



# **The National Integrity System (NIS)**

## **Jordan**

### **Executive Summary**

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**Rasheed was established in 2013 in Jordan as a result of the efforts of a group of civil society organizations and a number of individuals operating in the anti-corruption field, with a view to reinforce the values of integrity, transparency, and good governance.**

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## Introduction

This study is designed to assess the Jordanian National Integrity System (NIS), through analysing the capacities of the main institutions in the State, and assessing the extent to which the roles relating to anti-corruption, promotion of transparency, accountability, and governance are undertaken up to the 30th of March 2016.

The preparation of this study has been accompanied by several national developments; for example but not limited to, the issuance of the elections Law, Political Parties Law, Decentralization Law, and the adoption of the National Action Plan for Human Rights, as well as the attempts in favor of the structural reform in many regulatory institutions.

It is worth noting that TI has conducted several evaluations to the NIS in many Arab countries. For Jordan, this report is the first to analyze NIS and all underlying institutions. A methodology adopted in more than 40 countries has been followed to prepare the report.

The study emphasizes the most notable issues impacting the Jordanian NIS. It further provides several recommendations, general and specific, related to NIS pillars under evaluation. These recommendations shall reinforce the roles of these institutions throughout all the efforts to fight corruption, and shall also fortify the values of integrity and transparency.

## Preamble

The Impact of the Arab Spring or reform movements that have spread all over the Arab region for more than four years perhaps has had an indirect effect on Jordan. As a result, the governments, political institutions and public authorities called attention to taking several actions at all legislative, executive, administrative, and judicial levels for more transparency, integrity, and governance within the public institutions and those of public services. A need also arose to create and update the legal frameworks governing institutions with a view to achieve functions and to exercise jurisdiction efficiently and effectively.

Since the year 2011 and in response to the demands of the Jordanians, the development and review process started in the majority of the government and semi-government institutions in Jordan. A Royal Commission was established to amend the Jordanian Constitution, where more than 40 Articles of the Constitution were amended to bring about balance between the legislative and executive authorities. The judicial authority regulatory provisions were also amended in a manner granting it more autonomy, provided that the administrative judiciary shall be divided into two grades.

Simultaneously, a provision included the establishment of the Constitutional Court to have competence to make judgments pertaining to validity of challenging the constitutionality of laws and regulations in force; to answer questions relating to the interpretation of the Constitution provisions; to explicitly provide the general frameworks of jurisdiction, conditions applied to the workers in such court, safeguard the financial, administrative and judicial independence of courts, and to emphasize the mandatory decisions to all authorities.

In a remarkable development, the establishment of an independent Election Commission has been provided for. The said commission is entrusted with overseeing and running the electoral process in Jordan. The Parliamentary election process and the other elections formed a challenge to Jordanians, under the increased skepticism waves as to the integrity and soundness of the electoral process in the recent years. Under such pressure, the establishment of the Independent Election Commission has been provided for in accordance with a law that ensures financial, administrative, and technical independence to exercise its jurisdiction

Multiple constitutional provisions that would guarantee rights and duties of Jordanians have been updated, in addition to the amendment that limits jurisdiction of the State Security Court to hearing the crimes of treason, espionage, currency counterfeit, drugs, and terrorism<sup>1</sup>. The provision has been also updated to emphasize that civilians stand trial before a civilian judge. Article 94 of the Constitution has been amended to limit the content of the article related to Council of Ministers' right to stipulate interim laws, providing that these laws shall be approved within two cycles after the House of Senates' meeting.<sup>2</sup>

This study constitutes a favorable opportunity for all national institutions while trying to evaluate and review the achievements at all institutional and legislative levels, and to closely and deeply examine the challenges and difficulties that preclude from a way forward on promoting the institutional stability and reinforcing the values of integrity, transparency, and anti-corruption.

Undoubtedly, Jordan just like the other world countries and the region has suffered from administrative and financial corruption that had the most dramatic effect on the performance and efficiency of certain national institutions. The public authorities have sooner paid adequate attention to such corruption and thus vigorously took several steps in an initial attempt to draw the public legislative frameworks, and to adopt national plans and strategies coupled with relevant timelines.<sup>3</sup>

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1) Under Article 101, clause 2 of the Constitution, the State Security Court has jurisdiction and competence to consider crimes of treason, counterfeiting currency, drugs and terrorism. This amendment has been introduced in 2011.

2) The provision of Article 94 of the Constitution after amendment: In cases where the House of Representatives is not sitting or is dissolved, the Council of Ministers has, with the approval of the King, the power to issue provisional laws covering the following matters: a. General Disasters. b. State of War and Emergency. c. The need for expenditures incapable of postponement. Such provisional laws, shall have the force of law within two sessions after the Assembly. This brings it back to the constitutional provision before the year 1958.

3) For example, the National Integrity Charter & Action Plan, National Human Rights Action Plan, the National Agenda, National Dialogue Conference, We are All Jordan Forum, and the Kingdom's Economic Plan for 2025 and many other sectoral national plans.

**Notwithstanding the importance of taking such steps, however the implementation de facto turns into one of the most notable challenges and impediments facing the Jordanian State.**

**This study analyzes and addresses a set of structural issues that led to weakened integrity and transparency values, and a proliferation of corruption. The international, national and related reports and indicators suggest that improvement is less than the contemplated level in Jordan.**

## Executive Summary

### Background

Anti-corruption and the process of corruption eradication formed during the last five years a priority for decision-makers in Jordan. King Abdullah, the head of the political regime kept urging the three main authorities and the relevant national institutions to do their utmost in the review of legislation and the development of plans and strategies that will contribute to the anti-corruption process.

There is no doubt that the anti-corruption process requires concerted institutional efforts based on the principle that the scattered individual efforts do not achieve the contemplated success. The legislative and political sufficiency issue constitutes one of the most important elements of NIS success in terms of existence of adequate and effective legislation capable of achieving general and private deterrence. It is also essential to have a political apparatus with a firm conviction and belief in the importance of the anti-corruption process, which would thwart any efforts that would intervene in the investigations or the judicial authority's decisions.

The success of anti-corruption efforts on the national level requires the support of the legislative authority, through setting high-quality legislations to fortify the institutions and those in charge thereof against exercising any form of corruption, and pave the way for the public opinion to view information as an effective means of public control. The parliament should also provide oversight instruments that would preclude from any abuse of public funds or public administration, through active parliamentary committees, parties, and active parliamentary action groups with preset control and programs objectives to be implemented.

## National Integrity System (NIS) Report – Main Results

In general, it is apparent that the pillars of the Jordanian NIS range between medium to poor. The poor pillars are up to the maximum limit and in certain pillars touch the medium. Those pillars with such grades are the ones which legislations have been amended and mechanisms developed during 2011 – 2015 as shown in table (1) hereunder

| Table (1)                       |                     |
|---------------------------------|---------------------|
| Legislative authority           | Total score: 32/100 |
| Executive authority             | Total score: 33/100 |
| Judicial authority              | Total score: 63/100 |
| Public sector                   | Total score: 39/100 |
| Law enforcement agencies        | Total score: 42/100 |
| Anti-Corruption Commission      | Total score: 57/100 |
| Independent Election commission | Total score: 54/100 |
| Ombudsman Bureau                | Total score: 42/100 |
| Audit Bureau                    | Total score: 58/100 |
| Political parties               | Total score: 38/100 |
| Media                           | Total score: 35/100 |
| Civil society                   | Total score: 38/100 |
| Private sector                  | Total score: 43/100 |

It is clear that the Judicial Authority gained the highest scores in terms of practices and legislations. However, the Judicial Council requires building on the institutional achievements and avoiding the shortcomings and deficiencies in legislations and practices, in order to move forward on impact and effectiveness. This requires the complete administrative and financial independence from the Ministry of Justice, as well as reinforcing autonomy safeguards of the judges, and improving economic conditions and social security for the judges. It is also important to take rapid and effective actions to eliminate prolonged litigations, improve courts' infrastructures, and intensify work on capacity building of judges through the activation of the Judicial Institute and the adoption of rehabilitation programs and long term training.



