



THE HASHEMITE KINGDOM OF JORDAN

THE OPEN GOVERNMENT PARTNERSHIP

JORDAN: NATIONAL ACTION PLAN

FIRST PROGRESS REPORT

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Jordan Commitments under OGP

Jordan is well positioned to be a model for successful reforms for the region in view of its advanced reform program undertaken over the past decade. Jordan's management of its reforms successfully will not only secure Jordan's stability, but will also offer a model for others in the region by providing a successful road map for stabilizing and effective reforms.

Jordan attaches great significance to being part of the Open Government Partnership (OGP), and we were pleased for the invitation extended to Jordan to join the OGP, noting that Jordan is the only Arab State to take part in this initiative. The Council of Ministers approved Jordan's participation in this Partnership in August 2011, noting that the Prime Minister has formed an Ad-hoc Committee in October 2011 chaired by the Ministry of Planning and International Cooperation, comprising representatives from the public and private sectors in addition to civil society organizations including the National Centre for Human Rights and the Jordanian National Forum for Women, to work on developing the Action Plan pertaining to the participation in the Partnership, and identifying the reform measures undertaken by the Government of Jordan in the area of governance. Representation of civil society organizations in the Ad-hoc Committee was based on the fact that the selected organizations are umbrella institutions that represent various walks of civil society.

To this end, the Committee finalized Jordan's OGP National Action Plan, and officially submitted it at the Ministerial Meeting held on 17 April 2012 in Brazil. Currently, the committee is designing Jordan's national action plan for 2013 focusing on the work of "the Royal Committee for Enhancing the National Integrity System" headed by the Prime Minister.

The OGP is important for Jordan to move forward with the democratization of the development process, and to further strengthen the foundations for political inclusion, social stability, good governance, efficient public sector, improved service delivery, as well as the rule of law.

The Government of Jordan's efforts constitute the foundations for increasing transparency, openness and wider public participation. To this end, the OGP commitments have been identified to build on past achievements and aim at moving forward towards further improved governance, accountability and transparency. These commitments have been developed through a participatory approach that included representatives from the public and private sectors in addition to civil society organizations. This report will shed light on the progress that has been achieved in fulfilling the commitments included in Jordan's National Action Plan during the year 2012. The report is designed according to the three grand challenges that Jordan selected to address in its National Action Plan:

1) Improving Public Services

Facilitate monitoring of service delivery and Set in place high ethical standards and rules; (Responsible entity for this pillar is the Ministry of Public Sector Development)

- The Government Services Improvement Bylaw number 64 for the year 2006 was amended and published in the Official Gazette on 27 August 2012; "*the Government Services Improvement Bylaw*" number 64 for the year 2012. The amended Bylaw introduced adequate follow-up and accountability mechanisms and improved the legislative framework governing the delivery of public services.
- The Government Services Guidelines Manual had been improved and updated according to the best international practices, the Manual is ready to be published and distributed to all concerned entities.
- A comprehensive customer's satisfaction survey had been conducted for the following entities: Ministry of Health, Civil Services and Passports Department, Department of Lands and Survey, Department of Palestinian Affairs, Borders and Residency Department/Public Security Department, Housing and Urban Development Corporation, Civil Service Consumer Corporation, Orphanage Fund Development Cooperation. Also, the survey included 72 sub-offices of these entities in various Governorates.
- Several training workshops were conducted for the Institutional and Quality Improvement Departments within various Governmental entities in order to raise their awareness of the services improvement methodologies included in the Government Services Guidelines Manual.
- The Ministry of Public Sector Development signed several Memorandums of Understanding with the

following entities in order to improve service delivery and enhance operations: the Ministry of Health, Civil Services and Passports Department, Department of Lands and Survey, Department of Palestinian Affairs.

- The Ministry of Public Sector Development is currently preparing a comprehensive manual containing all the services provided by the various Governmental entities in a view of developing a comprehensive manual for public services.
- The second phase of the national program aimed at improving public services and simplifying procedures on governorate and district levels for the period 2014-2016 was designed. Moreover, a preliminary evaluation for the second phase was conducted, and field visits for all the governmental units providing services took place, where the requirements for improvement, both financial and technical, were identified. The second phase is ready for implementation. However, there is a lack of financial resources, due to the cutting cost measures within the state budget, that hinders the implementation process, noting that the total cost of the second phase is around JD 1.5 million.

Promoting the culture of excellence in public sector

- As part of the restructuring of the Ministry of Public Sector Development, the Innovation and Excellence Fund was transformed to a department within the Ministry, named “the Governmental Innovation and Excellence Department”. Currently, there is cooperation with USAID to develop the mechanism and methodology for the functioning of the department, in a view of deepening and institutionalizing the culture of excellence and innovation in the public sector.

