards and indicators	New commitment building on existing implementation	

### What happened?

Limited progress has been made on these commitments. Similar to other commitments in the Jordanian action plan, the argument could be made that these commitments are only internal-facing. This suggests they are of unclear relevance to open government.

Work on the first of these commitments began prior to OGP. Establishing Internal Audit Units in governmental departments was based on the Fiscal Monitoring Bylaw No. 3 for the year 2011, which was enforced on 1 March 2011.<sup>1</sup>

A Central Audit Unit was established at the Ministry of Finance in March 2011 to regulate the work of Audit Units across governmental bodies. According to the Anti-Corruption Commission and the Audit Bureau, the Units' outcomes were considered to be of major significance. However, the commitment's completion remains limited. For example, as the head of the Anti-Corruption Commission noted in a meeting with public sector representatives in 2013, 11 departments reported not having Internal Audit Units.<sup>2</sup>

In addition, the 2012 report published by the Audit Bureau revealed major irregularities. For example, irregularities pertain to the Internal Audit Unit in the Ministry of Social Development regarding functioning in accordance to the legal frame, producing required administrative and financial reports, and participating in the work of purchases and sales committees in the Ministry, among other issues highlighted in the report.<sup>3</sup>

No results, reports, or news items were published with regard to the study mentioned in the commitment, which pertains to clarifying the appropriate balance between ex-ante and ex-post controls and the organisation required for such an arrangement. However, according to the government's self-assessment report, the process was reportedly completed.<sup>4</sup>

Furthermore, no official standards or indicators were officially published to measure the level of transparency, accountability, and good governance in the governmental entities. Such lack of transparency created major difficulties in assessing the commitment's actual impact.

As for activating the role of Internal Audit Units, the Internal Audit Indicators were approved by the Cabinet in 8 October 2011 based on the Fiscal Monitoring Bylaw.<sup>5</sup>

Stakeholders expressed lack of knowledge about the process and attributed it to the lack of transparency and visibility of the units and their reports. They stressed the need for further work by the government to raise visibility of the units.<sup>6</sup>

### Did it matter?

Establishing Internal Audit Units and setting indicators is a significant step forward in enhancing fiscal integrity in the public sector. It was reported to be a great benefit to bodies reporting on financial irregularities such as the Anti-Corruption Commission.

However, Audit Regulations No. 3 from 2011, the legal framework governing the Internal Audit Units, received criticism from several stakeholders, including civil society and the head of the Audit Bureau. He expressed the need to amend regulations over Internal Audit Units' staff qualifications (i.e. currently, the regulations only require a minimum level of education or minimum work experience for the head of the unit, but not to all staff).<sup>7</sup>

Due to lack of publicity, stakeholders interviewed could not provide criticism on the basic process. However, they criticised the lack of transparency by the government, and urged the government to be more open and engage the public more to evaluate the process. They urged the government to develop further steps that aim to enhancing the efficiency of these units.

### Moving forward

The IRM researchers recommend that the government adopt new commitments based on existing implementation. The government should continue to implement the new commitment with a clear timeline to ensure that the Internal Audit Units is established in all governmental departments. Other recommendations include the following:

- The Audit Regulations No. 3 from 2011 should be reviewed to further advance the work of Internal Audit Units and to ensure qualified personnel. In addition, the regulations should be amended after widespread public engagement and consultation, and evaluation of the current situation.
- Developing standards and indicators for governmental transparency, accountability and good governance should be an inclusive process involving various civil society stakeholders.
- The Internal Audit Units' outcomes and reports should be available publicly.
- Finally, CSOs and the Audit Bureau should contribute to develop an institutionalised feedback and monitoring mechanism to enhance the units' efficiency and accountability.

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<sup>1</sup> The Hashemite Kingdom of Jordan, "Fiscal Monitoring Bylaw No. 3 for the Year 2011," Edition 5081 of the Official Gazette, 2011, at page 876, [Arabic] <http://bit.ly/1fA6YFR>

<sup>2</sup> Jordan News Agency (Petra), "Internal Audit Units Are the First Line in Fighting Corruption," 27 October 2013, [Arabic] <http://bit.ly/19ws1XU>

<sup>3</sup> Audit Bureau, "The 2012 Audit Bureau Report," The Hashemite Kingdom of Jordan, 2012 [Arabic] <http://bit.ly/1sXgHA>

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<sup>4</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHr>

<sup>5</sup> The Hashemite Kingdom of Jordan, "Fiscal Monitoring Bylaw No. 3 for the Year 2011," Edition 5081 of the Official Gazette, 2011, at page 876, [Arabic] <http://bit.ly/1fA6YFR>

<sup>6</sup> Stakeholders Meeting, Amman, 8 October, 2013; Stakeholders Meeting, Irbid, 7 October, 2013; Stakeholders Meeting, Karak, 8 October 2013.

<sup>7</sup> Jordan News Agency (Petra), "Internal Audit Units Are the First Line in Fighting Corruption," 27 October 2013, [Arabic] <http://bit.ly/19ws1XU>

### 2.2.1. Anti-Corruption Law Reform

Approval by Parliament and enactment of the amended Anti-Corruption Law (approved by Government in 2011). The proposed amendments will further empower the Anti-Corruption Commission (ACC) and will facilitate its daily work. It will also enhance the scope of coverage of corruption crimes and improve the effectiveness of the ACC in preventing and fighting corruption. [Full text truncated.]

COMMITMENT DESCRIPTION						
Answerability	Lead institution	Parliament				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability	High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)					
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✓
AMBITION						
Commitment	New vs. pre-existing	Potential impact				
	Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: NA	Actual completion	Substantial				
End date: NA	Projected completion	Complete				
NEXT STEPS		Revision of the commitment to be more achievable or measurable				

#### What happened?

The amendment to the draft law of the Anti-Corruption Commission (ACC) was approved by the government in 2011 and passed to Parliament for discussion and approval.

The draft law was one of the most debated laws in Jordan. The proposed draft law included an article that provoked outraged reactions from journalists, political activists, CSOs, human rights defenders, and other stakeholders. According to Article No. 23, a

minimum penalty of six months in jail and fine of up to 5,000 JODs (\$7,075 USD) was proposed for those who made allegations of corruption without sufficient evidences to convict the actor. Advocates for freedom of speech, journalists, and activists urged Parliament to strike Article 23 and carefully review the draft law.<sup>1</sup>

On 21 August 2011, the Lower House<sup>2</sup> voided Article 23 and passed the draft law to the Upper House<sup>3</sup> for approval. However, the Upper House did not approve the law without Article 23 and returned the draft law to the Lower House.<sup>4</sup>

After it returned to the Lower House, the draft law was scheduled for discussion on 11 September 2011. However, the law was withdrawn a few hours before the start of the parliamentary session, raising questions and suspicions about the legislative process.<sup>5</sup>

On 17 September 2011, the cabinet submitted a new amended draft law without jail time in Article 23; however, the fine was increased dramatically from 1,000-5,000 JODs to 30,000-60,000 JODs equal to (\$42,000-85,000 USD). The draft law was passed by the Lower House and once again submitted to the Upper House for final approval.<sup>6</sup>

Surprisingly, on 12 January 2012, the Upper House returned the draft law again to the lower house with a request to remove Article 23. In what could be seen as a victory for open government values, the draft law was finally enacted without Article 23 in April 2012.<sup>7</sup>

Subsequently, in August 2013 the government decided to amend the ACC law. The bill is currently in the drafting stage with the Legislation Bureau, after which it will be sent to Parliament.<sup>8</sup>

Stakeholders interviewed stated that they did not observe any tangible progress on the work of the Anti-Corruption Commission. They accused the government and the Commission of lack of transparency. Allegations were extended further to include hiding cases of corruption from public.

In 2012, a member of the ACC council resigned, claiming that his decision was due to the lack of institutionalisation of the ACC framework, centralised decision making within the commission, biased decisions pertaining to opening corruption cases, and clear influence of personal relations in the work environment. He recommended that the ACC should be dissolved, citing the burden on the treasury.<sup>9</sup>

Some stakeholders believe that some of the results were useful. However, they indicated that they have not found the 2012 annual report on the ACC website while investigating some facts. They also noted the Commission provided a very graphically pleasing and accessible portal in its English face with more information than the Arabic portal. For example, the Commission's strategy of 2008-2012 is not available online in the Arabic face, but an English version is available.<sup>10</sup> This suggests to the stakeholders that the ACC may be more interested in its international image, rather than its domestic image.<sup>11</sup>

### **Did it matter?**

The amendments to the law had significant effects, in particular to enhance the efficiency of the ACC in the protection of corruption informants, witnesses, experts, and whistle blowers. An amendment also added a clause that gave the ACC Council power to participate in recovering proceeds of corruption crimes. However, other amendments proposed in the OGP commitment text were not adapted: criminalisation of bribery in



the private sector, the criminalisation of efforts to hide conflicts of interest, and penalties for not denouncing corruption. No reason for their exclusion from the ACC amendments was provided in the government progress report.<sup>12</sup>

Stakeholders criticised the lack of public engagement in the process of formalising the amendments to the Anti-Corruption Commission draft law, and the fact that the 2012 annual report was not online for public review. In addition, they pointed to the lack of adequate updates on the cases of corruption investigated by the Commission. Stakeholders emphasised the importance of setting out a measurable mechanism of obtaining public feedback by the Commission. They also suggested having a coalition of CSOs to monitor the performance and track the outcomes of the ACC.<sup>13</sup>

### Moving forward

The IRM researchers recommend a new commitment that clearly articulates a plan to amend the Anti-Corruption Commission law to further enhance the work of ACC, increase its spectrum of activities, increase its scope of investigation, and improve the efficiency of the ACC.

The drafting process for the new amendments should be an inclusive process, where views and recommendations of all stakeholders, including the Anti-Corruption Commission, can be considered.

Moreover, the amendments should foster access to information for different actors by making public the ACC reports and outcomes. In addition, clear tools and mechanisms should be included so that the Commission can receive public feedback. Stakeholders also recommend that a coalition of CSOs be created to monitor the performance and track the outcomes of the ACC. The IRM researchers also recommend conferring adequate authority to the Commission to refer cases to the public prosecutor.

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<sup>1</sup> “Text of the Draft Law Amending the Anti-Corruption Commission,” Radical Justice News Agency, 1 October 2011, [Arabic] <http://bit.ly/1kDMiz>

<sup>2</sup> “House of Representatives,” The Hashemite Kingdom of Jordan, <http://www.representatives.jo/>

<sup>3</sup> “The Jordanian Senate,” The Hashemite Kingdom of Jordan, <http://www.senate.jo/>

<sup>4</sup> “Senates Are Trying to Limit Freedom by Keeping the Article 23 of the ACC Amended Draft Law,” Ammon News Agency, 9 May 2011, [Arabic] <http://bit.ly/1fTbiic>

<sup>5</sup> “The Government Withdraw the Draft Amended Law of the ACC,” Addustor Newspaper, 12 September 2012, [Arabic] <http://bit.ly/1maf3ID>

<sup>6</sup> “Lower House Approves an Article on Freedom Limitation,” Ammon News Agency, 27 September 2011, [Arabic] <http://bit.ly/MGbsOH>

<sup>7</sup> “Senate House Refuse Article 23 of the ACC Amended Draft Law,” Addustor Newspaper, 13 January 2012, [Arabic] <http://bit.ly/1dw7Bxu>

<sup>8</sup> “The Ministers Council Approves the Reasons for Amending the ACC draft amended Law,” Addustor Newspaper, 25 August 2013, [Arabic] <http://bit.ly/L9iZVk>

<sup>9</sup> “Bani Hani Reveals the Real Reasons Behind His Resignation from the ACC,” Jordan Zad News Agency, 25 January 2012, [Arabic] <http://bit.ly/1cleGmX>

<sup>10</sup> “The Anti-Corruption Commission,” The Hashemite Kingdom of Jordan, <http://www.jacc.gov.jo/>

<sup>11</sup> M.R., journalist, interview, 7 October 2013.