The evaluation and analysis reveal the main issues within the Jordanian NIS. The analysis of the major political authorities in Jordan, especially the executive and legislative authorities, demonstrates a poor performance in the development of institutional tools that enable each authority to carry out their roles. Perhaps such weakness in the institutional structure created reciprocal assessment. Scientifically and methodologically, it is not possible to talk about a strong executive authority apart from a legislative authority able to exercise their legislative and regulatory roles professionally.

Notwithstanding the administrative power of the executive authority and and the fact that it owns the State's budget, it failed to constitute a real lever in the evaluation process. The assessment status indicates that the current expenditure takes the lion's share of those provisions, and that the administrative powers are often misused. That would preclude from enforcing the constitutional rules concerning the flexible segregation between the authorities.

The general weakness in the legislative authority, specifically the elected House of Representatives, precludes from gaining the satisfaction and confidence of the Jordanian street, where the key performance indicators, roles, independence, and resources remain struggling in a series of challenges. Perhaps the most prominent challenge is the incompleteness of the general structure of the political system to form a "parliamentary, representative" structure, which prevents the collective institutional work among the members of the Council. Another challenge is the formation of parliamentary majority, as well as lack of monitoring minority acting as a shadow government. The foregoing is affirmed by the poor scores obtained by the political parties in the evaluation of the NIS pillars, where the score of Political Parties Pillar was 38.

The legislative authority suffers from general weakness in quality practice of the parliamentary regulatory instruments. At the time the use of parliamentary regulatory instruments is increased in quantity, we don't observe any impact on public policy, in addition to the restrictions on the discussion of the Audit Bureau reports, and the inability to make decisions on violations committed, as well as weakness in the parliamentary experience in the discussion of budget and laws in general, and the weakness of the Secretariat General system, and inability to provide technical support to the members of the House during their legislative and regulatory term.

The common observation among the National Integrity System 13 pillars suggests that the legislation-allocated scores are higher than those to the practices. This is attributed to updating the majority of regulatory laws of these institutions and to the adoption of updated action plans during the past five years. This adds some burden to the authorities, represented in the necessity to implement and activate legislations and policies on real grounds, or the future evaluation will be prone to retreat and decline in practices.

Among the other common observations is the weakness of non-governmental players, such as: media, political parties, civil society, and the private sector. This confirms that the participatory approach with those sectors is still obscure and ambiguous.

At the time the promotion of freedom of media, opinion and expression and limitless freedom is emphasized <sup>4</sup> , laws are enacted and applied <sup>5</sup> whereby journalists are arrested and committed to trial at the State Security Court for certain cases, in addition to increased skepticism in the civil society organizations, and providing draft laws that would increase the admin bureaucracy and narrow the public activities' exercise, as well as failing to activate the Public-Private Partnership, and finally the inability to promote and protect the private sector to effectively take part in elimination of unemployment, poverty, and to attract investments, or even preserving the existing one.

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(4) The statement has been emphasized by the King Abdullah II on many occasions in Jordan.

(5) Many Reports by the Center for Defending Freedom of Journalists indicate that 10 journalists are reported to have been arrested since the beginning of e-crimes law implementation mid 2015

## Overall Evaluation of NIS

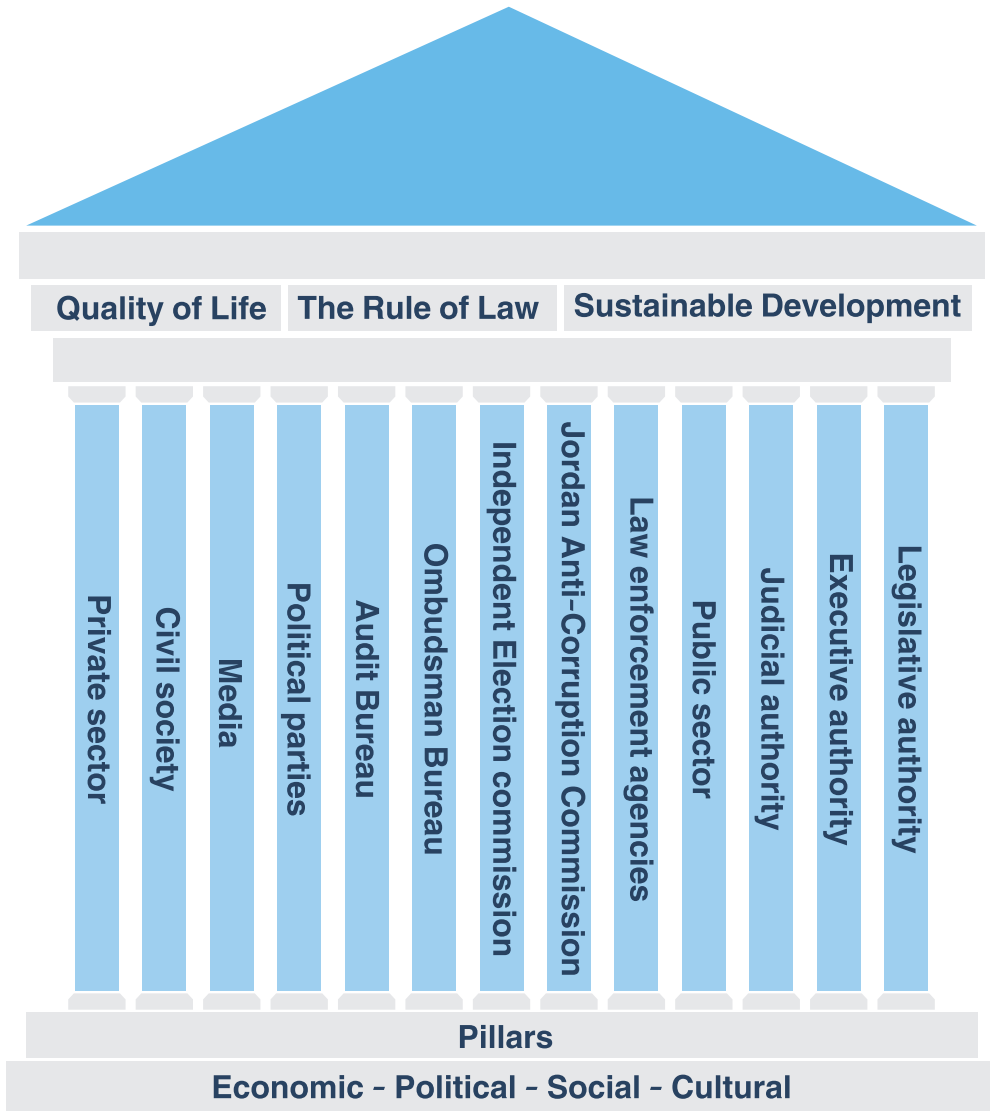
The evaluation of the NIS pillars reveals that the majority of evaluated pillars gained a score ranging between poor to medium in accordance with the TI's methodology in analyzing the NIS pillars. The NIS considers that the institution getting (81-100) as very strong; 61-80 strong while, 41-60 average, 21-40 poor and 0-20 very poor.

The institution classified as strong in accordance with this approach is only the judicial authority for getting a score of 63, followed by the Audit Bureau (58), followed by Anti-Corruption Commission (57), then the Independent Election Commission (54), then the private sector by (43), immediately followed by the law enforcement agencies(42), and finally the Ombudsman Bureau (42).

The institutions with the poor assessment are: the public sector (39), immediately followed by the civil society (38), the political parties (38), the executive authority (33), the media f (35), followed by the legislative authority (32).

The following diagram (1) illustrates the results of the NIS pillars in Jordan according to TI's Methodology. The total score for each pillar consists the quantitative assessment for three dimensions; capacities, governance, and role. The score also demonstrates the strengths, weaknesses, and variation in efficiency between one pillar and another. The diagram also shows that the NIS is a comprehensive system with all its constituents, where all pillars are equal in importance, and any negligence in any part of the system shall affect the whole structure. According to the methodology, culture, economy, civil society, and politics form the main pillars of any national system.

