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**رشيد RASHEED**  
TRANSPARENCY INTERNATIONAL - JORDAN  
الشفافية الدولية - الأردن

# Summary Shadow Report

Reviewing Progress made in Jordan for Targets  
Number 4,5,6 and 10 under Goal Number 16 From



**SUSTAINABLE  
DEVELOPMENT GOALS**

2019





Rasheed for Integrity and Transparency (Transparency International - Jordan) was established at the end of 2013, as a non-for-profit organization that works on strengthening the pillars of good governance based on integrity, transparency, accountability and the rule of law within Jordanian institutions. Rasheed (TI-JO) has been granted accreditation to become a full chapter of Transparency International and has access to the expertise of the Berlin based TI-Secretariat and more than a hundred TI chapters around the world, which work to eliminate corruption by bringing together government, civil society, business and media.

Prepared by: Emad Al-Quraan

Supervision: Rasheed for Integrity and Transparency (Transparency International – Jordan)



*This report is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of Rasheed for Integrity & Transparency and do not necessarily reflect the views of USAID or the United States Government.*

## Executive Summary and Major Findings

Jordan has been struggling with fighting corruption over the past decade; the public opinion is still very much invested in the fight against corruption and still thinks that it is one of the key issues that is facing the country. Since 2008, the Jordan Integrity and Anti-Corruption Commission (JIACC) has produced and implemented a series of National Anti-Corruption Strategies. <sup>i</sup>The third and latest strategy has been launched at the beginning of 2017. <sup>ii</sup>The goals detailed in these strategies complement Jordan 2025, Jordan's official roadmap toward attaining a resilient and equitable development trajectory, in accordance with the 17 Sustainable Development Goals set out by the United Nations.<sup>iii</sup>

In 2018 a new leadership was appointed following the major demonstrations in Jordan requesting reforms and fighting corruption. A new prime minister was appointed Dr. Omar Al-Razaz, and from the start, he and his cabinet promised major reforms in the justice and anti-corruption sector, aiming to increase the transparency of the Jordanian institutions and resolve some of the legislative deadlocks and barriers in fighting corruption.

Many figures in Jordan's political leadership are publicly referring to corruption and the efforts to fighting corruption as a national priority, and King Abdullah II has directed the government to coordinate fighting corruption and to accelerate the implementation of automation procedures related to government processes (E-government)<sup>iv</sup>. The Prime Minister also expressed his satisfaction on the procedures that his government followed to fight corruption in Jordan from both the legislative side and the procedural sides, where he stated that the government managed to identify and refer several cases to the Integrity and Anti-Corruption Commission in Jordan<sup>v</sup>.

The Prime Minister promised reforms, ensuring JIACC's independence and to enable the Commission to operate freely. As a result, a corresponding legislative proposal was recently submitted to parliament and approved latter by the parliament<sup>vi</sup>.The amendment grants JIACC's committee and chief, especially in regards to the security of tenure for its members.

From the beginning of 2019, it was noted that the Jordanian government's priority was to address the laws that are connected with fighting corruption, in addition to the automation of processes. Quite a lot of laws and regulations were due amendments including public procurement, JIACC Law and Illicit gains Law, and other laws like Access to Information Law.

Accordingly, the positions that were required to submit their asset declarations was expanded, as well as the authority to expand even more to include additional positions -to the list provided in the Illicit Gains Law - was granted to the PM, in the most recent amendment to Illicit Gains Law in 2018. Moreover, the PM did indeed expand the list and include additional positions to the list. Also, procurement was addressed in a major amendment to one of the key regulations that regulate it, unifying the authority that manages all public procurement in Jordan and automating the process for ensuring better transparency and equal opportunity to the applicants.

However, there remains several issues that should be addressed including the regular declaration of income and assets, which is presently done every two years under the current Illicit Gains Law, while best practices require high-level public officials to report regularly every year.