<sup>12</sup> Anti-Corruption Commission, “ACC Amended Draft Law,” The Hashemite Kingdom of Jordan, 1 September 2013, [Arabic] <http://bit.ly/K50EqF>

<sup>13</sup> Stakeholders Meeting, Amman, 8 October 2013.

### 2.2.2. Ensuring the Implementation of the Code of Conduct among Government Employees

*Ensuring the implementation of the Code of Conduct, which will foster the values of transparency, accountability and integrity among government employees.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
Pre-existing		Minor (The commitment is an incremental but positive step in the relevant policy area.)				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Limited		
End date: NA		Projected completion		No dates or milestones attached or inferable		
NEXT STEPS		Further work on basic implementation				

#### What happened?

In 2006, the Cabinet approved the Code of Conduct for Public Sector Employees. In September 2009, the Code was published and extended to all public sector employees. The government intended to integrate the code into the Public Sector Strategy from 2009 to 2013.<sup>1</sup> The Code of Conduct materialised in a limited number of governmental training agendas. It addressed several key values to ensure quality and integrity in public sector implementation.

However, the Code of Conduct did not receive sufficient media coverage, and it was not backed by a serious implementation insurance mechanism. Thus, impact was limited in enhancing public integrity and accountability.<sup>2</sup>

### **Did it matter?**

Overall impact has been very limited since 2009 due to the lack of legal tools to enforce the Code of Conduct, weak media outreach, and inadequate government plans to integrate the Code of Conduct in training materials designed for public sector employees.

There was no public announcement on the implementation strategy for the Code of Conduct. In addition, without institutionalised dissemination and practice, it is doubtful that the Code will achieve the desired outcomes. Finally, there were no observed cases of utilising the Code of Conduct as a legally enforceable tool in public sector administration.

### **Moving forward**

The Code of Conduct should be reviewed to ensure actual progress on this commitment. A clear articulation of the necessary procedures and concrete legal enforcement tools to ensure implementation, need to be specified. A review should be conducted in light of the results of the customers' satisfaction survey<sup>3</sup> and a wider, constructive, measurable opportunity for public feedback. Moreover, with input from civil society, the government should build a national strategy to specify tangible outcomes and insure implementation.

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<sup>1</sup> Prime Ministry, "Code of Conduct for Public Sector Employees," The Hashemite Kingdom of Jordan, 2009, [Arabic] <http://bit.ly/1dQb1BH>

<sup>2</sup> M.R., journalist, interview, 7 October 2013; F.E., government official, interview, 12 October 2013.

<sup>3</sup> See commitment for the survey 1.1.3.

**2.2.3. Strengthening the Financial and Operational Independence of the National Center for Human Rights**

*Strengthening the financial and operational independence of the National Center for Human Rights.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment’s language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
New		Transformative (The commitment entails a reform that could potentially transform “business as usual” in the relevant policy area.)				
LEVEL OF COMPLETION						
Start date:		Actual completion		Not started		
End date:		Projected completion		No dates or milestones attached or inferable		
NEXT STEPS		Further work on basic implementation				

**What happened?**

The work of the National Center for Human Rights is regulated by the NCHR Law No. 51 (2006), which indicates in Article 3 that the NCHR enjoys financial and administrative independence. However, Article 13 states that a board of trustees is responsible for supervising the Center, and the president and board members are appointed by royal decree based on the Prime Minister’s recommendation. Article 16 states that the Commissioner General of the Center will be appointed for a three-year renewable term by decision of the Council of Ministers at the recommendation of the Board. Moreover, Article 20a states that the government in part will financially support the Center’s projects and activities.<sup>1</sup> Donations and other resources that the Council of the NCHR

accepts are conditioned on the approval of the Ministers Council, if the source is non-Jordanian. Based on this, little to no administrative or financial independence is ensured for NCHR.

Stakeholders provided a clear account of a downward trend in performance and transparency of the NCHR over the past two years. This change was the result of government intervention in the Center's work, and lack of financial and administrative independence. Stakeholders also questioned the transparency of the recruitment process for NCHR personnel, which impact the quality of the Center's outcomes.<sup>2</sup>

The NCHR representative at the stakeholder meetings convened by the IRM researchers indicated that NCHR asked the government for an independent budget line in the national budget submitted to Parliament. No progress has been made on NCHR's request. The representative also pointed out that the policy of the Center is to discuss any human right violations directly with the government, without media coverage, to maximise impact.<sup>3</sup> However, other stakeholders criticised this policy, stating that NCHR should be more transparent, and publish all its reports and documents on human rights violations. They should also cooperate with the media and other CSOs to advocate for better promotion and protection of human rights in the country.<sup>4</sup>

Stakeholders also referred to the opaque process of naming the board members. They reiterated that no published standards are available for appointing the members and CSOs representation in the board is limited.<sup>5</sup>

### **Did it matter?**

The commitment was not started, and the legal framework regulating the NHCR remained the same at the end of the assessment period as at the beginning.

The government indicates in its self-assessment report that the measures necessary to strengthening the financial and operational independence of the NCHR are under discussion between the Government and the Center.

### **Moving forward**

The IRM researchers recommend that this commitment remain in the next iteration of the Jordanian action plan. The legal framework governing the work of the NCHR should be reviewed to enhance financial and administrative independence.

NCHR should ensure more transparency in publishing their reports and documentations of violations. It also should cooperate with the media and other CSOs to advocate better promotion and protection of human rights in the country.

A commitment to make public the selection criteria of the board members and to represent CSOs in the board selection process will help move the NCHR toward greater transparency.

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<sup>1</sup> The National Centre for Human Rights Law, "Law No. 51 (For The Year 2006)," The Official Gazette No. 4787, 16 October 2006, at page 4026, <http://bit.ly/1gKMPcC>

<sup>2</sup> Stakeholders Meeting, Amman, 8 October 2013.

<sup>3</sup> R.S., NCHR representative, Stakeholders Meetings, Amman, 8 October 2013.

<sup>4</sup> H.A., journalist, interview, 10 October 2013.

<sup>5</sup> Stakeholders Meeting, Amman, 8 October 2013.

### 2.3.1. Approval of the Independent National Electoral Commission law

Approval of the Independent National Electoral Commission law by Parliament that will allow the establishment of an Independent Commission in 2012.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
			✓	✓		
AMBITION						
New vs. pre-existing		Potential impact				
Pre-existing		<i>Transformative (the commitment entails a reform that could potentially transform "business as usual" in the relevant policy area)</i>				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Complete		
End date: 2012		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

Parliament approved the Independent Election Commission Law on 18 March 2012. Notably, the government had already proposed the law to the Parliament on 27 December 2011, which shows that this commitment was met before the national action plan in April 2012.

The law paved the way for the first independent electoral authority in Jordan. The Independent Election Commission (IEC) was established and the Council of Commissioners was formed on 6 June 2012. The law included some articles that violated the independence of the IEC, by allowing government control over its administrative structure and financial allocations. The IEC budget remains under the control of the

government. It is submitted to Parliament as part of the state budget, which allows the government to exercise leverage over the decisions of the IEC.

Similarly, the administrative regulations, human resources, procurement, and financial management, are all, set by the government behind closed doors. This limits the IEC's ability to recruit qualified staff, forcing it to hire only existing government employees. Many of the staff members were seconded from the Ministry of Interior<sup>1</sup>. Often they maintain ties with former supervisors in the Ministry of Interior.<sup>2</sup>

### **Did it matter?**

On the one hand, establishment of the IEC is widely perceived as a significant reform. Several indicators pointed out major enhancement in terms of electoral transparency, equity, integrity and freedom. Furthermore, many local and international bodies and electoral monitoring missions who monitored the Jordanian Parliamentary Elections in January 2013 referred to the IEC as a major milestone of electoral development in Jordan; the establishment of the IEC assisted media outlets, CSOs (especially those interested in monitoring the elections), and constituents by providing them with clear terms of reference for an election monitoring body. The IEC provided organised mechanisms to regulate the work of the domestic observers (despite being criticised in some instances).

On the other hand, the IEC was critiqued for not being transparent in its staff recruitment process. No clear criteria was declared or published on the recruitment process. As a result, citizens did not perceive any guarantee of equal opportunity or integrity. Another criticism was related to the lack of transparency in budget spending. The budget inputs and outputs including grants and government support, as well as a report on expenses, were not declared or made public by the IEC.<sup>3</sup>

Moreover, the newly established IEC faces challenges pertaining the public lack of awareness about its role and responsibilities, thus, lack of public interaction with its activities.

The government's first progress report stated, "The Commission is tasked with the supervision and administration of all phases of parliamentary elections as well as other elections called for by the Government." However, while the IEC was granted the authority to administer the parliamentary elections held on 23 January 2013, it was only granted the authority to supervise and monitor municipal elections held on 27 August 2013, with no administrative role in the process. The Ministry of Municipal Affairs and the Ministry of Interior administered the process.<sup>4</sup>

### **Moving forward**

The Government of Jordan may consider further amending the Independent Electoral Commission Law to ensure a higher level of independence, especially in the areas of budget allocation, budget use, and administrative structure. Focus should be made on minimising governmental leverage over the IEC decision making process. This may also include granting the IEC authority to administer all levels of elections, in addition to Parliamentary and Municipal Elections, as referred to in the government's self-assessment report.

Commitments in a future action plan can help ensure that the Commission is adequately staffed and relies less on the employs of the Ministry of Interior. A clear framework for a selection and appointment committee, as well as transparent and accountable procedures for recruitment should also be specified to guarantee equal opportunities to applicants.

In addition, the IEC should make its budget details available to the public, thereby enhancing transparency of its functions and activities and enabling citizens' to hold them accountable.

The IEC also should ensure greater public access to information through updated data on its website for different stakeholders (academics, civil society, journalists, etc.). It also should insure public participation and raise public confidence in the electoral process.

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<sup>1</sup> Previous to the IEC, The Ministry of Interior was the official body managing the Elections in Jordan

<sup>2</sup> Stakeholders Meeting, Irbid, 8 October 2013.

<sup>3</sup> "Key Results on Monitoring the 2013 Parliamentary Elections," The Civil Coalition for Monitoring the 2013 Parliamentary Elections (RASED), March 2013, [Arabic]  
<http://bit.ly/1dQcLBJ>

<sup>4</sup> H.A., journalist, interview, 10 October 2013.