The results of this study also emphasize the limited roles being undertaken by NIS pillars, with evident weakness in governance in all pillars, which confirms the incomprehensiveness of the vision on the level of legislations and practices related to performing the respective roles. The results and scores of NIS support the pillars, which are culture, economy, society, and politics. No national system would succeed in isolation from these main pillars, and therefore it is essential that the results of NIS analysis are reflected on these pillars.



## NIS Pillars

The institutions subject to the assessment process in accordance with the TI are 13 institutions. They can be classified as follows:

The main governing institutions, namely the public authorities of the State: The executive authority, legislative authority, and judicial authority, as well as the other form represented by the public sector, law enforcement institutions, anti-corruption commission, audit bureau, Independent Election commission, and Ombudsman Bureau. The third and last form of such institutions are represented by the non-governmental institutions active in the NIS, namely: political parties, media, civil society and private sector. See the hereunder table (2).

| Table (2)                   |  |   |
|-----------------------------|--|---|
| Main Governing Institutions | Public sector, law enforcement institutions and control agencies | Non-government institutions active in the National Integrity System |
| Executive authority         | Public sector  | Political parties   |
| Judicial authority          | Law enforcement agencies   | Media   |
| Legislative authority       | Anti-corruption commission                                       | Private sector  |
|                             | Audit bureau   | Civil society   |
|                             | Independent Election Commission                                  |   |
|                             | Ombudsman Bureau   |   |

## General Recommendations

Through the assessment of the NIS pillars in Jordan, we find out that it is imperative to accelerate the implementation of the following general recommendations. However, the detailed recommendations are contained in the assessment report in each pillar separately, and included in annex (1) of the general report, according to the following:

**1- Issuance of the Anti-corruption, Integrity and Transparency Law, related to the consolidation of the Anti-Corruption Commission and Ombudsman Bureau, based on standards and principles that guarantee the effectiveness of resources, capacities, independence, and roles, as well as not foreclosing corruption crimes by prescription, in accordance with the best international practices and UN Convention against Corruption (UNCAC).**

**2- Amendment of the Access to Information Law in a manner that guarantees institutional and continual disclosure of information, concurrently with the amendment of Jordan's Protection of State Secrets and Documents Provisional Law. Failure to access information represents one of the most significant challenges and impediments to an effective NIS.**

**3- Reform the legal framework regulating civil society, develop real and effective national partnerships for real inclusion of civil society into the national projects, policy and relevant legislation making, and ensuring non-interference in the work of the civil society.**

**4- Adopt a national action plan that can be implemented within a specific timeline to promote and disseminate awareness in the work of political parties, refrain from any practices that would preclude from individuals affiliation to the political parties, reform the legal framework governing the direct financial support to political parties, based on indicators and objective standards relating to the roles expected to be played by the political parties, in a manner that guarantees direct linkage to the legislative authority, for the completion of the "representative parliamentary" political regime structure.**

**5- Develop the House of Representatives internal Bylaw with a view to activate the Secretary General for providing technical support to the members of the House of Representatives, specify and segregate roles among the House committees and the permanent office, reorganize the parliamentary oversight tools, to grant efficiency in performing roles, and the same time to revisit the provisions of the parliamentary blocs to entrench teamwork within the Parliament.**

**6- Enhance the public sector efficiency, reform the civil service system with a view to overcome the administrative inflation issue, activate the Code of Conduct, strengthen financial and administrative transparency through dissemination of reports and through ensuring the constant availability of all information on the institutional level, and circulate the use of electronic link between all institutions, and to consolidate the employment system for governmental and public positions based on qualifications and competency.**

**7- Enhance and reinforce the role of the Audit Bureau, upgrade audit methodologies, keep up with the international audit standards and the professional control best practices within the audit Bureau, reinforce the Bureau's institutional independence, enhance control to include revenues, activate audit and open investigations on corruption cases discovered by the Audit Bureau in cooperation with the concerned bodies, and activate the role of the Parliament extending its control over the executive authority and public sector based on the reports of the Bureau, and referring violations to courts. <sup>6</sup>**

**8- Adopt the principle of disclosure in general budgets, present the economic management mechanisms and government procedures related to public debt to the public, benefit from the lessons learned from privatization policies and procedures, and including those in the process of preparing future economic and social policies <sup>7</sup> , as well as adopting financial and economic reform policies and plans that can be executed in a manner that ensures eliminating deficit and indebtedness.**

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(6) It is worth noting herein that the Parliament may not commit refer violations to courts, according to the decision of the Supreme Council for Constitution Interpretation.

(7) Privatization Evaluation Committee Report <http://www.pm.gov.jo/content/1405784251>

**9- Enhance and reinforce the operations of internal units, and develop means for effective control over major developmental projects.**

**10- Reinforce financial and administrative independence of the judicial council, complete the courts' infrastructure development project, develop plans and procedures to eliminate judicial burden and prolonged litigation, and promote judges' autonomy through subsidizing the judges' social security and economic allocations.**

**11- Review and amend legislations and policies governing the private sector to ensure the protection of investors and timely decision making, as well as activating control over the fight this sector, and developing a comprehensive national framework for Public-Private Partnership (PPP).**



## Country Profile

### 1- Preface

### 2- Country Profile: Historical background

Jordan is located in the heartland of the Middle East region, Northwest of Saudi Arabia, south of Syria, Southwest of Iraq, and east of Palestine. Jordan has a maritime outlet on the Red Sea through Aqaba city located at the northern edge of Gulf of Aqaba. Jordan is located at latitudes 34.52 – 39.15 to the northward and longitudes 59 – 31 eastward. The total area of the Hashemite Kingdom of Jordan is 89287 square km including 7,8% agricultural lands.

The Jordanian Constitution provides that the political regime of the State is Parliamentary Monarchy Hereditary. The King exercises His authorities through a Royal Decree signed by the Prime Minister and appointed ministers. The government is deemed to be the supreme executive and administrative authority of the Jordanian State. The government and administrative activities are executed through the Cabinet that assumes full liability for the management of the State's internal and foreign affairs. The Cabinet is composed of the Prime Minister and a number of ministers. The Prime Minister supervises the government activities and chairs the Cabinet.

The Prime Minister is liable before the House of Representatives. The legislative authority is entrusted with the Parliament and the King. The Parliament is composed of the elected House of Representatives and House of Senate appointed by the King. The judicial authority is supervised and managed by a judicial council that the constitution provided for its formation under the law and is represented by the chairman of the judicial council.

King Abdullah bin Al Hussein (Abdullah I) ruled Jordan since the inception of Transjordan in 1921 as Emir. Following independence from Britain in 1946 he was appointed king to the successor state, Jordan. After his assassination in 1951, his son King Talal ruled the nation for a short period. The greatest achievement of King Talal was the issuance of the Jordanian Constitution on the 8th of January 1952. King Talal was forced to abdicate on August 11, 1952 for health reasons. At that time, his eldest son prince Hussein was still under the legal age and thus the Regency Council assumed power until King Hussein came of age (18) according to the constitution of 1952 and proclaimed King of Jordan.

He was enthroned in 1953 until passed away he in 1999 overcoming so many challenges faced by his reign. King Hussein terminated the martial law in 1992. In 1992 the political parties' law was passed and promulgated. In 1989 the parliamentary life was revived through the parliamentary elections. King Abdullah II succeeded his father Hussein following the latter's death in February 1999, and carried on with the journey of building and upgrading the Jordanian institutions, following his late father's approach.

### 3- The Institutional Political Pillars

To what extent are the political institutions in the country supportive of the effectiveness of the NIS?

Anti-corruption during the recent years became a priority to the political institutions in Jordan. In more than one occasion, King Abdullah II emphasized the importance of anti-corruption and instructed the executive authority to adopt a national integrity charter and plan together with a timeframe to implement it in 2012. In 2013, the national integrity charter and its action plan were announced. This was followed by a royal directive to adopt a national plan for human rights that was announced in 2016.

The political institutions took multiple legislative measures and adopted several policies and action plans for the fight against corruption and improvement of the institutions' general performance.

The major challenge faced by such national efforts has been the translation of those legislations, action plans, and policies in reality and in practice that would be beneficial to the institutions and individuals.