Several statements have been made by the Prime Minister of Jordan on TV, addressing the media and JIACC stressing the importance of fighting corruption and asset recovery<sup>vii</sup>. In addition, to the latest adopted amendments to the law, especially in regards to the confiscation of assets in article (6) which gives JIACC's committee the ability to request judicial seizure of assets in corruption cases or cases under investigation, and article (13) of the amendment law which adds the reverse burden of proof.

The latest Integrity and Anti-Corruption Law amendment expanded the authority given to investigators and authorities for asset recovery where article (6) of the amendment law grants the Commission the right to confiscate any assets that were connected with a corruption act prior to conviction, which can be considered as a significant amendment and positive change for securing assets.

In addition, the said amendment law grants the Commission the right to access asset declaration records for any suspicion of illicit gains, which then entails the commission to investigate the potential offence.

In enhancing the accountability of public institutions, especially public procurement, several amendments took place where public procurement was regulated through many different regulations that separated government procurement from independent bodies' procurement, and the procurement of goods from the procurement of services. Consequently, that decreased the state's ability to monitor the different procurement systems. However, a regulation issued in 2019 aimed to merge several department in one department, under the name of "the Government Tender Department".

Regulation 28/2019 aimed to create more transparency in public procurement and tenders, in addition to the introduction of using the E-tenders.<sup>ix</sup> Moreover, it is also worth noting that the Government Tender Department announced launching the online system on a trial period for testing it<sup>x</sup>, in July.

In enhancing the accountability of public institutions, information on public procurement was been made accessible to the public through the General Supplies Department's central E-procurement database as of 2018. Further, Jordan's Government Achievement and Performance Unit at the Prime Ministry has committed to launching a Central Electronic Portal for citizens, members of Parliament, donors and investors, to monitor the government's performance. The database will monitor performance specifically by tracking the implementation of government plans throughout various governmental departments. This is paired with plans to launch and enhance a complaints registration system and a follow-up mechanism, which will address complaints and refer them to the judiciary. These complaints may include violations committed against citizens and government services and their provision. While the former is still being worked on, significant progress has been made on the latter, with launching a website and rolling out a mobile application in 2017.

Jordanian civil society organizations (CSOs) have also played a key role to ensure that Jordan meets its self-defined development goals. Rasheed– Transparency International Jordan, for its part, has played a role in publishing reports that track Jordan’s progress and provide recommendations towards fighting corruption effectively.

The improvement of the inclusion of non-governmental agencies like the media (both official and private), journalists, activists and civil society organizations can be done through reforms that are connected with the establishment of such entities, guaranteeing rights and privileges of the journalists. Where it’s mostly connected with the Jordanian Publication Law, Access to Information Law and Cybercrimes Laws, all of which can limit not only journalists but also any activists.

Moreover, especially since Jordan will experience parliamentary elections in 2020, preparation for such an event shall include monitoring over campaign financing and party financing, in addition to vote- buying practices, which can affect the integrity of the election and its outcomes.

However, there are many areas in which more can be done to encourage integrity and accountability and self-declaration, such as ensuring proper public monitoring and engagement with the authorities, in addition to empowerment in reporting corruption cases and building the internal capacities for the anti-corruption agencies for better tracking of the reported cases and insuring higher conviction rates.

There also remains room for improvement on certain legislative fronts. As the law currently stands, only public shareholding companies and foreign companies operating in Jordan are required to publish their annual accounts and supporting financial reports for public viewing.<sup>xi</sup> This underscores the need for greater private sector transparency through public reporting. Public reporting requirements would help to encourage accountability in the public sector as well, through regular, ideally public, declarations made by high-level officials of their interests, assets and income. Further, a body of laws addressing lobbying transparency must still be developed, more rigorous oversight mechanisms must be instated to more effectively scrutinize the flow of weapons, and other assets related to the weapons industry, out of the Kingdom.<sup>xii</sup>

## The 2030 Agenda for Sustainable Development

The SDGs set out an ambitious global development agenda until the year 2030. They consist of 17 goals and a total of 169 targets. The goals broadly cover three aspects of development: economic prosperity, social development and the protection of the environment.