Enhancing E-services

- The Government continued working on linking the governmental institutions with the e-government network. This will facilitate obtaining the services, and enhance the competitiveness of the public sector. Currently, 84 governmental entities are linked with the e-government network. 10 entities will be added in 2013. Moreover, the Government will continuously upgrade the quality of governmental e-services , which is included in the sector policy for 2012.
- According to the UN e-government index, Jordan’s level of readiness pertaining to the e-services infrastructure, during the period 2010-2012, has significantly increased from 18% to 27%.
- During 2012, the Government took several measures to provide a number of e-services, where 6 new joint e-services were launched, 35 new e-services were launched in the various governmental institutions, and 71 existing e-services were enhanced.
- The draft e-transactions law was referred to Cabinet in August 2012. The draft law is currently at the Legislation and Opinion Bureau for review.

Improve citizen feedback and complaint mechanisms

- The Jordanian Ombudsman met the high requirements of the International Ombudsman Institute (IOI), and accordingly joined the Institute in 2012, noting that Jordan is the only Arab country to have joined the Institute.

2) Increasing Public Integrity

Promote audits of public sector projects

- The amended Audit Bureau Law was approved by Cabinet on 25 January 2013 in order to further enhance the independence of the Audit Bureau as a Supreme Audit Institution according to international best practices.
- Following a study that clarifies the appropriate balance between ex-ante and ex-post controls, a modern Internal Audit function in line ministries in accordance with international good practices was established. An assessment study for all internal control units at the different ministries and governmental institutions was

conducted. Moreover, the Ministry of Finance and the Audit Bureau agreed on a training plan for the control units.

- Standards and indicators were developed to measure the level of transparency, accountability, and good governance. In addition, the role of the internal audit units at the government institutions was activated.
- The Ministry of Finance (MOF) and the Audit Bureau are working on increasing transparency and accountability in the use of public funds through putting in place revised Action Plans of MOF and the AB based on the MOU signed between both sides on separating MOF and AB responsibilities with regard to internal control and external audit.

Fighting corruption, good governance and promoting greater accountability

- The amended Anti-Corruption Commission (ACC) Law was approved by Parliament in April 2012 (Law number 10 for the year 2012), in order to further empower the Anti-Corruption Commission, facilitate its daily work, and improve the effectiveness of the ACC in preventing and fighting corruption.
- The amendments included (*attached copy of the law and its amendments*):
 - 1) The protection of corruption informants, witnesses, experts, and whistle blowers,
 - 2) Adding a clause that gives the ACC council the power to participate in recovery of proceeds of corruption crimes.
- The ACC is currently reviewing its 2008-2012 strategy, and preparing the 2013-2017 national strategy in cooperation with the relevant stakeholders.
- The Code of Conduct document was disseminated, and a media campaign was conducted to activate it, and increase public awareness around it. The OECD gave a very good evaluation about the Code document. Moreover, the Code is included within the leadership training program and the training program for HR units within the government institutions. These measures will foster the values of transparency, accountability and integrity among government employees.
- The needed measures to strengthen the financial and operational independence of the National Center for Human Rights are under discussion between the Government and the Center.

Promoting transparency and access to information, Enhancing citizen participation in decision-making

- The Law of the Independent Election Commission (IEC) was approved by Parliament in April 2012 (*Law number 11 for the year 2012*). A product of the constitutional amendments, the IEC is an autonomous legal entity that is financially and administratively independent. The Commission is tasked with the supervision and administration of all phases of parliamentary elections as well as other elections called for by the Government. The IEC shall take all necessary measures to administer free, fair and transparent elections based on the principles of justice, equality of opportunity, and the rule of law.
- A new Political Parties Law was approved in 2012 (*Law number 16 for the year 2012*). The Political Parties Law, set the minimum number of founding members of a party to 500 instead of 250. Under the new law, political parties should be established to embody the principles and values of citizenship, equality, democracy and respect of pluralism. Authority to license political parties is no longer vested in the Interior Ministry, but in a committee headed by the Interior Minister, with the President of the Legislation and Opinion Bureau as vice-chair, and including a civil society representative, the general commissioner of the National Centre for Human Rights, the secretary general of the Ministry of Justice and his Interior Ministry counterpart.
- The Law encourages and supports the establishment of national political parties beyond tribal affiliations. The new Political Parties law requires political organizations applying for a political party's licence to at least 10% women members.