The political institutions in Jordan adopted a legislative political reform system with a view to include citizens into the decision-making process. Political Parties' Law and the Decentralization Law were passed in 2015, and the Elections Law for the House of Representatives was passed beginning of 2016, in addition to adopting the party-list proportional representation system as an alternative to the single-vote mechanism that constituted a major challenge to the political parties and society in reinforcing the legislative authority.

For the international indicators, Jordan was ranked the 11th among Arab countries and the 87th internationally according to the "failed states index 2013"<sup>8</sup>. In 2012, Jordan was ranked the 90th internationally, meaning a decline of Jordan's position by three scores, while in 2014 it was ranked the 83rd internationally.

However, the barrier the political institutions encounter in Jordan lies in the vulnerable institutionalized relations between the executive and legislative branches in accordance with the representative parliamentary system<sup>9</sup>, rendering the influence tools and parliamentary control fragile and not expected to fulfill the anticipated results.

Recently, a tendency to place personal interests before public interests prevailed, through providing service privileges to the representatives to lobby for no-confidence vote, or through not meeting quorum for confidence vote, and accordingly disabling the parliamentary control instruments.<sup>10</sup>

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(8) Issued by Foreign Policy magazine, USA

(9) Confirmed by the King Abdullah II in the discussion paper No. 5 on the link: <http://kingabdullah.jo/>

(10) Employment appointments accusations based on intermediation and nepotism in the House of Representatives, links: [www.jfranews.com](http://www.jfranews.com), <http://www.gerasanews.com>, <http://sawaleif.com>

## Political Social Pillars:

To what extent social groups and the political system in Jordan are linked in a manner supporting NIS.

Origins of the Jordanian nation vary. The vast majority of Jordanians stem from the Levant and Arabian Peninsula descending from the different Arab tribes with ethnic minorities that immigrated to the region before the establishment of Transjordan, most notably Circassia, Chechen and Armenian Diasporas. Jordan experiences unique ethnic and religious diversity ensuring coexistence between the races and religions.

The constitution and laws provide protection and liberty to all citizens in terms of formation and participation in the respective clubs, schools, societies or worship places.<sup>11</sup>

Total population of the Kingdom is 9,531,712. The population increased since the outset of the sixties of the previous century. The number of population multiplied to more than 10 times in 55 years. The greater increase took place during the past decade, in particular since 2011. The population growth rate during the period 2004 and 2015 amounted to around 5.3 % annually. The drastic increase is attributed to the migrations, including forced migrations, and seeking refuge to Jordan. The Jordanian annual growth rate was 3.1% against 18% for non-Jordanians<sup>12</sup>. Population of Jordan amounts to 6,613,587 accounting for 69.4% of total Kingdom people.

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(11) Jordan, population diversity, Jordan House of Representatives, <http://www.kinghussein.gov.jo/>

(12) Results of population census during 2015, preliminary results, department of statistics, website: <http://census.dos.gov.jo/wp>

Press coverage of the census for 2015 – <http://www.albosala.com>

For the international indicators, in particular the human development index (HDI) <sup>13</sup> for 2014, Jordan made progress by 23 grades to be ranked 77th while it ranked 100th according to the human development report for 2013 as shown in table (3) as follows:

**Table (3)**

| Year | Globally | Among Arab countries | Degree |
|------|----------|----------------------|--------|
| 2014 | 77       | 9                    | 0.745  |
| 2013 | 100      | 11                   | 0.744  |
| 2012 | 94       | 11                   | 0.700  |
| 2011 | 95       | 9                    | 0.699  |

(13) Issued by UNDP, the index is published in a report by the World Bank and the International Finance Corporation.

## Social Economic Pillars

**To what extent does the social economic situation support the NIS efficiency?**

The Jordanian economy depends greatly on the public sector. The government adheres to an economic-social model that continues to bear the brunt of the prolonged decades of intensive employment in the public sector and to heavy reliance on the foreign manpower in many sectors, not to mention the educational system that is known to be a quantitative rather than a qualitative system. Even if the regional security crisis comes to an end in the near future, the poor stimuli to promoting foreign donors to provide aids contributing to the refugees' costs would put Jordan face to face with a new debt crisis, never to mention the general weakness in the Jordanian investment climate.

For unemployment, the International Labor Organization (ILO) estimated the high unemployment rate to be 30% by the end of 2014 relative to the population. The Ministry of Labor affirmed that the rate would include the youth newly entering the labor market. The actual unemployment rate for all classes is about 11.8% only.<sup>14</sup>

The unemployment rate in the Kingdom during the first quarter of 2015 was about 12.9%; 11% for males and 22.1% for females over the same period.

The unemployment rate for the first quarter of 2015 increased by 0.6 point, compared to the last quarter of 2014, taking into consideration that 55.1% of the unemployed were holders of high school or higher certificates, and 44.6% of total unemployed were holders of lower educational qualifications than high school.<sup>15</sup>

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(14) The ILO report, press coverage of the report, Alghad newspaper, <http://www.alghad.com>

(15) The above rates and figures are in accordance with reports issued by the Jordan Department of Statistics, press coverage to the report content at the link

Furthermore, the employed subscribed to social security without discontinuation amount to 1,112,000, and average income of workers is JD 470. The Department of Statistics determines the poverty line in Jordan is below JD 580/month per family. In terms of the social economic development, Jordan occupies 82nd place among 174 countries.<sup>16</sup>

The Kingdom's economy mainly relies on the service, trade, and tourism sectors<sup>17</sup>, and certain extractive industries like fertilizers and pharmaceuticals. Jordan lacks natural resources. The phosphate mines are located to the south of the Kingdom.

Jordan is the third largest exporter of phosphate worldwide. Among the most important other extracted resources are Potash, salts, natural gas and limestone.<sup>18</sup>

For Jordan position pursuant to the Global Governance Indicators issued by the World Bank, Jordan score in the accountability indicator 2013 was 25.1%, political stability indicator and absence of violence 25.6%, government effectiveness and quality of services and independence from political pressure, government credibility was 89.8%; organizational quality indicator and quality of services, independence from political pressures and government credibility 89.8%. The governmental ability to formulate and implement sound policies and law that permits promotion and development of the private sector 56%; rule of law 62.6%, and anti-corruption indicator 60.8%.<sup>19</sup>

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(16) according to UN Agency for Population, see the link: [www.ammonnews.net](http://www.ammonnews.net)

(17) <http://firemountainseagle.jeeran.com/ScienceAndEngineering/archive/2008/5/571610.html>

(18) <http://petra.gov.jo/Artical.aspx?Lng=2&Section=9&Artical=178931>

(19) Global Governance Indicators report issued by the World Bank, kindly see [www.albankaldawli.org](http://www.albankaldawli.org), a report issued by the Ministry of Public Sector Development- Jordan, most notable global indicators and reality of Jordan for 2015 published on [www.mopds.gov.jo](http://www.mopds.gov.jo). Certain studies indicate that the figures are higher up to the third quarter of 2016.

However, the major challenge faced by the Jordanian economic is summarized in the total public debt and ratio to the GDP. It amounts to JD 24.6 billion accounting for 90.9% of GDP.<sup>20</sup>

In connection with the demographic distribution by nationality in the Kingdom, the non-Jordanians account for 30% of total population, half of them are Syrians (1.3 million) centered mainly in Amman (436 thousand), followed by Irbid (343 thousand), then Mafrq (208 thousand), Zarqa (175 thousand). The Egyptians are almost 636 thousand centered mainly in the Amman (390 thousand). The Palestinians are almost 634 thousand.<sup>21</sup>

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(20) Disorders relating to the basic challenge of the Jordan economy for 2016, alghad newspaper, <http://www.alghad.com/articles/912825>

(21) main results of public census for 2015, department of statistics February 2016, <http://census.dos.gov.jo/wp>



## Social Cultural Pillars

**To what extent do the prevailing morals, ethics, norms and values support the NIS efficiency?**

The administrative corruption phenomenon is the most prevalent in Jordan. It is demonstrated in the crimes offending the public office like bribery, embezzlement and abuse of office, the offences against the public confidence such as forging a department seal, money or debentures and securities counterfeiting, as well as the economic crimes that jeopardize the public funds.