Global progress towards the targets will be monitored through a set of indicators, a number of which have yet to be finalised, while the data needed to measure progress against some indicators has never before been collected by UN agencies. At the national level, countries are encouraged to integrate global targets into national planning and policy processes, developing national targets and indicators tailored to their specific circumstances.

Over the coming years, state parties will report on national progress against the 17 SDGs to the High-Level Political Forum on a voluntary basis. While “in-depth” reporting on SDG 16 is due in 2019, integrity risks across the SDG framework make it essential to monitor national progress against corruption from the outset. National Voluntary Review reports to the 2020 High-Level Political Forum will cover all goals, with a theme of “Accelerated action and transformative pathways: realizing the decade of action and delivery for sustainable development”.

## Methodology

This questionnaire covers four SDG 16 targets, which specifically relate to the fight against corruption:

- 16.4 – By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime
- 16.5 – Substantially reduce corruption and bribery in all their forms
- 16.6 – Develop effective, accountable and transparent institutions at all levels
- 16.10 – Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

Research for this report was conducted from July to December 2019 through legal review, web-based desk research, and interviews and correspondences with relevant civil society organisations and government bodies. The online sources used include Jordanian government websites, websites of relevant international institutions, and Jordanian and international news websites. Information provided to (Rasheed (Transparency International – Jordan) through interviews and correspondences with the Jordan Integrity and Anti-Corruption Commission (JIACC), the Companies Control Department (CCD), the Information Council, and selected civil society organizations are also integrated throughout the report.

In addition to the aforementioned, and for the purpose of contextualizing the report to the Jordanian case, additional issues and recommendations were taken into consideration. Since the shadow report original tool identifies only broad best practices; therefore, the consolidation of other research materials that were developed by Rasheed within the aforementioned timeframe were added; including Jordanian investment legal framework analysis, Jordan’s compass, corruption perception index (CPI) and global corruption barometer (GCB) analysis.

## National Progress Report

**Target 16.4:** By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.

Jordan's progress toward reducing money laundering, strengthening the recovery of stolen assets and combatting all forms of organised crime, with a particular focus on progress made since the publishing of Jordan's 2017 SDG 16 Shadow Report, is as follows:

- The scope of the Anti-Money Laundering and Counter Terrorism Financing Law was expanded to include societies and non-profit organizations in 2017.<sup>xiii</sup> With no notable reforms in 2019 in regards to Anti Money laundering, nor its scope, nor mechanisms.
- New amendments to the Integrity and Anti-Corruption Commission Law were adopted. These amendments give the JIACC the power to monitor and verify instances of abnormal growth in wealth. The amendments explicitly state that penalties related to corruption, in addition to the recovery of assets obtained from corruption, shall not be subject to statutes of limitations.<sup>xiv</sup>
- The Anti-Money Laundering Unit (AMLU) underwent a national assessment that studied the threats of money laundering and terrorist financing in Jordan in coordination with the International Monetary Fund (IMF). This assessment was planned in 2017 and implemented throughout June and July of 2018.<sup>xv</sup> This assessment is yet to be published for public access, nor the annual reports of 2018 and 2019 are available.
- The Companies Controller Department aiming for increasing the accuracy or transparency of the beneficial ownership a special record for beneficial owner of the (companies)/shareholders – non-Jordanians is under development and that the estimated date for completion is the end of 2020.