### 2.3.2. Enhancing Citizen Participation in Decision Making

*Enhancing citizen participation in decision-making through the adoption of a new Political Parties by Parliament in first half of 2012, approval of the new Elections Law by Parliament in 2012, (will be the basis for holding the next national elections), while holding Municipal Elections by June 2012 based on an amended Municipal Elections Law.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values					
	Commitment	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	A. Adoption of a new Political Parties Law by Parliament	✓	✓	✓		
	B. Approval of the new Elections Law by Parliament	✓	✓	✓		
	C. Holding municipal elections in 2012	✓	✓	✓		
AMBITION						
Commitment		New vs. pre-existing	Potential impact			
A. Political Parties Law		New	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			

B. Elections Law	New	Moderate
C. Municipal elections	New	Moderate
<b>LEVEL OF COMPLETION</b>		
A. Political Parties Law		
Start date: Unclear	Actual completion	Complete
End date: June 2012	Projected completion	Complete
B. Elections Law		
Start date: NA	Actual completion	Complete
End date: 2012	Projected completion	Complete
C. Municipal elections		
Start date: NA	Actual completion	Substantial
End date: June 2012	Projected completion	Complete
<b>NEXT STEPS</b>		
A. Political Parties Law	New commitment building on existing implementation	
B. Elections Law	New commitment building on existing implementation	
C. Municipal elections	New commitment building on existing implementation	

### What happened?

The adoption of a new Political Parties Law No. 16 for the year 2012 was completed according to the timeline provided by the government in the action plan. The law was submitted by the government to the Parliament on 31 January 2012. Parliament then approved it on 9 May 2012.<sup>1</sup> Moreover, Parliament approved a new Election Law on 8 July 2012. It was the basis of the parliamentary elections held on 23 January 2013.<sup>2</sup>

The government failed to hold municipal elections by June 2012, as scheduled in the timeline provided in the action plan. However, the commitment was fulfilled on 27 August 2013. Despite amending the Municipal Law on 27 July 2011, the government drafted a new amendment to the law on municipal elections, which Parliament approved on 3 March 2012.<sup>3</sup>

### Did it matter?

The three laws in the commitment (the Political Parties Law, the Elections Law and the Municipal Law) provoked widespread national debates that had significant impact on public participation and electoral turnout. Many political parties also boycotted parliamentary and municipal elections in protest against the laws.

The Political Parties Law had some significant reform achievements such as requiring each party to have a minimum ten percent of its founding members be females. However, the new law also included many barriers to citizens establishing parties, such as:

- Citizens must have a minimum of 500 founders to legally establish a party.
- Founders must include residents of at least seven governorates (Jordan consists of 12 governorates), with a minimum of five percent founders from each governorate.
- The minimum age for founding members of a political party is 21 years old, despite the fact that the legal age for voting in the national and municipal elections is 18 years old.

Moreover, the law designated an independent committee to regulate the work of political parties; however, the committee is still controlled by the government. The law indicates that the Ministry of Interior lead the committee, headed by the Minister. The committee four additional members, three of whom must be government employees and one who must be a civil society representative, named by the Prime Minister and the NCHR Commissioner. Further, the committees' decisions are made by a majority vote.

After vast national debates, the government drafted the Election Law with significant variations from the law drafted by the National Dialogue Committee (NDC).<sup>4</sup> The new law included major steps forward in electoral reform. However, it did not meet the aspirations of many political parties who decided to boycott the parliamentary elections.<sup>5</sup> They stated that this law systematically minimises the chances of representation for any political association, party or movement, and emphasises tribal-based voting.

The new law increased the number of MPs in the lower house to 150, where 27 seats were added for the newly introduced proportional representation system (the list system). One hundred and twenty-three seats were preserved for the Single Non-Transferable Vote system (SNTV), widely known in Jordan as the one-man-one-vote system. The humble step towards proportional representation did not meet political aspirations, as reflected in the low turnout at the Election Day.<sup>6</sup>

The Municipal Law attracted a lot of civil society attention. Several CSOs submitted recommendations during the drafting and discussion period. The most important recommendations have focused on the nature of the relationships between municipal councils and central government, the administrative and financial independence of municipal councils, and the electoral regulations. Some recommendations were considered and adopted by the Parliament; however, many were neglected. The law emphasises government power over elected local self-governance councils. The central government has the authority to dissolve the elected councils at any time and to dismiss any of the elected members.<sup>7</sup> Through this new law, the government also has the authority to appoint additional members to the municipal councils without being elected. The law authorises the government to appoint one third of the members of the Greater Amman Municipality and to appoint the Mayor. Central government powers negatively impact the course of decentralisation in Jordan. Further, insufficient financial independence of councils diminishes the performance and role of these councils.

## Moving forward

To meet the aspirations of the Jordanian citizens and to attain proper electoral reform that meets international best practices, further amendments should be considered for the laws of Political Parties, Parliamentary Elections and Municipalities. These amendments should be approved after widespread public consultation and real partnership with civil society.

The amendments to the Political Parties Law should focus on the following:

- enhancing the ability of political associations to form political parties,
- eliminating the power of the Ministry of Interior over the political parties by creating an Independent Commission for Political Parties to supervise and administer issues related to political parties, and
- decreasing the minimum age of founding a political party from 21 to 18 years old.

The amendments to the Election law should focus on the following:

- cancelling the Single Non-Transferable Vote System (SNTV),
- increasing public participation, and
- ensuring sufficient partisan representation in Parliament to meet the political aspirations of citizens.

Simultaneously, more space should be provided to ensure public engagement in local policy making. Amendments to the Municipal Law should focus on the following:

- enhancing the authority of the elected municipal councils,
- meeting international standards and signatory commitments of Jordan at the international level,
- amending the legal framework to regulate the relationship between local self-governance councils and the central government, aiming to enhance the independence of local councils and guarantee sufficient resources to meet local developmental needs, and
- minimising central government authority in the local decision making process.

Any or all of these could be included as ambitious commitments in the forthcoming action plan.

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<sup>1</sup> The Hashemite Kingdom of Jordan, “Political Parties Law No. 16 for the Year 2012,” The Official Gazette No. 5161, 7 June 2012, at page 2529, [Arabic] <http://bit.ly/1eMwl58>

<sup>2</sup> The Hashemite Kingdom of Jordan, “Election Law No. 25 for the Year 2012,” The Official Gazette No. 5165, 1 July 2012, at page 2965, [Arabic] <http://bit.ly/L9jJK7>

<sup>3</sup> The Hashemite Kingdom of Jordan, “Amended Municipal Law No. 7 for the Year 2012,” The Official Gazette No. 5145, 14 March 2012, at page 927, [Arabic] <http://bit.ly/K5Pgww>

<sup>4</sup> The NDC is a committee established by a royal decree. It aims to arrive at a consensus over political reform legislation. The committee embraced representatives of political parties, professional associations, the economic sector, civil society organisations, youth, and women’s societies.

<sup>5</sup> The parties that boycotted the elections include the Islamic Action Front, the National Unity Democratic Party, and the Jordanian Communist Party.

<sup>6</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>7</sup> Stakeholders Meeting, Irbid, 7 October 2013.

### 2.3.3. Establishment of a Constitutional Court

*A Constitutional Court in charge of observing the compatibility of legislation with the constitution will be established.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
New		Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Complete		
End date: Unclear		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

As a result of the most recent constitutional amendments in 2011, a constitutional court was established on 6 October 2012.<sup>1</sup> The court is tasked with performing oversight functions to assess the compatibility of legislation with the constitution. It also is tasked with explaining constitutional texts as needed.

#### Did it matter?

The establishment of the constitutional court is considered one of the most significant reforms in advancing the rule of law. The court has already provided significant constitutional clarifications and legal decisions, of which the following are most important:

- Deciding that Article 51 of the Arbitration Law Number 31 for the year 2001 was unconstitutional because it contradicted Article Six of the Constitution, which emphasises equality of all Jordanians. The contradictory article deprived the losing party the right of appeal, while the same article granted this right to the winning person.<sup>2</sup>
- Rejecting the appeal against the constitutionality of the Election Law.<sup>3</sup>
- Deciding that the Landlords and Tenants Law was unconstitutional.<sup>4</sup>
- Clarifying to Parliament the constitutionality of omitting legal texts in temporary laws by permanent law.<sup>5</sup>

Therefore, the newly established constitutional court has become the ultimate reference to solve legal contradictions and provide legislators and decision makers with sufficient clarifications, thus helping them fulfilling their tasks in accordance with the Constitution.

Now that this major step has been taken, two main issues arise:

- The limited right to appeal the constitutionality of national laws directly to the cabinet and parliament; non-state actors are deprived of the right to submit such appeals directly to the constitutional court. For example, individuals and CSOs need to obtain approval from the Court of Cassation for their appeal to be referred to the constitutional court.
- Most Parliamentarians have limited capacity to submit appeals correctly. The court rejected two appeals submitted by MPs in the parliament pertaining to the Election Law and the Municipal Law without reviewing the merits of the appeals because of incorrect submission procedures.<sup>6</sup> These two incidents indicate the lack of MPs' knowledge of the correct procedural requirements in submitting appeals or requests for clarifications to the Constitutional Court.

### Moving forward

The Constitutional Court's short existence indicates a vital need to empower Parliament with the knowledge and capacity to meet the legal requirements for submitting appeals to the constitutional court. Currently, the court can too easily reject Parliament's appeals.

Moreover, amendments to the Constitutional Court Law should be considered to expand the spectrum of actors who have the right to submit direct appeals to the court, including civil society organisations, political parties, and other non-state key actors.

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<sup>1</sup> The Hashemite Kingdom of Jordan, "Constitution and its Amendments, Article 85/1," 1952, [Arabic] <http://bit.ly/NjpLJK>

<sup>2</sup> Yousef Torah, "Constitutional Court cancel art. 51 of the Arbitration law," Saraya News Agency, 3 April 2013, [Arabic] <http://bit.ly/NjQK7V>

<sup>3</sup> Sora Domor, "Rejected appeals in the Election Law due to incorrect procedures," Al Rai News Agency," 4 October 2013, [Arabic] <http://www.alrai.com/article/610402.html>

<sup>4</sup> "Addostor Publishes the Text of the Constitutional Court's Decision on the Law of the Owners and Tenants," Addurstour News Agency, March 2013, [Arabic] <http://bit.ly/K5PuDN>

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<sup>5</sup> “Constitutional Court approve omitting legal texts in temporary laws,” Ammon News Agency, 19 December 2013, [Arabic] <http://bit.ly/1i8ebPf>

<sup>6</sup> R.A., lawyer, interview with the IRM researchers, 20 October 2013.

### 2.3.4. Establishment of an Administrative Court

*An Administrative Court is in the process of being established as an instrument to enhance transparency in the Public Sector performance and to enhance the specialization of the Judiciary.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		Medium (The commitment's language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓		
AMBITION						
New vs. pre-existing		Potential impact				
New		Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Not started		
End date: Unclear		Projected completion		Complete		
NEXT STEPS		Further work on basic implementation				

#### What happened?

The commitment did not start yet. Thus, no outcomes could be assessed.

In previous years, the Supreme Court of Justice was responsible for resolving disputes about administrative decisions issued by public authorities. The 2011 constitutional amendment, Article 100, aimed to establish an administrative court for two-tier litigation. Currently, petitioners can dispute administrative decisions at one litigation level, which produces final judicial decisions ineligible for appeals. If the government implemented the commitment, petitioners would have more than one chance to prove



their case. They would be able to appeal the decisions of the first tier of the Court. However, the legal requirements of such an amendment were not fulfilled and the Administrative Court was not established.

### **Moving forward**

The next action plan could include legislative actions to establish the Administrative Court, as required by the Constitution. That would allow for administrative litigation in a two-tier system, enhance transparency in public sector, and enhance judiciary competence.

### 2.3.5. Adopting Amendments to the Access to Information Law

*Improving access to information through adopting amendments to the existing Access to Information Law in view of further improving it and ensuring that it is consistent with international best practices.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓				
AMBITION						
New vs. pre-existing		Potential impact				
New		Transformative (The commitment entails a reform that could potentially transform "business as usual" in the relevant policy area.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Limited		
End date: Unclear		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

Jordan was the first country in the Arab world to adopt legislation that guarantees the right to access to information.<sup>1</sup>

However, the law included several limitations, impacting the public's use and the law's efficacy. For example, the law did not make the Information Council's rulings binding, nor did it spell out consequence for government departments' failure to provide information.<sup>2</sup> These shortcomings mean that the legislation does not meet international standards of the right to information, particularly Article 19 of the International

Covenant on Civil and Political Rights and United Nations General Comment No. 34 on this article.