Amongst the most common corruption forms are nepotism, intermediation, and in compliance with the laws and regulations. The main reasons for corruption are attributed to low salaries coupled with high living standards, the variation in income between the private and public sectors, lack of transparency, widespread poverty, absence of business ethics and poor standards of conduct and external pressure being exercised by the stakeholders.<sup>22</sup>

According to anti-corruption commission 2014, number of corruption cases reached 151 out of which 102 cases recorded in the public sector, 34 in the private sector and 15 belonged to individuals as follows: office misuse 18 cases in the public sector, breach of office duties 4 cases in the public sector, public fund abuse 34 in the public sector, 17 in the private sector, abuse of office 12 in the public sector and forfeiting cases – 16 in the public sector.<sup>23</sup>

Results of the opinion polls in Jordan reveal low confidence of people in the public performance where satisfaction level in the government for 2014 accounted for 47%, the parliamentary council 32% and the political parties 31%.<sup>24</sup>

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(22) a statement by former member of anti-corruption commission Dr. Eid Shakhanbeh, <http://www.alhayat.com>

(23) Summary report by anti-corruption commission 2014, <http://www.jfranews.com.jo>

(24) Poll results conducted by the Strategic Studies Center – Jordan University on national important issues, published on: <http://www.assabeel.net/>

Assessing the economic and social conditions, the results show that the economic problems in general came in the first place by 72%. (unemployment, high prices, poverty, and economic condition in general). Abundance of refugees occupied the second place by 9%. while the financial and administrative corruption (intermediation and nepotism) came in the third place by 5%.

The same results further show low trust by people in the official social and economic policies. 32% of people believe that the policies and economic procedures taken by the government in the fight against poverty were adequate. 28% believe that the unemployment procedure was adequate and 24% believe that the economic policies and procedures to eliminate high prices were adequate, while 26% think that the procedures to eliminate the expat manpower were adequate.<sup>25</sup>

A report issued by the Research Department of the American Congress 2016<sup>26</sup> indicates that corruption and nepotism constitute a rampant phenomenon in Jordan economy giving rise to a growing feeling of frustration among the youth. The report also demonstrates that among the problems faced by Jordan long ago is poverty, corruption, slower economic growth, in addition to the high unemployment rates of 12.5%. It also indicates that corruption is so apparent in Jordan drawing attention to a broad use of the so called «nepotism/intermediation».

The results of Corruption Barometer for Jordan<sup>27</sup> revealed that reporting corruption in the Jordanian community is generally affected by the culture; some consider it slandering and an unacceptable behavior (29%) due to the close relations between citizens and tribalism. On the other hand, 72% of the respondents indicated that reporting corruption is a personal obligation, and 60% of the respondents indicated that they are willing to spend time in courts as witnesses to report corruption, whereas 33% indicated that they are unwilling of spending such time.

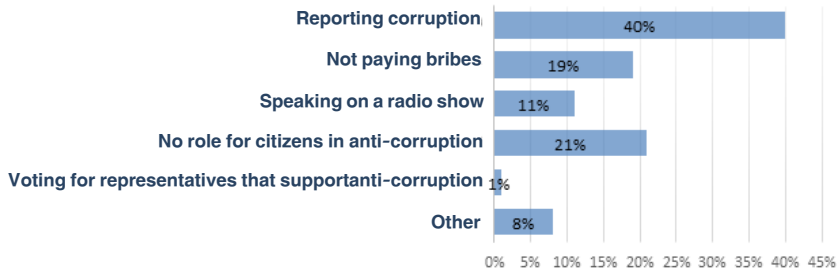
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(25) Poll results conducted by the Strategic Studies Center – Jordan University on national important issues, published on: <http://www.assabeel.net/>

(26) A report issued by USA Congress Research Department 2016, see results at <http://www.alghad.com>

(27) Corruption Barometer issued by Transparency International 2016  
<https://www.transparency.org/search?topic=14>

Diagram 2



## Corruption in Jordan

Since 1995, TI has been issuing its annual report on corruption perceptions' index. It measures corruption perceptions in the public sector depending on a number of surveys, experts assessments and opinions of businessmen. The corruption perception index in the State's public sector depends on a scale (from zero to 100) so that zero means highest rank of corruption perception while (100) means less perception. Table (4) shows Jordan's rank on this index for 2005 up to 2015

Table (4) shows Jordan's rank on corruption perception <sup>28</sup>

| Year | Grade | Rank | Countries under rating |
|------|-------|------|------------------------|
| 2005 | 57    | 37   | 159                    |
| 2006 | 53    | 40   | 163                    |
| 2007 | 47    | 53   | 180                    |
| 2008 | 51    | 47   | 180                    |
| 2009 | 50    | 49   | 180                    |
| 2010 | 47    | 50   | 178                    |
| 2011 | 45    | 56   | 183                    |
| 2012 | 48    | 58   | 176                    |
| 2013 | 45    | 66   | 177                    |
| 2014 | 49    | 55   | 175                    |
| 2015 | 53    | 45   | 168                    |

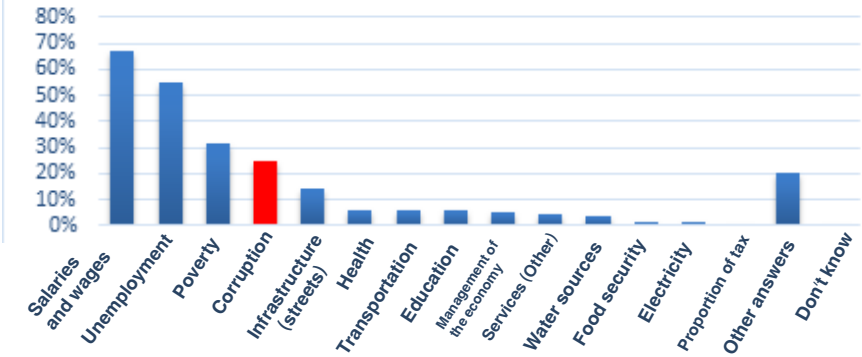
(28) Methodology changed in 2012

The main results of Jordan according to The Global Corruption Barometer (GCB) issued by TI indicate the following main results:<sup>30</sup>

- 25% of Jordanians believe that corruption has been a serious problem among the problems that the government is required to tackle. Corruption came in the fourth rank after the economic situation that occupied the first three ranks.

The respondents believe that the most important troubles faced by the Kingdom require government intervention as follows: 67% low salaries and wages, 55% unemployment and 31% for poverty.

Diagram 4

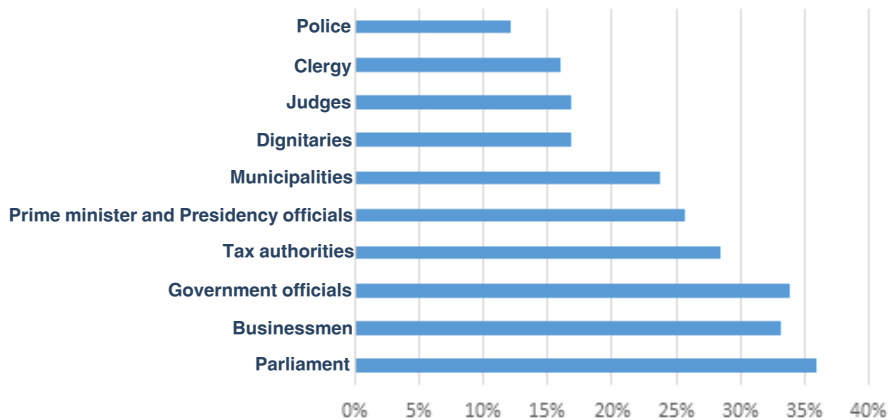


- Efficiency of the government in the efforts against corruption in the public and private sectors is as follows: 61% of the respondents are dissatisfied with the government's anti-corruption performance in the public sector; 34% of respondents believe that the Jordanian government's efforts against corruption are effective in the public sector against 30% in the private sector.
- 75% of the respondents believe that corruption has somewhat increased or significantly increased during the year while 12% believe that corruption remained at the same level, whereas 12% believe that corruption has declined.
- 3% of the respondents reported that they paid themselves bribes to get a public service done for them during the past 12 months.