- A new Elections Law was approved by Parliament in 2012 (*Law number 25 for the year 2012*). The new Election Law addressed a number of legal and practical loopholes and deformities in the previous election law. The new Election law puts an end to the one-vote-system and grants voters two votes; the first vote is on the constituency level and the second is for the national level known as the national list. The law enhanced the presence of women and their involvement in the legislative branch by increasing the quota seats to (15). It is worth noting that the Election Law, in addition to other laws and legislation, can be developed by future parliaments regardless of their compositions in ways that ensure further developments in the reform path and democratic experience.
- For the first time, the Election Law adopts the concept of proportional representation on the national level to pave the way for the emergence of political blocs and coalitions which will help in consolidating partisan work and spreading democratic culture. The 27-seat national list is a great stepping stone and sets a reform trajectory that develops the Election Law with each parliamentary cycle to increase number of seats of national lists as political parties and democratic culture develop.
- The new Election Law strengthened the integrity of the elections through its articles which ensure fair and transparent elections. These include:
 - o Acquiring a voting card
 - o Using indelible ink specifically for voting.
 - o Using computers and electronic systems in the voting process.
 - o Toughening punishments related to electoral crimes especially political money and attempts to influence voters' will.
 - o Adopting specific voting procedures for illiterate voters to secure secrecy of the vote.
 - o The judiciary has the sole authority to examine electoral contestations instead of the Lower House.
- According to this new Law, Jordanian citizens' headed to the polls and voted in their next parliament, with a voter turnout of 56.7 %. The Election was for the first time administered by the independent Elections Commission. This parliament will pilot the parliamentary government experience.
- 18 out of 23 parties participated in elections (78%).
- Elections were observed by significant numbers of local and international observers, including the European Union Election Observation Mission, National Democratic Institute, International Republican Institute and the Arab Network for Elections. Observers were given access to every level of election administration and were given full cooperation by poll workers and security forces at ballots centers.
- Initial statements (*detailed reports are expected to published by end of February 2013*) were positive and commended the efforts of the IEC in carrying out and administering a transparent election day process, confirming that the electoral process took place in accordance with the law and procedures, and a suitable environment has been provided for the voting process, making it expressive of voters' opinion. Technical preparations for balloting and the conduct of the voting on Election Day compared favorably to accepted international practices. Statements also added that balloting stations were well organized, the procedures for identifying voters were clear and the counting process was transparent.
- Municipal Elections will be held by September 2013 based on an amended Municipal Elections Law.
- Moreover, amending the Public Assembly Law was a fundamental demand in the political reform process, and an essential part of the political life and political parties regulatory laws. According to the amended law, any public meeting or demonstration will no longer require approval by administrative governors, but now only requires a 48 hour notice by the organizers in an effort to take the necessary security and organizing measures.

- The launch of the Constitutional Court on 6 October 2012 was a critical milestone and a qualitative leap in Jordan's political life. The Court's duties are to interpret the Constitution and examine the constitutionality of current laws and regulations. The Constitutional Court offers an important guarantee of further balance and separation of powers. The Court's establishment signifies unifying constitutional jurisprudence in one channel, as it emerges as the only reference for the interpretation of constitutional provisions. The court will play a critical role in strengthening Jordan's civil society and protecting constitutional rights through the Rule of Law.
- According to the recent Constitutional amendments, the administrative court should become two tier based. Prior to the amendments, the administrative court was only on one tier, which is the High Court of Justice. The Government of Jordan is currently preparing the needed law to bring the Constitutional amendments into effect. This step will enhance transparency in the public sector performance and enhance the specialization of the Judiciary.
- The Council of Ministers approved in September 2012 the amended Access to Information Law. The amendments facilitate the public's access to information and enables non-Jordanians to access information in compliance with international agreements that Jordan has signed. Added to that, the law improves civil society organizations' representation in the Information Council.
- The Ministry of Planning and International Cooperation is still coordinating with the donor community in order to complete the second phase of the Jordan Aid Information Management System-JAIMS to include ongoing assistance targeting civil society and regional projects.
- The annual reports for 2011 of the Audit Bureau and the Anti-Corruption Commission are published.
- The Regulation of the Legislative and Opinion Bureau (LOB) was amended (*regulation number 5 for the year 2013*), where article (9) was amended in order to oblige the LOB to publish any draft legislation referred to it on the LOB's website for no less than (10) days to enable citizens and specialized persons to comment on it. These comments will be included in the file to be reviewed by the competent staff at LOB.

3) Manage Public Resources more Effectively

Improving public procurement; (*Responsible entity for this pillar is the General Supplies Department*)

- A self-assessment was undertaken using the methodology for the assessment of national procurement systems developed by the OECD-DAC task force on procurement.
- The Unified Procurement By-Law has been adopted by the Joint Procurement Committee, which consists of the Government Tenders Department, the Joint Procurement Department, and the General Supplies Department and other government agencies. Moreover, the By-Law is currently at the Ministry of Public Sector Development to be submitted to the Prime Ministry for approval according to the legal regulations and processes.
- With regards to e-procurement, a technical committee, comprised of the Government Tenders Department, the Joint Procurement Department, the General Supplies Department, the e-government program at the Ministry of Communication and Information Technology, and the Audit Bureau, is prepared to issue an international tender (RFP e-procurement) pending the availability of funds (*the estimated cost of the project is around JD 4 million*).
- As for the application of GIMIS (*Governmental Inventory Management Information System*), it is currently applied at the Ministry of Education and six pilot locations. It is currently being considered to implement the system at the Ministry of Finance. In order to roll-out the system to the other governmental entities, advanced technology is needed. This technology is available at the Ministry of Finance, which will act as a hub for the system.