**In regards to the activities and actions that has been taken by the CCD since December 2018, included the following:**

- Publishing a guide for identifying the real beneficial owners of the companies and sharing it officially with staff members.
- Showing the companies partners' records (both Jordanians and foreign investors)
- If a company is a shareholder in another company its details are shown and any person can use the link to access the original company records, names of its owners and authorized signatories.
- In regards to the foreign companies as partners/ shareholders, the names of the beneficial owners are published on the website (only the name exists due to the unavailability of other information on the database).
- The CCD also issued a circular requiring all foreign companies that desire to register to provide the names of their founders in the original country of registration.<sup>xvi</sup>



- Mandating the adaptation of good governance as a key requirement for companies under the latest amendments of the Companies Law of 2018, in addition to the various circulars issued by the CCD <sup>xvii</sup> including the following:

- Press releases from the Integrity and Anti-Corruption Commission that regularly announce the recovery of assets, in addition to the Prime Minister's Quarter Reports that include the amounts of assets recovered . Furthermore, in response to a request submitted for the purpose of this research, JIACC stated that the value of the assets recovered was 202 million Jordanian dinars from January to October 2019.

### Target 16.5: Substantially reduce corruption and bribery in all their forms.

Jordan's progress toward reducing corruption and bribery, with a particular focus on progress made since the publishing of Jordan's 2018 SDG 16 Shadow Report, is as follows:

- The 2017-2025 National Anti-Corruption Strategy has set out plans for the implementation of a monitoring project. This project would provide a platform for electronic information sharing between various government institutions and departments to detect and track corruption cases. <sup>xix</sup>
- The JIACC has prepared awareness-raising materials, lectures and seminars on integrity and corruption prevention for youth in schools, youth centers and universities. Further, training materials were produced for educational supervisors, professors, and deans. <sup>xx</sup>
- JIACC is implementing a program that promotes raising awareness through the religious preaching of both Muslim and Christian leaders in Jordan. <sup>xxi</sup>
- Through the global corruption barometer (GCB) 4% of the respondents reported paying unofficial payment or a gift when accessing public services. While 55% of the respondents reported increase in corruption. <sup>xxii</sup>

### Target 16.6: Develop effective, accountable and transparent institutions at all levels.

Jordan's progress toward developing effective, accountable and transparent institutions, with a particular focus on progress made since the publishing of Jordan's 2018 SDG 16 Shadow Report, is as follows:

- Plans have been put forth in the 2017-2025 National Anti-Corruption Strategy to increase electronic connectivity and information exchange between the JIACC and other monitoring government institutions. Under this goal, the Commission established a monitoring project to compile information - specifically on the assets of those accused in corruption cases, their spouses and their minor children - from relevant government institutions that can be used in detecting corruption cases.

- Plans have been put forth in the 2017-2025 National Anti-Corruption Strategy to increase electronic connectivity and information exchange between the JIACC and other monitoring government institutions. Under this goal, the Commission established a monitoring project to compile information - specifically on the assets of those accused in corruption cases, their spouses and their minor children - from relevant government institutions that can be used in detecting corruption cases. <sup>xxiii</sup>
- The JIACC has continued the provision of several training workshops for government officials, with lectures on integrity and corruption prevention in various ministries and departments.
- As of 2018, information on public procurement has been made accessible to the public through the General Supplies Department's central E-procurement database: [joneps.gov.jo](http://joneps.gov.jo).
- According to JIACC data, the usage of reporting mechanisms for witnesses and victims of corruption has been increasing as the years go by. <sup>xxiv</sup>
- Code of conduct in the public sector has been updated which addressed conflict of interest, fairness, integrity and impartiality.
- In the most recent amendments of the Illicit Gains Law positions that were required to submit their asset declarations were expanded, in addition, the authority to expand even more by including additional positions- to the list provided in the Illicit Gains Law- was granted to the PM.
- One minor amendment adopted to the bylaw 62 of 2014 of the protection of whistle-blowers bylaw, by enacting the amending regulation Number 46 of 2019. This amendment only affected one article of the regulation, which shifted the decision making power from the Cabinet to the Minister of Justice for the approval of appropriate support for the whistle-blowers under protection.
- The total number of witness protection requests submitted to JIACC was 325 requests, 46 of which were granted protection.

**Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.**

Jordan's progress toward ensuring public access to information and protecting fundamental freedoms, with a particular focus on progress made since the publishing of Jordan's 2018 SDG 16 Shadow Report, is as follows:

- The PM committed to reviewing CSO's legislative framework, identifying gaps, proposing a new package of legislation and amendments to the Parliament that will work on aligning Jordan's access to information policies with international best practices, including funding processes and applications, as well as registration. <sup>xxv</sup>
- A new process was adopted for funding approval applications designated to CSO's and NGOs in Jordan.
- Access to Information Law is still one of the key laws that are pending amendments.
- The government is implementing a program that enables persons with disabilities to access information regarding court access and the use of the justice system. <sup>xxvi</sup>

## Recommendations

Since the drafting of the 2019 SDG 16 Shadow Report, notable progress has been made on the following recommendations listed in the 2018 report:

- a. Include domestic public officials within the definition of politically exposed persons (PEPs) and clearly stipulate the requirement for enhanced due diligence when conducting business with all PEPs, both foreign and domestic alike.
- b. Review and strengthen laws governing JIACC, especially to ensure that the JIACC is given the authority to investigate all types of corruption crimes stipulated in the United Nations Convention against Corruption (UNCAC).
- a. Strengthen JIACC efforts in the areas of prevention, education, awareness-raising, and coordination with other national supervisory entities.
- b. Create an online system that compiles and publicly publishes all tender announcements and information on contract awardees.
- c. Unify the national procurement system and prepare a joint system for tenders and supplies.

**The following recommendations respond to 2019 report findings. While many of the following recommendations echo those made in the 2018 SDG 16 Shadow Report, the recommendations with stars next to them have been added, based on 2019 findings.**

**Target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.**

- a. Incorporate all relevant Financial Action Task Force Recommendations into the national anti-money laundering legislative framework.
- b. Publish the AMLU-IMF 2018 and 2019 national assessment, studying the threats of money laundering and terrorist financing in Jordan in a timely manner. ★
- c. Consider signing the multilateral competent authority agreement on the exchange of country-by-country reports on key indicators of multinational enterprise groups and the competent authority multinational agreement on automatic exchange of financial account information.
- d. Expand the requirement to publicly publish company accounts and balance sheets in the newspaper beyond public shareholding companies and foreign companies operating in Jordan. Further, strongly encourage these companies to also publish their accounts and balance sheets online on their websites.
- e. Incorporate into the relevant licensing, registering and monitoring legislation a requirement that companies reveal, specifically, any beneficial owner, and name all authorities allowed to access this information, including the Ministry of Industry and Trade, the Securities Commission, the Central Bank and all other supervisory bodies.

- f. Amend legislation to place burden of proof on the defendant, such that the defendant must always demonstrate that the assets were acquired lawfully in cases involving stolen assets.
- g. Continue to ensure that the financial and administrative resources allotted to law enforcement agencies keep pace with the growing need for security well into the future, given the surrounding civil wars and the sudden population influx due to refugee intake. ✦
- h. Consider ratifying the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, as well as the Arms Trade Treaty.
- i. Consider forming a standing parliamentary committee focused specifically on military, defense and security matters.
- j. Consider amending relevant legislation to ensure greater parliamentary access to the General Intelligence Directorate head and the Armed Forces Chief of Staff that is not contingent upon the Council of Ministers' access.
- k. Include in future anti-corruption strategies specific policies for the general oversight of defense, intelligence and security apparatuses.
- l. Unifying the authorities that control and monitor beneficial ownership and considering issuing a proper legislation that defines, requires disclosure and establishes a central monitoring unit.
- m. Developing a policy that forms a central beneficial ownership registries/ companies registry.
- n. The expansion of the data recorded is another issue that should be addressed in regards to the beneficial ownership where all relevant information is recorded: name of the beneficial owner(s), identification or tax number, personal or business address, nationality, country of residence and description of how control is exercised.
- o. Transparency in the data collected would be the logical outcome after adopting the aforementioned record keeping policy, where all relevant information is published online, while requiring all legal entities to update the information on beneficial ownership or information relevant to identifying the beneficial owner (directors/shareholders) immediately with no delays.