(29) Global Corruption Barometer Issued By the Organization Transparency International 2016.  
 (30) (GCB) poll in Jordan has been conducted by the Strategic Studies Center – Jordan University during the period from November 23 to December 4, 2014. Volume of the sample was 1199 of adults divided equally by males and females. They were interviewed face to face in the different governorates of the kingdom. The poll contained 10 main questions three of which had branches.

Public opinion results about corruption degrees in the sectors according to the sample revealed the police was of the lowest corruption followed by the clergy men and then judges according Diagram (5)

Diagram (5) shows corruption degrees by sectors



## At the National Level

The anti-corruption commission was established as an independent commission by virtue of the Anti-Corruption Commission Law No. 62 of 2006, whereby the commission's objectives and duties are identified and the corruption acts set out. The law was amended by virtue of the amended law <sup>31</sup> No. 10 of 2012. The new amendments included protecting witnesses and reporters, in addition to granting the Commission the authority to suspend any contract, agreement or concession obtained through corruption act. Furthermore, the amendments granted the commission the international cooperation authority to provide and seek mutual legal assistance. The amendment ruled out abatement of corruption and relevant penalties by prescription.

(31) Published in the official gazette volume No. 5151 dated April 3, 2012

The law was amended by virtue of the amended law <sup>32</sup> No. 16 of 2014 and whereby added laundering crimes, illicit enrichment, failure to disclose investments or equities or benefits that may lead to conflict of interest and to criminal corruptive acts provided for in Article (5) of the Anti-Corruption Commission Law No. 62 of 2006, as amended.

The amendment was followed by adopting a national strategy to fight corruption for the period from 2008-2012. The strategy was based on the promotion of the anti-corruption commission capabilities to protect against corruption, education, training and public awareness, law enforcement, coordination of anti-corruption efforts and international cooperation. By the end of the strategy period, the national anti-corruption strategy was prepared for the period from 2013 to 2017.

The pillars of the National Anti-Corruption Strategy for the period 2013 to 2017 are based on the following:

- 1- Enhance the level of awareness and education on corruption and anti-corruption efforts.
- 2- Reinforce the efforts for preventing corruption
- 3- Enhance capacities of the anti-corruption commission
- 4- Activation of societal participation in anti-corruption activities and strengthening integrity
- 5- Efficiency of investigative procedures in corruption cases and prosecution of perpetrators.
- 6- Reinforce international cooperation on the fight against corruption
- 7- Develop national laws in conformity with the international anti-corruption standards and requirements and to ensure efficiency of implementation.

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32) Published in the official gazette volume No. 5278 dated March 2, 2014

## At the International Level

In 2003, the Hashemite Kingdom of Jordan signed and ratified the UN Convention against Corruption, having passed through all its constitutional stages under "Ratification Law on UN Convention against Corruption" No. 28 of 2004. The ratification deed was kept with the UN Secretary General dated February 24, 2005.

In 2010, by lot Jordan was elected a State to be reviewed in the first cycle. Also by lot Maldives Islands and Nigeria Republic were selected as States to review Jordan. In the same year 2010, Jordan was officially notified of review process commencement. Accordingly, Jordan began to implement the practical procedures required to finalize the review according to the decision of States Parties.

Within the period agreed upon, Jordan's self-appraisal report in connection with the third and fourth chapters under review was filed. During the period from 7-14/3/2011, the field visit was made by the experts of both reviewing states in conjunction with the Secretariat of the United Nations Office on Drugs and Crime ). The report was published on the website of UN Office on Drugs and Crime.<sup>33</sup> Outputs of the report were approved and Jordan needs of technical and technological assistance necessary to activate anti-corruption efforts were identified in conformity with the UN Convention against Corruption requirements.<sup>34</sup>

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33)To examine the report kindly visit the link:

<http://www.unodc.org/documents/treaties/UNCAC/COSP/session4/V1186371e.pdf>

34)To view the report summary in Arabic, kindly see the link: <http://www.jacc.gov.jo/>

The most prominent recommendations of the European Neighborhood Policy report about work progress for 2013 are as hereunder. The report that monitors the major developments and reform efforts also demonstrated that corruption in Jordan remained a question with a very serious concern. It underlined the following recommendations:

- To carry on building a more compatible, comprehensive, participatory, and open political system where all Jordanian can feel they are represented through the amendment of the legal election framework accordingly.
- Strengthen independence and integrity of the judicial system and its administrative capacity.
- Take tangible steps and measures to eliminate violence against women and promotion of more women integration into the political life, economic affairs, education and work, for example, through the application of the Protection of Women from Domestic Violence Act.
- Moving forward towards ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Safeguard freedom of expression and freedom of media, through the amendment of provisions related to the Penal Code so that violations in connection with the freedom of expression and free media may not be committed to the State Security Court.
- Safeguard liberty to formation of societies through easing of current regulations, creating of enabling environment to double effective participation and involvement by the people.
- To continue implementation of the IMF Standby Agreement (SBA) including addressing tax reform issues and increased tax collection and personal income tax graduation through legislative procedures.
- Take decisive actions to improve the business and investment environment through legislative and organizational measures with a view to promote growth.
- To carry on with upgrading public fund control institutions in accordance with the International Best Practice and implementation of the anti-corruption strategy for the period from 2013 through 2017.

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35) To view report summary kindly visit the following link: [www.iacc.gov.jo](http://www.iacc.gov.jo)



## Recommendations to the Integrity Pillars

The following recommendations explain the basic reform aspects to each pillar. Implementing these recommendations will help build a national integrity system in Jordan with adequate power and ability to prevent, detect, and address corruption.

### The Legislative Authority

#### Recommendations:

- 1- Development of the House internal by-laws for more effective institutionalization for its committees; development of the institutional structures, including the executive office and a permanent office serving the regulatory legislative goals.
- 2- Activation of the code of conduct, building terms of references for attendance of the House activities and events, including meetings, committees, controlling discussions and proposals, while coupling violations with financial penalties as in the comparative regulations in a manner not to contravene the parliamentary immunity principles.
- 3- Reconsideration of internal procedures of the parliamentary blocs, formation frameworks, provision of logistic technical and financial support to ensure realization of objectives.
- 4- Restructuring the secretariat of the House and recruiting expertise and technical administrative competencies necessary to provide informative technical support to the representatives.
- 5- Upgrading the technical equipment throughout the House and committees activities, dissemination of sectoral and annual reports in an ongoing manner, permitting continued coverage for all House and committees activities and airing them to the public
- 6- Development of rules and standard procedures to prevent conflict of interests among the representatives, legislative and regulatory activities.

7- Review and develop procedures for discussing laws before the House and committees through the development of rules and procedures to regulate committees and actions to hearing viewpoints of the stakeholders.

8- Stimulation of the parliamentary collective action to complete the elements of the representative parliamentary government, and formation of political majority and shadow government through the representative minority, and support the minority to be able to oversee the government's performance.

9- Review and develop parliamentary control instruments to ensure real control over the executive authority.

10- Ensure an effective review of the Audit Bureau report and to provide expressly for the ability of the Parliament to address the judicial authority to prosecute crime perpetrators according to the reports.<sup>36</sup>

## Executive Authority

1- Adoption of disclosure principle in the general budgets entirely in conformity with the international standards

2- Effective control over the developmental projects

3- Present to the public and the National Assembly the economic management and official procedures related to the public debt and privatization programs, and include the procedures in the process of preparing future economic and social policies<sup>37</sup>, through financial and economic reform plans and policies, and the action plans needed for implementation.