Enhancing fiscal, budget, expenditure transparency; (*Responsible entities for this pillar are the General Budget Department and the Ministry of Finance*)

- According to the recent survey conducted by the International Budget Partnership (IBP), Jordan ranked first in the MENA region concerning the transparency of the budget (*Jordan scored 57 points while the average is 43 points*).
- In 2012, an assessment for public expenditure in five major sectors (*water, health, education, social development, transport*) was conducted, and a report was issued in this regard in cooperation with USAID. The report presented recommendations for ministries and governmental institutions to be adopted in the future action plans, and identified shortcomings to be avoided in the future.
- With regards to expanding the application of the chart of accounts' components for the general budget and budgets of government units, it will be implemented gradually during the coming years, in order to allow the governmental institutions and units to absorb the current requirements of the budget department, and not to burden them with new requirements.
- Highlighting financial allocations for children within various programs according to the chapters of the General Budget Law for the fiscal year 2012, where the work was conducted on:
 - 1) Reviewing, analyzing and amending strategic plans, programs, projects and measuring performance indicators for four pilot Ministries which are: the Ministry of Health, the Ministry of Education, the Ministry of Labor, and the Ministry of Social Development in order to submit recommendations to these Ministries regarding the way the allocations for children have to be highlighted within their budgets.
 - 2) Developing new forms for the budget related to children, and conducting training courses for the competent employees in the General Budget Department and pilot Ministries regarding the application of these forms.
 - 3) Conducting an exploratory tour in South Africa for the involved staff of the General Budget Department to benefit and share its experience in the area of result oriented budgeting, and children budgeting.
 - 4) Evaluating the improvement that occurred on the budget preparation process and the achievement of the targeted results in this regard in cooperation with the UNICEF.
- Reviewing the activities, projects, and indicators that measure performance related to gender issues as stated in the budgets of ministries and government departments, and ensuring that the allocations for gender issues within various programs are distributed according to the chapters of the General Budget Law for the fiscal year 2012.
- Participating in the activities of the program of the United Nations for Women, related to “strengthening accountability in financing gender equity” which is financed by the European Union. The program aims at increasing the size and effectiveness of the external grants, and local resources to implement the national obligations towards achieving gender equity and empowering women through funding a planning that responds to social gender, and doing programs and budgets in a way that allows benefiting from the national and general policies, external support, and local resources to empower women through capacity building and the accountability of integrating gender equity.
- The General Budget Department issued the “Citizen’s Guide to the Budget”, and the “Budget in Brief” for the fiscal year 2012. Moreover, the General Budget Department has published on the web the draft General Budget Law and Government Units’ Budget Law for the fiscal year 2012 once it has been approved by the Council of Ministers and before being sent to the Parliament.
- The General Budget Department participated in the preparation of a “Fiscal Decentralization Strategy” through forming working teams in cooperation with the Ministry of Finance and GIZ. The Strategy included strategic planning, preparation of budget, implementing, reviewing and evaluating it at the level of the governorates and municipalities to support the needs of the local development and linking these needs to the national policies, in addition to the effective guidance of the priorities of the capital expenditures according to the local development needs. The outputs of the working teams are as follows:
 - 1) Reviewing the regulations and legislation, and developing procedures to prepare development plans

for the governorates.

- 2) Drafting local development strategies for Al Balqa'a, Ajloun, and Karak governorates.
 - 3) Preparing a document on the priorities and policies of capital expenditure for Al Balqa'a, Ajloun, and Karak governorates.
 - 4) Reviewing the capital expenditure for Al Balqa'a, Ajloun, and Karak governorates.
- The Government Financial Management Information System (GFMIS) has been tested successfully in six pilot sites (MOF, MOPIC, MOE, GBD, GDB, and in Zarqa Regional Financial Center RFC). GFMIS pilot phase will be followed by GFMIS rollout to an additional 25 ministries in Amman and 14 RFCs over a period of 18 months. This initial rollout should be followed by an additional one carried out solely by MOF team in the remaining 25 additional ministries and government agencies in Amman and in the 13 remaining RFCs. Therefore, the final nationwide rollout will cover 55 entities in Amman and 28 RFCs. Currently, 37 sites are using GFMIS system successfully, and by the beginning of 2013 the last patch of the rollout sites will be online (8 sites).
 - The Government of Jordan is still considering initiating discussions to join the Extractive Industries Transparency Initiative (EITI).

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