Another example is that, the law required the information seeker to bear the technical expenses of providing the requested information, and these expenses are left to the estimation of providers. That contradicts paragraph 19 of the General Comment, which states, "Fees for requests for information should not be such as to constitute an unreasonable impediment to access to information."

In September 2012, the Cabinet submitted a set of amendments to the law to further improve access to information and meet international best practices. However, the Parliament has yet to approve the amendments. Thus, the old law of 2007 continues to be in effect.

### **Did it matter?**

While the amendments were not passed, the proposed amendments drafted by the government have included several significant improvements, such as ensuring the right to information for non-Jordanians, reducing the deadline for providing requested information to 15 days instead of 30 days, and enhancing civil society representation in the Information Council. They would have done this by amending Article 3 of the existing law to include representatives of professional associations, academics and other non-state actors on the Council rather than the current government representation that leaves space open for conflicts of interests.

Nonetheless, many stakeholders—including journalists and CSOs—reportedly were unsatisfied with the proposed amendments. Stakeholders pointed to essential amendments such as:

- Article 13, which authorised officials to refrain from declaring any broadly defined classified information,<sup>3</sup>
- Article 4, pertaining to the mission of the Information Council, and
- Article 9, pertaining to legal time allowed to respond to the information request.

Moreover, stakeholders suggest that the appeals regarding information the government refused to provide should be under the jurisdiction of the Court of First Instance instead of the Supreme Court of Justice. Stakeholders also suggest cancelling articles in other laws that contradict the right to access to information.<sup>4</sup>

One leader of an important CSO working in this area stated, "Many of the government entities still lack knowledge about the amendments. [The proposed amendments] didn't develop any mechanisms to apply the amendments, such as having an information officer, setting up application forms, setting up a proper archive and information segregation systems. There is a clear lack of information flow within the same government entity."<sup>5</sup>

### **Moving forward**

The government should consider adopting further amendments to the Access to Information Law. The amendment drafting process should be inclusive, involving representatives from different stakeholders. Moreover, Parliament should facilitate the development of such amendments and grant approval.

Despite some efforts of civil society to pressure the government to enact more reforms in the area of the right to access to information, efforts are insufficient and lack constructivism. Thus, CSOs should seek more constructive efforts with the government to introduce adequate reforms. They should start with amendments to the current law, given that the current efforts of CSOs are not intense and may not be at the level of constructive, positive proposals.

In addition, more awareness-generating activities should be undertaken to inform the public about the right to access information and about the limitations of the current law. Increased information requests of the government in turn will reinforce the government mechanisms to receive and respond to applicants.

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<sup>1</sup> The Hashemite Kingdom of Jordan, "Right to Access to Information Law No. 47 for the Year 2007," The Official Gazette No. 4831, 17 June 2007, at page 4142, [Arabic] <http://bit.ly/1g2Q25R>

<sup>2</sup> "Fragility of the Law of the Right to Access Information and Disregard of the Government," Network of Arab Reporters for Investigative Journalism (ARIG), <http://bit.ly/1fUSQn5>

<sup>3</sup> Sawsan Zaida, "NGOs Pushing to Amend the Law on Access to Information," Amman Net News Agency, 18 March 2013, [Arabic] <http://ar.ammannet.net/news/191007>

<sup>4</sup> Sawsan Zaida, "NGOs Pushing to Amend the Law on Access to Information," Amman Net News Agency, 18 March 2013, [Arabic] <http://ar.ammannet.net/news/191007>

<sup>5</sup> Sawsan Zaida, "NGOs Pushing to Amend the Law on Access to Information," Amman Net News Agency, 18 March 2013, [Arabic] <http://ar.ammannet.net/news/191007>

### 2.3.6. Completion of the Second Phase of the Jordan Aid Information Management System (JAIMS)

*Increasing transparency of foreign assistance through the completion of the second phase of the Jordan Aid Information Management System-JAIMS to include ongoing assistance targeting civil society and regional projects.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓			✓	
AMBITION						
New vs. pre-existing		Potential impact				
pre-existing		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: NA		Actual completion			Not started	
End date: NA		Projected completion			Complete	
NEXT STEPS		Further work on basic implementation				

#### What happened?

The Jordan Aid Information Management System (JAIMS)<sup>1</sup> is a project funded by the EU and the UN. It aims to provide information on ongoing development projects and programs being implemented in Jordan and, in particular, those that are funded by donors' foreign assistance (grants, soft loans, and technical assistance), financial institutions, and international organisations in various sectors.

The second phase of the project aims to provide ongoing assistance to civil society and regional projects. However, the second phase was not completed, as outlined by the action plan. However, the government's self-assessment report indicated that the Ministry of Planning and International Cooperation is still coordinating with donors to complete the second phase of the project.

The officials interviewed lacked information about the first phase of this project as well as the government's intent to undertake a second phase. None came across the Jordan Aid Information Management system. This is also apply on all stakeholders interviewed for the purpose of this report.

### **Did it matter?**

The first phase of the project had significant value as a first step towards increased government transparency because it provided information about financial aid received. However, further work is needed.

The current project-level data is inadequate. The only information available pertains to brief details on project objectives, activities, and the amount of funds obtained. No details of concrete milestones, progress reports on level of achievements, or project expenditures are available. This is a big hindrance to the process of monitoring these projects and evinces very limited access to information.

The first phase of JAIMS lacked sufficient promotion and awareness on the features provided by the system. The stakeholders interviewed by the IRM researchers were introduced to the system for the first time at the IRM stakeholders' meeting. For that reason, use remains limited.

The second phase of the project embodied in this commitment was not completed by the end of the assessment period, and thus, no related information was revealed.

### **Moving forward**

As part of its next action plan, the government should complete this commitment on increasing transparency of foreign assistance by completing the second phase of JAIMS, namely by ongoing assistance targeting civil society and regional projects.

The government also should further efforts to promote the system and raise public awareness on the availability and accessibility of the information related to foreign funds received by the government.

Moreover, the system should include more concrete details on the project's milestones and budget lines, in addition to providing financial and administrative reports at each milestone. All these details should be made public, and the government should respond, interact, provide feedback, and respond to questions raised by the different stakeholders.

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<sup>1</sup>The Jordan Aid Information Management System (JAIMS), Ministry of Planning & International Cooperation, <http://www.mopic-jaims.gov.jo/>

### 2.3.7. Publishing the Annual Reports for 2011 of the Audit Bureau and Anti-Corruption Commission

*Publishing the annual reports for 2011 of the Audit Bureau and Anti-Corruption Commission in the first half of 2012.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	NA				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		High (The commitment's language provides clear, measurable, verifiable milestones for achievement of the goal.)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓		✓		
AMBITION						
New vs. pre-existing		Potential impact				
New		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Complete		
End date: June 2012		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

The annual reports for 2011 of the Audit Bureau and the Anti-Corruption Commission (ACC) are useful because they enable the public, stakeholders (policy-makers, media, civil society groups, and international donors) to track progress of the government's anti-corruption activity and building evidence-based impressions of the status of corruption in Jordan.

The 2011 report of the ACC was published in 2012 and made public online at the ACC portal. The 2011 report of the Audit Bureau was also published.<sup>1</sup> However, it is not accessible through the Audit Bureau website. Under the report icon there are three report sub-icons for the years 2010, 2011 and 2012; however, the icon of the 2011 is not a functional link.<sup>2</sup>

### **Did it matter?**

The reports produced by the Anti-Corruption Commission and the Audit Bureau were regularly published, but due to the lack of addressing the reports contents and follow up on its impact, the impact of the reports remains limited.<sup>3</sup>

The Jordanian Constitution mandates that the Audit Bureau deliver a report to both houses of Parliament. Unfortunately, despite being delivered on time, the reports have not been discussed by the Parliament. Thus, the report recommendations currently are not being considered. The 2009, 2010, 2011, and 2012 reports of the Audit Bureau have not been discussed by the Parliament and were ignored by the Financial Committee of the Lower House.<sup>4</sup>

### **Moving forward**

The Audit Bureau should ensure accessibility of its annual reports through its official website.

The government should work on developing a formal mechanism to ensure appropriate timelines for implementing the recommendations of the annual reports of the Audit Bureau and the Anti-Corruption Commission.

The Parliament should strive to discuss the reports delivered by the ACC and the Audit Bureau within a reasonable time frame. The Parliament also should allocate special sessions to enforce the reports' recommendations.

Other recommendations pertaining to the work of the ACC and the Audit Bureau are discussed in commitments 2.2.1 and 2.1.1 (q.v.), respectively.

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<sup>1</sup> "2011 Annual Report of ACC," Anti-Corruption Commission, 2011, [Arabic] <http://bit.ly/1i0L1AR>

<sup>2</sup> "2011 Annual Report of the Audit Bureau," Audit Bureau, 2012, [Arabic] <http://bit.ly/1fBaVdW>

<sup>3</sup> H.A., journalist, interview, 10 October 2013.

<sup>4</sup> M.T., Member of Parliament, interview with the IRM researchers by phone, 23 October 2013.



### 3.1.1. & 3.1.2. Improving Public Procurement

3.1.1. Undertaking the self-assessment using the Methodology for the Assessment of National Procurement Systems developed by the OECD-DAC Task Force on Procurement. The methodology includes baseline indicators to compare a country's systems to international-accepted good practice, as well as a new set of indicators. These indicators assess overall performance of the system, compliance with national legislation and standards and whether there is a reform programme in place to promote improved practices, and also the final PEFA report about financial reform that concentrated on enhancement of procurement transparency and its indicators.

3.1.2. Adopting a new Unified Procurement By-Law (final stages for approval) based on three central departments as mentioned above, with a recommendation from the specialized technical committee formed at the Governmental Tender Directorate to establish a procurement policies unit at the Prime Ministry, in addition to a procurement complaints unit. In addition, a new system that transforms the present procedures into automated tendering system will be developed. This will regulate the procedures, processes, and control the procurement expenditures, and will increase the accountability and transparency, and enhance performance.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	General Supplies Department				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment's language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values					
	Commitment	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	3.1.1. National Procurement Systems self-assessment					✓
3.1.2. Unified procurement bylaw			✓			
AMBITION						
Commitment		New vs. pre-	Potential impact			

	existing	
3.1.1. National Procurement Systems self-assessment	Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)
3.1.2. Unified procurement bylaw	Pre-existing	Moderate
<b>LEVEL OF COMPLETION</b>		
3.1.1. National Procurement Systems self-assessment		
Start date: NA	Actual completion	Complete
End date: NA	Projected completion	Complete
3.1.2. Unified procurement bylaw		
Start date: NA	Actual completion	Complete
End date: NA	Projected completion	Complete
<b>NEXT STEPS</b>		
3.1.1. National Procurement Systems self-assessment	New commitment building on existing implementation	
3.1.2. Unified procurement bylaw	New commitment building on existing implementation	

### What happened?

These commitments existed before OGP. The government assessed itself using the methodology for the assessment of national procurement systems developed by the OECD-DAC task force on procurement. However, no results were shared nor actions (based on the results) were announced or initiated. Generally informed stakeholders interviewed in the preparation of this report also did not know any impacts of this assessment. As a consequence, although relevant to accountability broadly, this commitment does not clearly relate to open government.