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36) As stated earlier, the Parliament can't commit violations to courts according to the supreme council for constitution interpretation

37) Privatization Evaluation Committee Report <http://www.pm.gov.jo/content/1405784251>

- 4- A comprehensive review of the financial disclosure law to include provisions ensuring its activation through presentation of templates, inclusion of the largest possible segment, and increased control powers in agreement with the transparency and disclosure standards.**
- 5- Development of rules of reference to the course and priorities of the legislative process.**
- 6- Reconsideration of the e-government methodology and philosophy and identifying the goals envisaged from the public service automation, as well as the consolidation of the employment-related institutional references.**
- 7- Upgrading and developing the civil service system to keep pace with the developments on the level of public employment, and consolidating institutional references related to employment.**
- 8- A comprehensive review of the independent governmental units, frameworks and determination of objective standards for merger and restructuring.**
- 9- Consolidation of financial systems, transfer, travel, and other outlays under a consolidated system**
- 10- Reconsideration of the appointment system for leading and supervisory posts in conformity with the transparency, integrity and disclosure standards and committees' outcomes.**
- 11- Review the education system with the different elements, and determining the possible areas of development for facilities, curriculums, and the academic sector.**
- 12- Adoption of national action plans and programs to enhance leniency values, rule of law, justice, transparency, integrity, and good governance.**
- 13- Preparation of budgets based on results- oriented budget, and basing assessments on demonstrated documents and accord to the national priorities.**

**14-** Adoption of a consolidated procurement system for supplies and works at the institutional level for those that spend from the public funds within clear financial limits, foundations, and controls, and development of accounting and accountability mechanisms and procedures.

**15-** Revisit the government's procedures and mechanisms for delivering services through adoption of programs, automation and effective training to the human personnel and development and rehabilitation of infrastructure.

## **Judicial Authority**

**1-** Ensure financial and administrative autonomy of the judiciary council

**2-** Review the systems and regulations relating to the judges' financial remunerations, and linking them constantly with the inflation rates

**3-** Complete construction of the justice palace in all geographic regions and governorates.

**4-** Staff the courts and judges with the adequate human technical personnel to facilitate and accelerate the decision-making process

**5-** Adoption and development of an action plan for the judiciary system capacity building on all contemporary updates, mitigation of burden and daily monthly judicial assignments.

**6-** Rehabilitation of the courts infrastructure to facilitate access in accordance with the international standards.

## Public Sector

- 1- Development of a national action plan to solve and terminate the administrative inflation in the public sector
- 2- Activation of the code of conduct, public post values, integrity and transparency in rendering services.
- 3- Rehabilitation of the infrastructure to ensure good filing and archiving of information and access of citizens to services apart from any obstacles.
- 4- Information indexing and archiving with all official institutions, and grant the streamlining of information readily and smoothly.
- 5- Public institutions are bound to publish their annual sectoral reports at all times and publication of financial and admin reports of companies in which the government is a shareholder.
- 6- Circulation of automated programs use and e-link between all institutions in all governorates.
- 7- Activation and restructuring of internal control units in public institutions.
- 8- Application of principles of equal opportunities and transparency in posts beyond the control of the civil service bureau and revocation of exceptional powers in appointments.
- 9- Allocation of financial resources for services based on clear and objective basis that takes into consideration the domestic needs and national priorities.

## Law Enforcement Agencies

- 1- Reinforce the Prosecution autonomy and provide it with technical equipment necessary to perform its duties in terms of prosecution and investigation.
- 2- Enhance the skills of individuals entrusted with interrogation, investigation, and monitoring, and continually build their capacities to cope with the latest technical developments in the investigation and information collection fields.

- 3- Ensure right of grievance through complaint procedures with the independent authorities about any breach individuals may encounter and ensure impartial trials, in an unbiased, transparent and independent manner.
- 4- Increase numbers of district prosecutors to mitigate the burdens of investigation and witness hearing on current prosecutors.
- 5- Investigation and detention powers shall be limited to the Prosecution holder of the jurisdiction.
- 6- Identify the authorities exercising the judicial police powers in particular and ensure any person vested in exercising such powers shall be subjected to intensive training.
- 7- Reinforcement of rule of law culture among all security services and not abuse rights of people under no pretext.
- 8- Development of national programs; activation of the notary record with the Ministry of Justice to regulate judicial records.
- 9- The District Prosecutor's profession is one of the posts demanding an additional effort and classified as a dangerous profession psychologically and physically. This requires provision of financial, human, admin and technical allocations to ensure performance of all tasks vested in them.

## Anti-Corruption Commission

- 1- Amendment of Anti-Corruption Commission Law to ensure criminalization of all corruption acts provided for in the UN Convention against Corruption; bridging gaps and shortcomings in the current Act, as well as inclusion of clear provisions about the preventive role of the Commission and raising awareness about corruption dangers, development of mechanisms under the law with a view to coordinate between the Commission and the regulatory institutions in the private sector for corruption elimination.

- 2- Reconsideration of the Commission organizational structure to ensure realization of entrusted duties and tasks, provide it with the technical and admin personnel for the development of the human resources, aiming to keep up with the developments at the regional and international levels.**
- 3- Coordination of efforts and real partnerships under the law with the civil society organizations and media.**
- 4- Create a mechanism for reference coordination and consolidation concerning investigations of corruption cases between the Commission and the Attorney-General at the courts, Department of financial disclosure, customs department, audit bureau, Ombudsman bureau, and money laundering and counter terrorist financing unit.**
- 5- Upgrade the Commission's infrastructure for institutional and self-sufficiency to undertake procedures necessary to investigate and detect corruption cases, and provide it with the software and e-linking together with the technical equipment.**
- 6- Adequate attention should be given to the importance of the preventive aspect and development of executive action plans for people's raising awareness against corruption dangers.**

## **Independent Election Commission (IEC)**

- 1- Strengthen financial and administrative independence of the Commission given the privacy of the activities and roles.**
- 2- Develop the commission's organizational structure to ensure activation of technical roles relating to the awareness and education in all Election stages not only during the elections season.**
- 3- Develop more effective mechanisms and procedures in the regulation and perusal of Election campaigning, financial disclosure, and controlling political finance.**

- 4- Publishing all electoral process-related information reports and decisions to the public**
- 5- Development of the Commission's Law to ensure total cooperation by the State institutions during the electoral process; development of law provisions for the activation of the law enforcement service roles to take control of the election crimes, including the political finance (termed black money).**
- 6- Review the election law to ensure criminalization of all acts offending principles of the electoral process and to ensure equality and justice between all candidates.**
- 7- Development of clear mechanisms, evidence and reference rules to the ad-hoc committees and expansion of the Election Commissions, polling stations and sorting committees, in addition to adoption of adequate training programs some time before the polling date.**
- 8- Development of mechanisms to deal with media during the Election period particularly the election campaigning for bias and independence.**
- 9- Direct supervision by the Commission and provision of human and technical specialized personnel.**

## **Ombudsman Bureau**

- 1- Accelerate passing the Integrity and Anti-Corruption Law whereby the Ombudsman Bureau may be merged into the anti-corruption commission as well as coordination between the control institutions.**
- 2- Identify the best international experiences in building institutions similar to Ombudsman and taking advantage of such experiences.**
- 3- Grant real and actual independence to the regulatory institutions including the financial, admin and technical independence to exercise the entrusted duties impartially and integrally.**



- 4- Explicitly stipulating publishing the annual, sectoral and periodic reports to the public without restrictions.
- 5- Reconstruction of the structural and functional building to achieve the goals required by the control institutions.
- 6- Development of a national database that constitutes a reliable reference for all bodies for evaluating and monitoring progress of work and to prevent double work within the different control institutions in Jordan.

## **Audit Bureau**

- 1- It is imperative that the Audit Bureau shall be granted complete administrative and financial independence, where the Bureau president shall report to the Chairman of the National Assembly only.
- 2- The law shall provide for non-dismissal or disqualification of the Bureau President during his/her term unless convicted for offences commission or gross violations. The term of presidency is 6 years.
- 3- The Bureau shall develop the applicable control tools and means in conformity with the approved international best practices; exercising all types of control particularly performance control, administrative control, and to review and develop legislation for coordination between control agencies.
- 4- The law shall provide for activation of the legal accountability in accordance with transparency and integrity principles, while maintaining objectivity and pursuant to the best international standards until the time when the audit bureau control turns to be external control agency.
- 5- Development of instructions for the standards related to the technical institutions like the universities and companies.

6- Development of the technical apparatus, and supplying Audit Bureau with professional specialized personnel; development of the organizational and administrative structure to cater for the real needs.

7- Timely report writing of regulatory reports once errors are detected or upon completion of audit process so that effects resulting from audit don't disappear; timeliness.