**Rasheed's recommendations on target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.**

**a. Adopting an amendment to the current Illicit Gains Law that covers:**

- a. Transparent procedures, disclosing the details of the declarations.
- b. Automates the system.
- c. Mandating annual declarations.
- d. Enables access to information.
- e. Ensures financial and administrative independence to the unit.
- f. Expands the scope of the Illicit Gains Law.
- g. Adopts prompt follow up on the declarations and proper checks to their content.

- b. Issuing relevant regulations aiming to cover the professions that are not included in the Anti-Money Laundering and Terrorism Financing Law (AMLTFL).
- c. Amending the law to include asset declarations on border points.
- d. Storing all information related to the work of the AML unit on their website.
- e. Granting the AML unit the ability to track and cease assets.

#### Target 16.5: Substantially reduce corruption and bribery in all their forms.

- a. Incorporate into relevant legislation an article that clearly defines and criminalizes trading in influence as a standalone offense, in line with Article 18 of the United Nations Convention against Corruption (UNCAC).
- b. Incorporate into relevant legislation a clear definition of concealment, in line with Article 24 of the UNCAC.
- c. Within relevant legislation, expand the definition of obstruction of justice to align with Articles 25 a and 25b of the UNCAC.
- d. Supplement the newly-proposed amendments by further reviewing the laws governing JIACC, in order to ensure that the JIACC is given the authority to investigate all types of corruption crimes stipulated in the UNCAC ★
- e. Continue to strengthen JIACC efforts in the areas of prevention, education, awareness raising, and coordination with other national supervisory entities.
- f. Adopt an Audit Bureau-centered strategy that allows the Bureau to keep up with fast-paced development and expansion of roles within the ministries, tasking it with overseeing including military and security agencies.
- g. Incorporate into relevant legislation an article that, first secures the Audit Bureau's full independence in employing its powers; second, enables its staff to develop penalties for non-compliant institutions; and third, grants its staff with powers of judicial policing.
- h. Ensure that annual reports prepared by the Audit Bureau are uploaded onto online platforms and advertise its dissemination. ★
- i. Incorporate into relevant judiciary-centered legislation specific requirements for the implementation of fair trial safeguards.
- j. Instate diverse mechanisms to strengthen transparency and accountability in the practices of law enforcement entities. Supporting transparency in the already-established mechanisms implemented by the Human Rights Bureau. ★
- k. Incorporate into the Anti-Money Laundering Law an article specifying the bribery a foreign public official as a punishable offense.

- l. Incorporate into relevant legislation the requirement that all campaign financial disclosures – submitted by parties, candidates, and candidate lists to the Committee of Party Affairs and IEC – must be published for public viewing.
- m. Amend relevant legislation to include regulations for ensuring the political autonomy of the Committee of Party Affairs. This may include adding an article ensuring financial and administrative independence, as well as an article stating that committee members are subject to illicit enrichment laws and Audit Bureau control within the context of their committee work. Now that political parties have gained a more favorable place within the electoral system, it may be beneficial to consider making committee membership a full-time commitment, open to individuals who are not Senate members and who are barred from running in any election.
- n. Develop a body of laws directly addressing lobbying transparency.
- o. Continue to ensure effective follow-through on all targets and goals set out in the 2017-2025 National Anti Corruption Strategy. ✦

**Rasheed’s recommendations on Target 16.5: Substantially reduce corruption and bribery in all their forms.**

- a. Expanding the scope of criminalization for corruption related acts conducted by companies.
- b. Criminalizing and increasing the ability to detect misuse of power.
- c. Expanding the scope of Illicit Gains Law to include chairpersons and board members of public shareholding companies and other companies owned by the government.
- d. Expand Access to Information Law to cover public shareholding companies and government owned companies to provide requesters and the public with the relevant information of their work.
- e. Clarifying and specifying thresholds for accepting gifts for civil servants.
- f. Adding incentives for the purpose of encouraging civil servants to report corruption.
- g. Assigning a government body or ministry to supervise and monitor the implementation of the CoC’s,
- h. Proper trainings and capacity activities to all public servants on the code of conduct and measures of reporting corruption.
- i. Capacity building for JIACC aiming to equip its staff with up-to-date mechanisms for detecting breaches and corruption cases.