With regard to the second commitment, the Ministry of Public Sector Development adopted a unified Procurement bylaw and submitted it to the Council of Ministers for approval in 2008, long before OGP.<sup>1</sup> However, researchers found no evidence on the outcome or next steps. At that time, the bylaw was a key requirement for Jordan to join the International Agreement for Government Purchase. According to the government's self-assessment report, the bylaw is still with the Ministry of Public Sector Development, who has yet to submit it to the Prime Ministry for approval.<sup>2</sup>

Consequently, no real action has been taken since earlier actions such as establishing the Joint Purchase Department in 2002 (pertaining to the public purchase of pharmaceuticals)<sup>3</sup> and the Government Tenders Department in 1982 (pertaining to centralised tenders on housing and infrastructure).<sup>4</sup> In addition, the government declared its intention to enact a unified procurement bylaw.<sup>5</sup>

With regard to e-procurement, the government's self-assessment report states that the commitment is still under preparation. A technical committee comprised of the Government Tenders Department, the Joint Procurement Department, the General Supplies Department, the e-government program at the Ministry of Information and Communication Technology, and the Audit Bureau.<sup>6</sup>

The website of the Government Trends Department did not contain any information related to the unified bylaw or the e-procurement bylaw. However, strong transparent procedures have been undertaken, and there is evidence of good use of technology to provide information to citizens about the results of the centralised tenders:

- The meetings for open tenders and announcements of winners are available online (including archived meeting notes).
- All necessary information and applications with clear deadlines are also available, which prove the progress toward accountability.

Nonetheless, challenges remain for the system:

- Some tenders on the website were accessible only by private invitation.
- Complaint procedures were not time-bound and lacked clear time frames for remedy and redress of complaints.<sup>7</sup>
- The department only handles central government procurement. Other government purchases of equipment and other procurement under the minimum threshold for reporting are subject to different regulations, which could increase the level of corruption and conflicts of interest.

The whole process of procurement lacks publicity and transparency, according to stakeholders. While the government is trying to make efforts (such as the Government Trends Department's portal), citizens do not have any knowledge about such efforts and their potential impact<sup>8</sup>.

### **Did it matter?**

The bylaw is expected to encourage more investors to compete for major public tenders. Increasing competition among different bidders would provide the chance for the government to select qualified bidders with competitive prices.

Stakeholders interviewed criticised the government for not publishing the results of the self-assessment. Stakeholders also emphasised that they do not have enough information about the self-assessment, the bylaw, or e-procurement (as they were neither approved nor published). They also expressed lack of knowledge about the Government Trends Department's process because of lack of awareness-raising among citizens.

The stakeholders provided many examples of manipulation and corruption regarding local-level tenders, especially tenders related to housing, infrastructure, or equipment purchase, all of which prevent competition by different bidders and encourage corruption and bribery practices within the system.<sup>9</sup> An official interviewed stated that sometimes his department divide the tender award so that it would not meet the unified tender regulation, which provide them more space in choosing the candidates<sup>10</sup>. Additionally, the stakeholders find it very challenging to track the process of different tender procedures. It is confusing to the bidders as well as to citizens, and it hinders the

process of monitoring and evaluation. These groups strongly support a unified procurement bylaw.

### **Moving forward**

The next action plan could include specific efforts to make the bidding process more transparent by keeping the public informed about the results of its self-assessment in different fields. This would enable effective feedback from experienced groups and civil society. It also would inspire scholars and CSOs to come out with solutions and innovative initiatives.

Despite being in the final stages of approval, the stakeholders emphasised the importance of getting public input before enacting a unified procurement bylaw. In addition, they stressed the need for clear and transparent procedures and a time frame in the bylaw to prevent any manipulation by government officials running the tendering process. Apart from selecting highly qualified staff and providing them with necessary skills and experience, the stakeholders emphasised that they should engage citizens and enhance their confidence in the process.

It can be concluded that the main challenge to transparency is in keeping the public updated about the government actions in the procurement process on the local and national levels. More importantly, citizens should be engaged and kept informed about the process itself. The government should work to widen the consultation process to enable better participatory approaches and results.

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<sup>1</sup> Hussein Omosh, "Public Sector Raised Cabinet Unified Procurement System Project," Addustor Newspaper, 2008, [Arabic] <http://bit.ly/1dT9jWg>

<sup>2</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

<sup>3</sup> "Joint Purchase Regulations on Drugs No. 91 for the year 1992. The Official Gazette Edition No. 4562 for Year 2002, <http://bit.ly/1t2OpyE>.

<sup>4</sup> "Centralized Tenders" are housing and infrastructure tenders valued at more than 250,000 JOD.

<sup>5</sup> "Kasbi calls to issue a new unifies procurment bylaw," Addustor Newspaper, 6 June 2012. <http://bit.ly/1qXpnNz>

<sup>6</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

<sup>7</sup> Government Tender Department, The Hashemite Kingdom of Jordan, <http://www.gtd.gov.jo>

<sup>8</sup> Stakeholders Meeting, karak, 8 October 2013.

<sup>9</sup> Stakeholders Meeting, Irbid, 7 October 2013.

<sup>10</sup> F.E., government official, interview, 12 October 2013.

### 3.2.1. & 3.2.2. Increase Transparency in Public Spending & Consider Gender and Child Aspects

3.2.1. Adopting additional measures aimed at increasing transparency in public spending and improving the allocation of budget resources in accordance to the national priorities. [Full text truncated.]

3.2.2. State Budget Department will enhance the orientation towards the social gender and child concept within the Government Units' Budgets for the fiscal year 2014. This will identify programs, projects and activities oriented towards "social gender and child" along with resources allocated over the medium term.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		Low (The commitment's language describes activity that can be construed as measurable with some interpretation on the part of the reader.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values					
	Commitment	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	3.2.1. Transparency in public spending	✓				
3.2.2. Gender and child aspects in government units-budget	✓					
AMBITION						
Commitment		New vs. pre-existing	Potential impact			
3.2.1. Transparency in public spending		Pre-existing	Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)			

3.2.2. Gender and child aspects in government units' budget	New	Moderate
<b>LEVEL OF COMPLETION</b>		
1. Increase transparency in public spending		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Substantial
2. Consider gender and child aspects in the government units' budget		
Start date: NA	Actual completion	Limited
End date: NA	Projected completion	Not started
<b>NEXT STEPS</b>		
3.2.1. Transparency in public spending	Further work on basic implementation	
3.2.2. Gender and child aspects in government Units' Budget	Further work on basic implementation	

### What happened?

This commitment was aimed at improving transparency in public spending, there was not enough information published. Additionally, stakeholders and officials of some government entities who were interviewed to speak about “the performance assessment of ministries and government entities and units based on targeted performance indicators” did not know enough information.

The government’s self-assessment report did not mention any progress made on this commitment. However, an effort was made in 2012 to review public spending in the State Budget Law for five sectors: water, health, education, social development, and transport. A report in this regard was issued in cooperation with USAID which included recommendations for ministries and governmental institutions to be adopted in the future action plans, and it identified shortcomings to be avoided in the future.<sup>1</sup>

However, as stated by the stakeholders, no tangible outcomes were evident. The government did not make any efforts to engage citizens by any mean to obtain their opinion on the report. Although being an important report about the Fiscal Reform Project implemented by the Ministry of Finance in cooperation with USAID, the researchers could not find a copy of the report on the portal of the Ministry of Finance. No other information about the Fiscal Reform Project was available.<sup>2</sup> A copy of the report was finally accessed through the portal of the General Budget Department under the link, “Cooperation with the Fiscal Reform Project II.”<sup>3</sup> It is hard to say that the government made adequate efforts to publicise this project or the report, apart from one press release.

No clear information is available about actions to upgrade the content and format of the annual report under the Government Units’ yearly Budgets Law. No clear information is

available that classifies the current and capital expenditures at the broadest level in the state budget law for the fiscal year 2014. It could be attributed to the fact that these actions were supposed to be implemented in the year 2014. Alternatively, perhaps the government has withdrawn these actions from the current plan. The government's self-assessment report stated that expansion of the chart of accounts' components for the state budget and budgets of government units has not started yet. The report stated that the expansions will be implemented gradually over the coming years.<sup>4</sup>

Even so, the Prime Minister's orientation "directives" to government entities on the 2014 budget preparation, issued in October 2013, highlight financial allocations per children and per gender.<sup>5</sup> The template especially designed for government entities to determine their 2014 budget also highlighted financial allocation for children and women.<sup>6</sup> However, the impact cannot be measured until the end 2014. In the opinion of stakeholders, implementation is doubtful. They stated that the government should have engaged CSOs during the preparation stage of the budget (which was not the case). Without CSO engagement, Jordan will not reap the full benefits from this commitment or its outcomes.<sup>7</sup>

### **Did it matter?**

The stakeholders could not identify direct benefits from these commitments. They stated that the government did not make any efforts to engage citizens in any way to review public spending. Stakeholders also critiqued the government's exclusion of CSOs from reviewing sections of the budget dealing with allocations for women and children.

They accused the government of addressing the gender and children aspects to the budget as "sham actions" that are tailored to attract more foreign funds and to satisfy the international donor community. They also observed the limited skills and experience of the government officials to handle such a task.<sup>8</sup> Stakeholders stated that CSOs in direct contact with children and women should cooperate with the government in setting the right priorities for children and women instead of these priorities being decided by the government alone.<sup>9</sup>

### **Moving forward**

The stakeholders stressed the importance of public input in budget decisions, in addition to engaging the CSOs in defining children's and women's priorities and needs. They stressed the importance of building the capacity of government officials to address women's priorities and needs as well as to better communicate and cooperate with the CSOs to fulfil the mission. To improve the process, interviewed CSOs suggested that the government could compare best practices of other countries.

They also stressed the importance of learning from the Public Expenditure Perspective Report, rather than just filing it away. Additionally, they suggested enlarging the scope of the report to include other sectors. They also stressed that the donors should encourage the government to involve CSOs in the consultation process when preparing the budget. CSO involvement would enhance transparency and participation within the process, which in turn, would enhance the public confidence in the government's decisions regarding the budget.<sup>10</sup>

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- <sup>1</sup> USAID, “Public Expenditure Perspective Report,” Fiscal Reform II Project, January 2012, <http://www.frp2.org/english/Home.aspx>
- <sup>2</sup> Ministry of Finance, The Hashemite Kingdom of Jordan, <http://bit.ly/1hTuY4f>
- <sup>3</sup> General Budget Department “Cooperation with the Fiscal Reform II Project”, 27 October 2013, <http://bit.ly/1nnv72U>
- <sup>4</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>
- <sup>5</sup> “Budget Orientation for 2014,” Al-Rai Newspaper, 8 October 2013, [Arabic] <http://www.alrai.com/article/611095.html>
- <sup>6</sup> General Budget Department, “Basic Information Form for 2014 Budget,” The Hashemite Kingdom of Jordan, [Arabic] <http://bit.ly/Kl6W6D>
- <sup>7</sup> Stakeholders Meeting, Irbid, 7 October 2013.
- <sup>8</sup> M.R., journalist, interview, 7 October 2013.
- <sup>9</sup> Stakeholders Meeting, Irbid, 7 October 2013.
- <sup>10</sup> Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013; Stakeholders Meeting, Amman, 8 October 2013.



### 3.2.3. Enhance the Transparency of the State Budget Preparation and Disseminate Information on Process

Enhancing the transparency of the State budget preparation and disseminating information on the budget, through publishing a “Citizen's Guide to the Budget”, and “Budget in Brief” that explains each of the definition of budget headings and making it available on the web. Budget in Brief” document is also available in English language. Budget in brief features more technical detail targeting Parliament, international financial institutions and others, while the Citizen's Guide targets the public and the media using more simplified presentation and narrative. These documents provide user-friendly guides to Government spending and promote public awareness.