8- Exercise greater role in the bureau to control revenues as it does over the expenditure; expenditures may be passed by more than one person whereas the revenues are received by one.

9- Reinforce the use of automated accounting information systems used in the State institutions because they give rise to possible verification of validity of revenues and expenditure so that the bureau is enabled to obtain and examine the information at any time pressure free.

10- Accelerate the implementation of the NIS pillars for containing important pillars that would positively reflect on the bureau activities.

11- The control of the Audit Bureau should include companies of which the government owns 25% of capital or more.

## Political Parties

### First: The legislation level

1- Review the Political Parties' Law to ensure facilitation and acceleration of parties' registration process.<sup>38</sup> The current law includes lengthy procedures that are administratively complicated and tend to deter individuals from proceeding with licensing political parties.

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38)A report issued by the American Department of State for 2008, Jordan .

2- Review the legal framework regulating the financial support to the political parties and to be guided by the international systems including declaration of establishment, participating in elections, number of votes given to the party, number of seats won by the party, party's woman and youth representation rate, number of premises of parties in the regions and governorates.

3- To expressly provide for the right of parties, whether institutions or legal personalities to proceed with all internal affairs-related acts without approvals or restrictions to amend the respective articles of association.

4- Revocation of punishments prescribed by the political parties law described as sever and that don't conform to the official public speech, to head towards enhancing political parties life.

5- The law shall include independence of the legal personality of the party to the effect that no intervention should take place in their internal affairs but through clear judicial procedures, and no institution shall view any accounts, files, and records of the party unless through the competent court.

6- Amendment of open public meetings law to guarantee permission is granted to the legal personalities to make a written notice for holding a public meeting or to sign it together with the legal persons. Elimination of broad powers granted to the Minister of Interior on the public meetings law represented in the power to rule out certain meetings from the provisions of the public meetings law and in issuing instructions necessary to implement the law provisions at any time he may wish.

## Second: Practice Level

1- Suspension of any practices that would influence belonging to the political parties or get involved in their activities.

2- Review and develop school and university curricula in the civil educational and political fields, and removing any materials contravening the freedom of opinion and expression and political pluralism, and the right to form parties and affiliate to them.

- 3- Political parties' engagement in developing plans and society programs, and not to abuse right of parties to address public opinion, including the youth.**
- 4- The political parties seek development of their internal regulations and institutional structures based on transparency and governance.**
- 5- The political parties develop national plans and programs to meet individual needs to attain solutions and perceptions about the problems faced by the Jordanian State.**
- 6- The political parties should follow all methods towards the achievement of the financial disclosure, financial and administrative transparency, and dedication of the best political practices for the public work.**

## **Media**

- 1- Review right of access to information to ensure self-disclosure at all times and classification according to objective grounds.**
- 2- Review Prevention of Terrorism Law without affecting the freedom of opinion and expression and to ensure journalists are not committed to the State Security Court.**
- 3- Review e-crimes Law to ensure journalists are not detained, and ensure no litigation prolonged in conformity with the printing presses and publications Act.**
- 4- Review the Printing and Publications Law to ensure e-communications are regulated without recording for restriction and not to resort to withholding.**
- 5- Review audio-visual media law and ensure relay-licensing decisions are reasoned.**
- 6- Redefine the journalists in harmony with the international standards and best practices, and open the door for membership in the journalist association for each journalists employed by any media.**
- 7- Adoption of a national action plan to classify all information in the institutions according to a clear methodology.**

## Civil Society

The legal framework regulating the right to form CSOs should be based on the following principles:

- a)** Freedom of establishing and registering CSOs through notification only, provided that the executive authority, in case of objection, shall be entitled to resort to courts.
- b)** Each CSO shall have the right to freely develop its articles of association. The board of directors is entitled to administer the society without intervention from any government authority.
- c)** The board of directors of the society is entitled to freely elect its members, and the government shall respect election results. The government may not object to the membership of any individual of the board unless through a case filed before the competent administrative court.
- d)** The executive authority shall be entitled to oversee associations activities. In case of any violations, the courts shall have final jurisdiction.
- e)** Each CSO is entitled to seek internal and external funding, provided such funding is announced and funding sources declared and expenditure budgeted. All such funding shall be documented. The CSO shall publish its annual budget and its general assembly examines the budget.
- f)** No CSO may be dissolved without consent of the general assembly or a court decision. Further, no society may be suspended without a judicial decision.
- g)** The term of the transitional board of directors shall be 60 days during which the general assembly shall convene for election of the new board of directors. Under no circumstances the mentioned period may be extended but for once to this end.

## ■ At the Civil Society organizations Internal Procedures Level

The civil society institutions are invited to follow all institutional ways and methods to gain confidence of the public to proceed with achievement of goals. They are asked to pursue all ways and procedures that would enhance transparency, integrity and governance, bearing in mind that democracy is the natural way for succession of power between its members, including:

- a) **Participation:** all members whether men or women may take part in these institutions, directly or indirectly.
- b) **Sharing and coordination:** An invitation for sharing and coordination based on real visions and strategic action plans for the achievement of mutual goals in service of public interest without wasting resources or efforts.
- c) **Transparency:** Providing and making available all information concerning activities, to beneficiaries, the public, related official authorities, and information providers.
- d) **Accountability:** reporting on how the CSO resources are expensed, while the decision makers take liability for the decisions. These organizations and failure and may be held accountable whoever proved to have misused the CSO funds.
- e) **Equality and inclusion:** all people shall have the chance to participate based on efficiency and non-discrimination.
- f) **Good Governance:** the civil society institutions are asked to follow all good governance ways and methods in terms of finance, admin and executive elements and shall abide by the applicable laws for realization of the goals set out in the internal by-law.
- g) **Succession of power:** among the most problematic issues faced by the civil society organizations is the domination of elites on all society activities for lack of provisions for succession of leadership periodically and the bylaws devoid of periods to assume leadership office.

## Private Sector

**1-** Amend the laws and regulations necessary to deliver professional licenses or low-risk investment projects, and apply the concept of post- control and inspection, as well as adopting registration principle in the form of permission to exercise work and the subsequent licensing, except in the cases of heavy industries with detrimental environmental effect. In such cases, an environment study shall be required according to specific conditions issued in the instructions manual.

**2-** Determine a time period to respond to transactions by privacy and seriousness of activities and compliance with the application of the rule stating that lack of response within the prescribed period shall mean acceptance.

**3-** Issue professional licenses for longer periods, 3 or 5 years while developing effective control mechanisms.

**4-** Review the investment law for simultaneous registration and licensing at the integrated window within the same day.

**5-** Apply the electronic registration once the provisions of the e-transactions law have been amended so that the service recipient may apply for electronic registration. In case of acceptance, fees are paid online.

**6-** More investors' safeguarding (especially minorities) is required through the following steps:

- Stipulation of immediate inspection of transactions with the concerned parties.
- Increased disclosure requirements in the annual report in the case of related parties' transactions.
- Minority investors are allowed to litigate managers in case of mismanagement.
- Identify directors' duties in the law.
- Open the company books for inspection by the shareholders.
- Reduce the minimum requirement for shareholding rate to ask the companies controller to audit the company activities and books from 15% to 10% or less.

- 7-** It is important to emphasize that the best anti-corruption method is prevention, through activating the control role of the companies control department and the securities commission.
- 8-** The penal articles in the Companies Law and Securities Law shall be amended to increase the monetary value of penalties, especially for the violations with financial effect, particularly the effect resulting from breaching the Article No (148) companies)
- 9-** It is important to emphasize the application of the membership qualifying requirements, in particular the "no criminal record" certificate.
- 10-** Activation of civil responsibility provisions of the chairman and members of the board of directors of public shareholding companies.
- 11-** Activation of criminal and civil responsibility for auditors.
- 12-** Severe penalties imposed are required in case of non-disclosure whether in terms of content or timing.
- 13-** Review the Public-Private Partnership policies, taking into consideration the modern approach that regulates the relationship between both sectors, and identify the regulatory and executive frameworks of the law to ensure efficiency, and coordinate cooperation between the sectors to support national economy.