## Target 16.6: Develop effective, accountable and transparent institutions at all levels.

- a. Consider amending the legal framework to require high-level public officials and senior civil servants to declare their interests at least once per year.
- b. Incorporate into relevant legislation the requirements and processes for interest disclosure, as well as the penalties for non-compliance. These requirements, processes and penalties may be modeled after those already applied to income and asset disclosure and should be preventative. Thus augmenting the current requirement of reporting only when a situation arises and when the public employee sees fit.
- c. Increasing the “cooling off” period from one year to two years.
- d. Consider amending relevant legislation to include requirements for the publishing of information contained in income and asset declarations.
- e. Creating a unit or a single public body for monitoring and overseeing “Revolving Door” breaches and strengthening the control and ability to detect such breaches. In addition to the adaptation of proportionate and dissuasive sanctions.
- f. Continue to publish all key budget documents in practice, including pre-budget statements, the executive budget proposal and supporting documents, the enacted budget, a citizen budget, in-year reports in budget success and execution, mid-year reviews, a year-end report and an audit report.
- g. Commit to law by publishing all key budget documents on an annual basis, including: pre-budget statements, the executive budget proposal and supporting documents, the enacted budget, a citizen budget, in-year reports in budget success and execution, mid-year reviews, a year-end report and an audit report.
- h. Amend relevant legislation to include specific thresholds for sole-sourced purchasing of goods and services unrelated to public works.
- i. Incorporate into relevant legislation the requirement that all bidders must disclose beneficial ownership.
- j. Amend relevant legislation to specify contract award information that must be publicly published, specifically information on the procuring entity, the supplier, the number of bidders, the good or service procured, and the value of the contract.
- k. Continue to update and advertise the new E-procurement system, to ensure accuracy and public visibility. ✦
- l. Incorporate into relevant legislation additional whistle-blowers protection, such as relief from legal liability and protection from prosecution, in accordance with the law.
- m. Amend relevant legislation to specifically include protection of whistle-blowers who disclose their information publicly or to third parties, such as the media or NGOs, if necessitated by circumstance.
- n. Include information on the JIACC website addressing the security of the hotline and online informant submission tool. By ensuring informant security and anonymity, more witnesses may feel comfortable submitting information.



## **Rasheed's recommendations on Target 16.6: Develop effective, accountable and transparent institutions at all levels.**

For the purposes of meeting this target, all institutions shall be mandated by law to publish all of the relevant information, in addition to the inclusion in the Access to Information Law (ATI). Institutions mean for the purposes of this report all government related offices, on the central and the local levels. Along with, any company the government owns any shares in and all public shareholding companies.

In addition to the aforementioned, JIACC, AML, Judiciary and the Audit Bureau shall have access at all times to all relevant mechanisms and procedures, each in their respective role. Their capacities and the coordination between all entities is vital for the success of the approach.

Moreover, proper transparency in public procurement, civil servants appointments and government decisions are key to the success of any efforts of fighting corruption and meeting this goal.

**Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.**

- a. Consider reshaping the Board of Directors of the Register of Societies, specifically in terms of equalizing representation from civil society and the public sector.
- b. Enhance and ensure transparency in the CSO funding approvals process. ★
- c. Consider amending the Board of Societies requirements for general assembly notifications and decision approvals, with the aim of making these requirements less cumbersome for organizations.
- d. Review the levels of administrative and financial influence that public and private sector actors have on independent media institutions.
- e. Redefine 'journalist' according to international standards and keep Press Association membership open to all journalists representing all media outlets.
- f. Incorporate into relevant legislation the requirement that the all bodies tasked with awarding media licensures must state the reason for licensure refusal.
- g. Review the 2006 Prevention of Terrorism Act and other relevant legislation citing public security concerns to ensure that no prejudice against freedom of expression is present, and review the process of non-trial of journalists before the State Security Court.
- h. Review the Cyber Crimes Law to ensure that journalists are not wrongfully detained and that litigation is not prolonged in conformity with the Press and Publication Law.
- i. Review the limitations placed upon the types of information that can be disclosed, as stipulated in the Law on Securing the Right to Information Access, and consider amending to adhere to international standards, specifically Articles 10, 13(f), and 13(i).
- j. Consider amending legislation to include a 'harm test' stipulation, which ensures that disclosures are only refused when they pose a risk of harm to a protected interest, for the following information types: agreements with other States, national security, foreign relations, and judicial investigations.



- k. Consider amending legislation to include provisions for mandatory public interest overrides, which allow information to be disclosed when disclosure is in the overall public interest, even at the harm of a protected interest.
- l. Incorporate into the law particular mechanisms to ensure the Information Commissioner Board's power to perform its functions, including the power to review classified documents and inspect the premises of public bodies.
- m. Continue to ensure effective follow-through on all commitments made in the 2017 Open Government Partnership Self-Assessment. ★

**Rasheed's recommendations on Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.**

- a. Reviewing the Jordanian legal framework that may contradict with freedom of expression and Journalism, including but not limited to: Publication Law, Cybercrimes Law, and Access to Information Law.
- b. Proactive publishing and monitoring from all government entities that include useful information on services, reports, budgets.
- c. Proper review and incorporation with International Covenant on Civil and Political Rights (ICCPR) and removing any potential obstacles to the implementation within the Jordanian legislation.
- d. Limiting the restrictions on the information by the government based on the confidential classification.
- e. Automation of services including access to information and the submission of requests.
- f. Expanding and clarifying the role of the Information Commission.
- g. Mitigating the potential risk of "SLAPP suits" within the Jordanian legal framework and granting freedom of expression.

## General Recommendations

- a. Continue to review and amend legislation where needed to ensure full alignment with international standards.
- b. Adopting a general principle of declaration of information by all government bodies.
- c. Adopt effective mechanism for the Asset Declaration Unit aiming to increase monitoring over the provision of the declaration by public officials, and ensuring publishing the information related to the officials who are complying with the law through a website.
- d. Expand and enforce the requirement that government institutions and private companies publish key data for public consumption, with an emphasis on accessibility of information.
- e. Ensure the financial and administrative independence of all key public institutions that serve anti-corruption functions.
- f. Further capacitate civil society by ensuring a transparent funding approvals process.
- g. Review legislation to ensure that no prejudice against freedom of expression is present.
- h. Add to the information already available in the official Jordanian E-government system. By compiling all legislation and data into one database, information will become less disparate and more easily accessible to the general public.
- i. Ensure that the websites of all public institutions are regularly updated with the latest data and reports to facilitate a consistent and up-to-date flow of information.

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<sup>i</sup> Jordan Integrity and Anti-Corruption Commission. 2008-2012 National Anti-Corruption Strategy. JIACC.

Jordan Integrity and Anti-Corruption Commission. 2013-2017 National Anti-Corruption Strategy. JIACC.

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Amman - Sweifieh - Ali Nasouh Al-Taher ST.  
No.22 - 2<sup>nd</sup> Floor

No. : +962 6 585 25 28 Fax: +962 6 581 25 28

P.O.Box : 852806 Amman 11185 Jordan

Email : [info@rasheedti.org](mailto:info@rasheedti.org) [www.rasheedti.org](http://www.rasheedti.org)

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