COMMITMENT DESCRIPTION						
Answerability	Lead institution	The State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		Medium (The commitment's language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓		✓		
AMBITION						
New vs. pre-existing		Potential impact				
New		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion			Complete	
End date: Unclear		Projected completion			Complete	
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

The Citizen's Guide to the State Budget was produced for the year 2012 and is published on the State Budget Department's website. The website also included a guide for the years 2011 and 2013, so the commitment was a continuation of efforts that started before OGP.<sup>1</sup>

The portal also included publications on the State Budget Law from 2012 (and before) and Government Units' Budget Law for the fiscal year 2012, as stated by the government's self-assessment report. The guide and other publications are accessible to citizens; however, the lack of citizen awareness about the availability of this information makes it less usable.

### **Did it matter?**

Stakeholders support government actions to provide this information online for citizens. However, as with other commitments pertaining to the budgetary process, they critiqued the lack of CSO engagement in preparing and monitoring the implementation of the budget. Stakeholders also indicated that, from their experience, most citizens are not aware that this information is available online because the government did not undertake adequate efforts to inform the public and engage them. The stakeholders believe that the government publishes information primarily to satisfy donors, rather than to be transparent to its citizens. Stakeholders also discussed the public feedback on the budget, which the government did not take into consideration before approval of the Parliament. In addition, stakeholders critiqued the lack of adequate tools and mechanisms to monitor public spending within the draft state budget law. "It's not only [that] we should know about the budget, but also we should be engaged in the preparation and monitoring process," stated one stakeholder.<sup>2</sup>

Another controversial aspect was the budget line titled, "Other Expenses," which, according to participants in this process, should be broken down into details to be transparent. Stakeholders rejected such mysterious descriptions of a budget line and called for more government transparency.

From this perspective, stakeholders discussed the foreign funding to Jordan's development initiatives. Stakeholders stated that the process of receiving and spending foreign funds lacks transparency, and the government currently is not held accountable to citizens. Once in a while, citizens hear in the news about new funding received, but they do not have clear information or adequate monitoring tools to ensure efficiency or appropriate distribution among priorities and areas.<sup>3</sup>

On different occasions, including when the Prime Minister called for governmental entities to submit their budget pledge, the government stressed the importance of addressing local public demands in consultation with the governor of each governorate. However, stakeholders perceive this as "decorative," with no real impact on the distribution of the budget. Most budget spending is directed to the capital Amman.

### **Moving forward**

In the next action plan, the government should continue its efforts to make the budget preparation process transparent to the public. It may revise the commitments to focus more on engaging the public in the preparation and monitoring of the budget.

Stakeholders recommended that the government consider new mechanisms and tools to engage citizens such as online consultation processes or public opinion surveys. Moreover, they stressed that the government should engage CSOs experienced in this field both to benefit from their experiences and to gather citizens' views and demands, as CSOs often form a common bridge between government and citizens. This way the government can best integrate public demands into its budget. Stakeholders also urged

the donors to pressure the government to continue the budget transparency reform with more measurable and time-bound actions. They also urged donors to build the capacity of Jordanian CSOs (especially those outside Amman) and to provide them with experiences on the best international practices regarding civic engagement in the budget process.<sup>4</sup> Stakeholders also recommended that CSOs form coalitions for a formal monitoring process for budget preparation and public spending.<sup>5</sup>

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<sup>1</sup> State Budget Department, "Citizen's Guide to the State Budget," The Hashemite Kingdom of Jordan, [Arabic] <http://bit.ly/1dwae2u>

<sup>2</sup> Stakeholders Meeting, Irbid, 7 October 2013.

<sup>3</sup> Stakeholders Meeting, Amman, 8 October 2013.

<sup>4</sup> Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013; Stakeholders Meeting, Amman, 8 October 2013.

<sup>5</sup> M.R., journalist, interview, 7 October 2013.

### 3.2.4. Preparing a Strategy for the Financial Decentralisation Project

*In order to enable citizens to participate in decision-making concerning the development of their communities, the State Budget Department (GBD) in coordination with other ministries and departments will work in the year 2012 on deepening the implementation of decentralization through preparing a strategy for the financial decentralization project including strategic planning as well as the preparation, implementation, review and assessment of the budget on governorate and municipality level to link the local development requirements with the national policies and to ensure the effective utilization of the capital spending priorities according to these requirements.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment's language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
				✓	✓	
AMBITION						
New vs. pre-existing		Potential impact				
Pre-existing		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion			Limited	
End date: Unclear		Projected completion			Complete	
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

The commitment is a continuous effort of government plans on fiscal decentralisation. On 18 July 2012, the Governor of the Local Development at the Ministry of Interior announced the government is heading towards fiscal decentralisation strategy for three selected governorates (Balqa, Karak, and Ajloun). He claimed that they were still in the process of getting approval on this strategy by the executive council (representing government) and the consultative council (representing local community).<sup>1</sup>

The government institutions responsible for this commitment—the State Budget Department and the Ministry of Finance—did not have any information pertaining to the strategy on their websites. Stakeholders expressed their frustration from hearing about this strategy and other related actions from the government several years ago, but still with no clear evidence of implementation.<sup>2</sup>

Stakeholders confirm the inequality in the budget regarding resource distribution among different governorates. They attribute this to the government’s lack of grassroots engagement in setting agendas and priorities at the local level. They recalled different experiences in trying to talk to the government about their priorities. However, the government moved forward with different priorities, giving stakeholders a sense of total disregard for public concerns and interests.<sup>3</sup>

### **Did it matter?**

The stakeholders criticised the government’s conduct in producing a decentralisation strategy by using centralised techniques. They stated that the idea of decentralisation is to let people decide on their priorities and interests, and to develop a local plan to address their problems and interests. However, “Amman”, as usual, took the lead and produced the strategy based on their perceptions.<sup>4</sup>

For example, when the government announced its intention to implement the fiscal decentralisation strategy in the Balqa governorate, it explained that they already had a set of projects for the Balqa governorate within the strategy with a range of cost for each project. Despite waiting for the approval of the local and executive councils, the projects were predetermined by the government. So the consultation was limited to, whether to approve the proposed projects or not, and was not a participatory process that provides equal space for citizens and government to come up with those projects.<sup>5</sup>

### **Moving forward**

The government aims to achieve fiscal reform, and it can use the opportunity provided by OGP to take serious steps to actively engage citizens in the process at an earlier phase than currently planned. More public awareness activities can be conducted on this strategy, and public input should be considered to further develop the strategy and enhance the participatory approach within the process.

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<sup>1</sup> Ibtisam Atiyat, “Al Odwan: The Government Is on the Verge of Fiscal Decentralization,” Addustuor Newspaper, 18 July 2012, [Arabic] <http://bit.ly/Kl7jhA>

<sup>2</sup> Stakeholders Meeting, Irbid, 7 October 2013.

<sup>3</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>4</sup> Stakeholders Meeting, Irbid, 7 October 2013; Stakeholders Meeting, Karak, 8 October 2013; Stakeholders Meeting, Amman, 8 October 2013.

<sup>5</sup> M.R., journalist, interview, 10 October 2013.

### 3.2.5. Computerize Budget Lifecycle (GFMIS)

*Launching GFMIS in government ministries and departments and financial centers (deployment phase). The GFMIS is an important initiative of the Government of Jordan (GOJ) which was launched in 2008 and seeks to computerize the entire life-cycle of budget preparation, execution, and financial reporting. It will serve as an integrated system across all spending agencies to ensure transparency and accountability in the allocation, use and monitoring of Jordan's valuable public resources*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	The State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		Low (The commitment's language describes activity that can be construed as measurable with some interpretation on the part of the reader.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✓
AMBITION						
New vs. pre-existing		Potential impact				
Pre-existing		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Unable to tell from government and civil society responses		
End date: NA		Projected completion		Complete		
NEXT STEPS		New commitment building on existing implementation				

#### What happened?

The government started working on the (GFMIS)<sup>1</sup> before OGP in 2004, based on the recommendations of the International Monetary Fund (IMF) and the World Bank in their joint report of March 2004 on Jordan's Financial Management. The process of assessing financial management in Jordan, forming the project team, obtaining cabinet approval, and proceeding with the tender process continued until 2008, when the

government signed a contract with Intracom S.A., who started the implementation. On 29 March 2008, a new directorate to manage the project was created within the Ministry of Finance.<sup>2</sup>

The government has made some efforts to introduce the system in some of the government entities.<sup>3</sup> It designed a special website on the system's project. However, no adequate awareness-generating activities have been undertaken, nor have there been activities to engage the higher-level staff at the ministries. As a result, the entities at the governorate level had inadequate information about the system.

The IRM researchers collected evidence of lack on Knowledge on the system through phone interviews with three officials at one of the governorates. Two of the officials interviewed work as Directors of Control & Inspection Departments, and one of the officials interviewed is a Director of a Financial Department (all under the Ministry of Education). The IRM researchers asked them about the system and its impact. Unfortunately, none of the officials had any information about the system. While one of them indicated that he had heard about it, even he did not know what it was. The other two stated that they had never heard about it<sup>4</sup>. The Ministry of Education is in one of the first phases of the pilot locations that experienced the application of the GFMIS, according to government's self-assessment report.<sup>5</sup>

However laudable, as written, this commitment does not specify how to ensure transparency that clearly meets the goals of opening government. It is unclear, the extent to which this commitment actually will disclose additional information to the public when there is such limited information even within government.

### **Did it matter?**

Stakeholders at IRM meetings criticised the government for not being transparent and informative about its fiscal reform plan, in which this system is located.<sup>6</sup>

Stakeholders questioned the long-term process since 2004 and the level of transparency in terms of the impact and feasibility of the system. In addition to criticising the lack of clear timelines and milestones for the system, they also criticised the government for not involving CSOs to monitor the project.<sup>7</sup> Moreover, stakeholders questioned the level of transparency in the amount of the foreign aid received to implement the system and the real cost involved.<sup>8</sup>

Importantly, they also stated that the GFMIS portal is not informative. They pointed to the need for more transparency in a more detailed action plan and phases of the system. They stated that it is hard to monitor activity with such limited information. They assumed that the government is not transparent at this level because it wants to avoid public monitoring of the process.<sup>9</sup>

### **Moving forward**

As a future action, the government should put more efforts into informing and engaging the public in its fiscal reform plan. This will enhance the trust of the government actions and generate efficient feedback from experienced CSOs and individuals. It also will foster wider public monitoring of the government fiscal reform's activities.

Adequate information on the system should also be available online with measurable, time-bound milestones, and clear details of the costs and foreign aid provided to assist

the implementation of the system. Moreover, It is very essential to raise awareness of government staff at the lowest levels.

A clear mechanism should be designed to enable an efficient feedback process between the users and the management level. Feedback could be used to further assist the development of the system and overcome any emerging obstacles.

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<sup>1</sup> Government Financial Management Information System (GRMIS), [Arabic] <http://www.gfmis.gov.jo/>

<sup>2</sup> About the System," Government Financial Management Information System", <http://www.gfmis.gov.jo/en/about-us/history>

<sup>3</sup> "Organizing an Introductory Meeting to GFMIS," press release, GFMIS, 20 October 2012, [Arabic] <http://www.gfmis.gov.jo/ar/latest-news/644>

<sup>4</sup> Two Directors of the Control and Inspection Department and the Director of a Financial Department of the Ministry of Education, interview with the IRM researchers by phone, 23 October 2013.

<sup>5</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

<sup>6</sup> Stakeholders Meeting, Karak, 8 October 2013.

<sup>7</sup> Stakeholders Meeting, Amman, 8 October 2013; Stakeholders Meeting, Irbid, 7 October 2013.

<sup>8</sup> M.R., journalist, interview, 7 October 2013.

<sup>9</sup> H.A., journalist, interview, 10 October 2013.



### 3.2.6. Increasing Transparency and Accountability in the Use of Public Funds

*Increasing transparency and accountability in the use of public funds through putting in place revised Action Plans of Ministry of Finance (MOF) and the Audit Bureau (AB) based on the MOU signed between both sides on separating MOF and AB responsibilities with regard to internal control and external audit.*

COMMITMENT DESCRIPTION						
Answerability	Lead institution	The State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment's language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✓
AMBITION						
New vs. pre-existing		Potential impact				
New		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: Unclear		Actual completion		Not started		
End date: Unclear		Projected completion		No dates or milestones attached or inferable		
NEXT STEPS		Further work on basic implementation				

#### What happened?

The commitment was not implemented, and stakeholders expressed no knowledge about it. The IRM researchers were also unable to find any literature about this commitment. Further, no progress on the commitment was reported in the government's self-assessment report.<sup>1</sup>

It is also unclear what the public-facing elements of this commitment are, thus links to open government are vague and unclear.

### **Did it matter?**

The commitment has not been implemented yet. Thus, no assessment could be made regarding its implementation.

### **Moving forward**

Government should do further work on basic implementation. It should ensure a widespread engagement of citizens and experts on the design as well as during the implementation stage. In addition, it should ensure a high level of transparency during implementation. The commitment also should clearly articulate a specific timeline and milestones.

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<sup>1</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

### 3.2.7. Initiating Discussions to Join the Extractive Industries Transparency Initiative

Initiating discussions to join the Extractive Industries Transparency Initiative (EITI).

COMMITMENT DESCRIPTION						
Answerability	Lead institution	The State Budget Department and the Ministry of Finance				
	Supporting institutions	NA				
	Point of contact specified?	No				
Specificity and measurability		None (The commitment's language contains no verifiable deliverables or milestones.)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
		✓	✓			
AMBITION						
New vs. pre-existing		Potential impact				
New		Moderate (The commitment is a major step forward in the relevant policy area, but remains limited in scale or scope.)				
LEVEL OF COMPLETION						
Start date: NA		Actual completion		Not started		
End date: NA		Projected completion		No dates or milestones attached or inferable		
NEXT STEPS		Further work on basic implementation				

#### What happened?

The commitment had not started yet, and stakeholders had no knowledge about it. The IRM researchers also could not find any evidence of progress towards joining EITI. Further, no progress on the commitment was made according to the government's self-assessment report. It is still under internal review by the government.<sup>1</sup>

#### Did it matter?

In recent years a huge debate has been taking place around the government transparency in managing the extractive industries. On many occasions, citizens accuse the government of lack of transparency, accountability and professionalism in managing these industries. Many corruption cases have been raised around the subject. Thus, joining such an initiative, especially with its accent on transparency would be of interest for the public and could have significant impact in this sector.

The commitment, however, has not been implemented yet. Thus, no assessment of its actual results are possible at the time of review.

### **Moving forward**

The government should continue work on basic implementation, including widespread engagement of citizens and experts to design and begin implementation according to EITI standards. The steps for beginning EITI certification include:

- Issuing an unequivocal public statement on the government’s intent to join EITI;
- Appointing a senior official to lead implementation;
- Establishing a multi-stakeholder working group to oversee implementation; and,
- Maintain a work plan to meet certification standards.

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<sup>1</sup> The Hashemite Kingdom of Jordan, *The Open Government Partnership, Jordan: National Action Plan, First Progress Report* (Report, Amman, February 2013), <http://bit.ly/1eGtBHR>

## V. SELF-ASSESSMENT

**The Government of Jordan published a self-assessment report early in the OGP process, which covered most of the commitments in the action plan in varying levels of depth.**

The Government of Jordan published its self-assessment report in February 2013. It reported on the level of achievements of the first year of the 2012 action plan, in accordance with the OGP guiding text.<sup>1</sup>

The report covered most of the commitments included in the national plan, in addition to extra achievements related to some commitments. It provided further elaboration on certain sectors and hints of future advancement. Some commitments were also not included in the report, without any explanation for their exclusion (for example, if they have been withdrawn).

It can be said that the report's coverage of the legislative proceedings was accurate and valid, and reliable input in this regard was sufficiently detailed. However, the report was not sufficiently informative in terms of implementation timelines, outcomes details, or actual impact. The self-assessment report did not include adequate attachments or online links to documents of the results of mentioned studies or to the developed plans, the drafted laws, or any concrete evidence to support level of completion.

The language of the self-assessment report also varied between clear and verifiable to vague, where no significant indicators could be construed.

The report has shed light on all governmental achievements regarding its commitments, but lacked self-criticism and constructive assessments including highlighting the challenges faced by the government during implementation and lesson learned of the whole process. Additionally the progress report (at the time of authoring this report, November 2013) was not published on the portal, and an Arabic translation of the progress report was not available until later to the researchers meeting with the government. The report remains an unofficial draft at the time of authoring.

**Table 2: Self-Assessment Checklist**

Was annual progress report published?	Yes
Was it done according to schedule?	Yes
Is the report available in the local language?	No
According to stakeholders, was this adequate?	No
Is the report available in English?	Yes
Did the government provide a two-week public comment period on draft self-assessment reports?	No
Were any public comments received?	No
Is the report deposited in the OGP portal?	Yes

Did the self-assessment report include review of the consultation efforts?	No
Did the report cover all of the commitments?	No
Did it assess completion according to schedule?	Yes
Did the report reaffirm responsibility for openness?	Yes
Does the report describe the relationship of the action plan with grand challenge areas?	Yes

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<sup>1</sup> The OGP Guiding Text states, “All participating OGP governments are to publish an annual progress report approximately three months after the end of the first 12 months of action plan implementation.” See: OGP, Guiding Text, <http://bit.ly/1g2TaP4>

## VI: MOVING FORWARD

This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

### Country Context

In many respects, Jordan is a trailblazer for reform efforts in the Arab region. At the same time, the government could make more efforts to enact procedures pertaining to the freedom of speech and freedom of expression to allow for wider and free debates, voice facts transparently, and ensure the right of citizens to access information through local media that has adequate space to report on public demands. Thus, the IRM researchers perceive Jordan's recently approved publication law, which limits free journalism and free expression, as a setback in the democratic process. New OGP commitments could help to improve the situation, amend the law, and move forward with their commitments to core OGP values of transparency, participation and accountability.

### ***Approving the Amended Publication Law No. 32 for the year 2012***

On 15 September 2012, the Parliament approved the widely debated Amended Publication Law, drafted and submitted by the government.<sup>1</sup> The new law provoked outraged by media outlets and human rights defenders. It was perceived as a step back in media freedoms, as a tool for governmental censorship, and as a restriction of web-based media content. Human Rights Watch also issued a statement condemning Parliamentary for approving the amendment.<sup>2</sup>

The new law obligates all Jordanian Internet-based media outlets to obtain governmental accreditation to function and to recognise the web-based content of these outlets as printed materials. Readers' comments were included as media content, and all online media should keep records for six months of all submitted comments. This is perceived as a restraint on media freedoms and freedom of speech.

Activists demonstrated, and there were widespread protests against this law. However, the legislation was passed, and, in coordination with service providers, the government shut down several websites.<sup>3</sup>

The government stated that the law did not come as a restraint, but as a regulatory mechanism, and that it would not be used to restrict online media freedoms. The Minister of Media Affairs, in the most recent Universal Periodic Review for the human rights records for all 193 UN member states, reiterated the government's view.<sup>4</sup>

However, two journalists were arrested and referred to the State Security Court (a military court) for posting a video that was described as "insulting to the royal family of Qatar. "This action provoked reactions by defenders of media freedom at the national, regional and international levels, as the two civilian journalists were charged in the military court.<sup>5</sup>

In addition to the Amended Publication law, Jordan has also made some positive steps in accountability recently through the reform of the judiciary system. It has not, however,

been able to fully institutionalize public participation decision-making, and, while a leader in the Arab world, has not made key amendments in the Freedom of Information Law of 2007. The first and third of these important policy areas are explained in more detail in the descriptions of Commitments 2.3.3, 2.3.4 (for the courts) and 2.3.5 (for the Freedom of Information Law).

Finally, the law governing the State Security Court was amended in 2013 in order to ensure that trials are conducted in conformity with the recent constitutional amendments, which limited the court's juridical role to the five major crimes specified in the Constitution, which are treason, espionage, terrorism, drugs and money counterfeiting. As for other state security related cases, they will be examined by a fully civilian court. This is considered as a major step in Jordan's reform process as there was a high demand by politicians, intellectuals, lawmakers, and political parties to limit the jurisdiction of the State Security Court

## **Stakeholder Priorities**

### **Current plan**

Stakeholders believe many of the commitments in the action plan could have significant impact on the reform process in Jordan, and would foster openness and transparency of the government.

The most significant commitments according to stakeholders are Commitment "2.2 Fighting corruption, good governance and promoting greater accountability," and Commitment "2.3 Promoting transparency and access to information and enhancing citizens participation in the decision making process."

They believe that these two commitments are foundational for the other commitments in the action plan and even other commitments they believe the government should have included. They believe that a strong anti-corruption law with strong mechanisms and tools, as well as a highly independent, legally mandated set of institutions, would ultimately enhance the transparency and accountability of public sector services. In turn, this could increase public confidence in the governments' actions and policies as well as encourage citizens to engage positively in the decision-making processes.

In addition, the stakeholders believe that Commitment 3.2 on enhancing the fiscal, budget, and expenditure transparency is also highly significant and could advance government openness and transparency. This commitment touches citizens' lives at the most basic level and strives to enhance their living conditions. Thus, transparency in public spending and fiscal matters could create a real partnership and confidence between government and citizens. In turn, this could enhance public participation in decision-making processes and hold government and citizens accountable to their decisions.

### **Future plan**

The stakeholders believe that the commitments included in the government action plan are very important. However, they encourage the government to adopt further commitments to enhance openness and transparency. A number of areas for future action could be included:



1. Implement a comprehensive reform strategy for municipal democracy, including an amendment to the Municipalities Law that guarantees administrative and financial independence for local self-governance councils;
2. Provide sufficient resources for local developmental needs;
3. Ensure continuous engagement of local communities in managing their affairs;
4. Minimise the domination of central authorities over municipal councils;
5. Commit to a higher level of transparency in preparing the national budget and financial allocations, avoid any insufficiently detailed allocation, and set a publicly accessible tracking system for government spending; and,
6. Amend the Parliamentary Elections Law to guarantee compatibility of the electoral process with international standards of integrity, transparency, equity, and freedom, and reconsider the SNTV voting system through an inclusive national dialogue.

### **Recommendations**

The IRM researchers believe that the important part of any assessment are concrete recommendations that enable a better implementation process. The Al-Hayat Center and many stakeholders interviewed hope the work on this report motivates the Jordanian government, CSOs, citizens, and the international community to work on recommendations, which could foster Jordan's commitment to the values of the OGP and assist the government's plans and actions in this field.

### **Transparency of Government Operations**

It is essential to foster the efficiency of government functioning, where informing citizens on the details of official proceedings paves the way for greater public engagement. At the same time, it maximises the quality of services provided by government departments through advancing accountability and bridging the gap in trust between public and central authorities. The Jordanian government should commit to addressing transparency values and practices that ensure public access to information about its performance, while setting clear and measurable indicators for providing evidence-based self-evaluation on regular bases.

The government should also guarantee the provision of sufficient, accurate and updated information. The government should practice an active role not only in ensuring access to information, but also in promoting the means for public access to advance democratic development through better public engagement.

Low-cost user testing could shed light on the severity of issues faced while browsing government websites and web-based databases. In addition to the content-related irregularities, these databases lack appropriate interactive functions and, in their current form, are less feasible for processing e-services provided through these websites and databases.

The government should commit to engaging civil society in prioritising and evaluating public policies. The government should commit to simultaneous and constructive communication with beneficiaries and stakeholders. Establishing an institutionalised communication strategy is essential to meeting citizens' needs and aspirations. As part of its open government ethic, government can acknowledge that citizen satisfaction and

feedback are the backbone of future developmental plans in the government institutions.

### **Awareness-Raising Activities**

A new approach with regard to raising public awareness should emphasise a major focus on citizens' knowledge of government activities. Through such significant advancement of public engagement in political life, Jordan could more peacefully and surely advance peaceful democratic transition.

Moreover, the government should start investing in awareness-raising campaigns related to global citizenship values and international instruments and conventions approved by Jordan. A higher social awareness of the international standards of rights and responsibilities should pave the way for the required socio-political changes that are necessary to improve Jordan's human rights status.

### **Enhance Public Consultation of Universities, Academics, and Research Centers**

Non-governmental experts should constitute the foundation for policy-making across sectors and throughout the various components of the government decision-making processes. For example, new regulations should be developed to ensure and institutionalise consultations with stakeholders in each sector of policy-making. That would significantly impact the quality of implementation and maximise the legitimacy and public acceptance and satisfaction with government operations.

To guarantee the consideration of public and expert views on focus areas, the government should initiate an active role in drafting and submitting the outcomes of public and expert consultations.

Government consultations with key experts and stakeholders should not be limited to an involvement in strategy building, but also should include simultaneous feedback on implementation, impact assessment, and the construction of evaluation plans.

### **Provide Informative Commitments as Part of OGP**

Commitments submitted by the Jordanian government should provide sufficient information on the implementation timeline, involved parties, risks, progress tracking paths, and allocated resources. Moreover, the commitment language should include valid and reliable indicators to measure progress and should allocate details on the responsible institutions to lead the implementation and all involved parties. Additionally, the government should not submit commitments on behalf of independent institutions such as the Parliament.

### **Enhance the Partnership between Government and CSOs**

Following the lead of international best practices, the Jordanian government should consider building a robust strategy for advancing its partnership with civil society institutions. The strategy should include a systematised roadmap to involve various government departments with CSOs active in its field of focus.

This initiative should capitalise the cooperative nature of the relationship between governmental institutions and CSOs. This requires granting government departments a higher level of independence to build and actively seek such partnerships.

Simultaneously, sufficient resources should be allocated for financial cooperation in co-implemented projects.

### **Advancing the Work of Community-Based Organisations**

Within the Jordanian context, Community-Based Organisations (CBOs) and growing organisations in local communities face major difficulties pertaining to their level of involvement and organisational development.

Thus, CSOs active at the central level, in cooperation with the government, should work on developing a strategy to build the capacities of CBOs to ensure true engagement in local development and provide them with sufficient tools to enhance their impact on the national scene.

### **Enhance the Use of Technology for Openness and Accountability**

The commitments in Jordan's action plan clearly did not focus on addressing the value of using technology for openness and accountability. The government may attribute this to a lack of resources. However, the Jordanian government enjoys a healthy relationship with different donors who are open to new ideas that support government openness. Thus, the IRM researchers believe that the government could further benefit from these relationships and acquire the experiences of other countries in this field. In doing so, the government will foster the democratic path through the use of these technologies to encourage wider public participation, access to information, and more openness in its actions.

### **Enforce Legislation that Forces the Government to Approach More Consultative Efforts**

This would encourage citizens to positively engage. Currently the government is not making sufficient efforts to engage citizens in the Political Parties Law or the Elections Law. Citizens lack knowledge of the concepts and processes of public participation, transparency, and accountability. By keeping citizens unaware of such processes, the government benefits from the silence of citizens and the exclusivity of managing the country with no monitoring or efforts to hold it accountable. Stakeholders also stated that the process of engaging CSOs and the public is not easy, but that the government has to approach it to be open and transparent.

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<sup>1</sup> The Hashemite Kingdom of Jordan, "Amended Publication Law No. 32 for the Year 2012," The Official Gazette No. 5179, 19 September 2012, at page 4264, [Arabic] <http://bit.ly/1hxT5Ht>

<sup>2</sup> "Human Rights Watch: The Press Law Is Threatening the Online Freedom of Expression," Al-Ghad Newspaper, 11 September 2012, [Arabic] <http://bit.ly/1cvswxu>

<sup>3</sup> David Schenker, "Jordan's Web Policy Mistake," articles and op-eds, The Washington Institute, 14 June 2013, <http://bit.ly/1hTAsvQ>

<sup>4</sup> "Momani Defending Public Freedoms and the Press and Publication Laws in Jordan," Al Anbat News Agency, 24 October 2013, [Arabic] <http://bit.ly/1fArArx>

<sup>5</sup> "The Case of Fraénah and Muála: A Legal Review," Amman Net, 7 October 2013, [Arabic] <http://ar.ammannet.net/news/212713>

## **ANNEX: METHODOLOGY**

As a complement to the government's self-assessment report, an independent assessment report is written by well-respected governance researchers, preferably from each OGP participating country.

These experts use a common OGP progress report questionnaire and guidelines<sup>1</sup> based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from non-governmental stakeholder meetings. The IRM report builds on the findings of the government's self-assessment report and any other assessments of progress generated by civil society, the private sector, or international organisations.

Local researchers carry out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore when possible, makes public the process of stakeholder engagement in research (detailed later in this section). In national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

### **Introduction**

Al-Hayat Center for Civil Society Development believes in the importance of public engagement in the decision making process. Thus, when receiving the task of preparing this report, like other CSOs in Jordan, the Al-Hayat Center had no information or idea about the OGP. It was a great opportunity for Al-Hayat to be introduced to such an important initiative and a great honour to take part in a constructive evaluation process, which could enforce the government openness and transparency, along with other stakeholders.

### **Stakeholder Selection**

To achieve the goal of producing a concrete and credible report that addresses the core values of the OGP, different factions of stakeholders were engaged in the evaluation process. An effort has been made to present a neutral and transparent picture and assess the real level of achievement of Jordan's action plan.

For this, Al-Hayat invited different stakeholders that participated in the process including, CSOs, CBOs, journalist, members of Municipal Councils, members of parties, local activists, and academics to three geographically distributed forums. The forums were held in the south of Jordan (in the Karak governorate), in the north of Jordan (in the Irbid governorate), and in the central region (in the capital of Amman). Hayat also invited the only two organisations that participated in the committee that was responsible for developing Jordan's action plan. Both of the organisations showed a high

level of cooperation by participating in the forums, along with the other stakeholders that were introduced to the OGP for the first time. Despite having invited representatives from the private sector, very few participated. This had little impact on the outcomes of the forums, which also reflects the private sectors lack of interest in such initiatives. The selection of the stakeholders took into consideration the different backgrounds of the stakeholders and the different regions they work in and come from. In addition to the diversity of interests, they represented.

The Al-Hayat Center also conducted phone interviews and face-to-face interviews with Members of Parliament, government officials, journalists, and lawyers. Some of these individuals were unable to join the forums and others were consulted as experts in the field that was under study. Upon request of most of the interviewers, their names are not revealed. However, symbols referring to the first letter of the name and field of work were included.

The IRM researchers also consulted other materials: Jordan's action plan and self-assessment report, media publications, official portals, and relevant legislation.

Information about the forums and the interviews are provided below:

### **Stakeholder Forum, Irbid, 7 October 2013**

#### List of Participants and Organisations

- Abdallah Al-Shonaq, Youth Media Forum
- Dr. Hafedah Shabsoq, Associations Union
- Fayzeh Alzobee, Women's Cultural Forum
- Zakye Momne, Associations Union
- Abdlmajeed Jardat, Irbid Cultural Forum
- Nour Al-Tal, Activist
- Ahma Ikeel Shatnawe, Associations Union
- Dr. Hussein Al-more, Academic
- Ahmad Daradkeh, Northern Mazar Forum
- Mohmmad Malkawe, Mayor of Khalid Bin Waleed Municipality
- Alaa Hayajneh, Activist
- Shaymaa Mohelan, Member of a Municipality
- Mohmmad Al-Qoraan, Member of a Municipality
- Mohmad Bani Yaseen, Activist
- Rahab Tawfeeq, YWCA
- Abd Almahde Batayneh, Training and Development Association
- Abdallah Maslamane, Youth Society Irbid
- Esraa Al-Rashdan, Youth Society Irbid
- Yasmeen Al-Zobee, Jordan National Forum for Women
- Nawaf Mohmmad, Member of a Municipality
- Isaam Alshlool, Mayor of West Irbid Municipality
- Mazen Abo Qamar, Activist

### **Stakeholders Forum, Karak, 8 October 2013**

#### List of Participants and Organisations

- Yones Irsheed Al-Ja'afreh, Activist
- Yosef Issam Al-Karki, Member of Party
- Fawze Al-Tarwneh Mansheya, Charitable Association
- Jaz'eh Al-Majali, Special Assembly
- Nuor Al-Majali, Lawrence Association
- Khled Al-Dmour Karak, Cultural Forum
- Tahseen Al-Qodah Qrefllah, Charitable Association
- Othman Al-Dmour, Teacher
- Yahya Al-Ja'afreh Shqeer, Assembly
- Mohmmad Khawldeh, Journalist
- Zeiad Al-Qaise, Member of Municipality
- Eng. Naqed Mfalfal, Businessman
- Ameen Kraiem, Journalist
- Khaldoon Habasneh, Journalist
- Hamed Fallah, Federation Charities
- Aidah Ma'aytah, Association for Youth
- Taha Al-Dnebaat, Federation Charities
- Mostafa Mwajdeh, Thought Forum
- Abd Alhai Habashneh, Osama Mufti Foundation

### **Stakeholders Forum, Amman, 8 October 2013**

#### List of Participants and Organisations

- Oday rababah Adaleh, Center for Human Rights Studies
- Dr. Majed Radawneh, Madab, Cultural Forum
- Hilda Ejelaat, Jordanian Transparency Center
- Salah Ma'aitah, Jordanian Association for the Fighting Against Corruption
- Dr. Ibraheem Kloub, Society of Friends of Parliament
- Mahmoud Hishmeh, East & West Center
- Ryad Sobeh, The National Center for Human Rights
- Ahmad Awad, Phoenix Center
- Ibraheem Alhayek, Partners - Jordan
- Mohmmad Hyasat, Jordan Cultural Forum

### **Additional Interviews**

#### In-Person and Phone Interviews

- M.R., journalist, in-person interview, 7 October 2013
- H.A., journalist, in-person interview, 10 October 2013
- F.E, government official, phone interview, 12 October 2013
- N.Z., MoPIC official responsible for OGP, in-person interview, 6 October 2013
- R.A., lawyer, in-person interview, 20 October 2013
- M.T., Member of Parliament, phone interview, 23 October 2013

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<sup>1</sup> Full research guidance can be found at: <http://bit.ly/1jkisPj>

### **About the Independent Reporting Mechanism**

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close coordination with the IRM researchers. Questions and comments about this report can be directed to the staff at [irm@opengovpartnership.org](mailto:irm@opengovpartnership.org).