



**THE HASHEMITE KINGDOM OF JORDAN**

**THE OPEN GOVERNMENT PARTNERSHIP**

**JORDAN: NATIONAL ACTION PLAN**

**APRIL 2012**

## **I. Introduction**

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). 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 Center for Human Rights and the Jordanian National Forum for Women, to work on developing the Action Plan pertaining to Jordan's participation in OGP, 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.

This Partnership 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.

To this end, Jordan OGP National Action Plan will focus on the following targets:

- 1) Improving public services
- 2) Increasing public integrity
- 3) More effectively managing public resources

## **II. Open Government Efforts to Date**

The Government of Jordan, over the past decade, has undertaken concrete steps and embarked upon several initiatives to institutionalize openness, good governance and transparency on many fronts, recent reforms include:

### **1) Improving Public Services**

- Institutionalizing the process of improving public services by enacting "the Government Services Improvement Bylaw" number 64 for the year 2006.
- Issuing a "Guidelines Manual" in a view of facilitating and expediting the service delivery in an efficient and accurate manner towards further enhancing the customer's satisfaction.
- Putting in place a centralized mechanism to administer citizens' complaints.
- Launching a national program aimed at improving public services and simplifying procedures on governorate and district levels (2011-2013), including all governorates, while ensuring the improvement of the quality of government services, and ensuring justice in distributing resources.

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

- The King Abdullah II Award for Excellence in Government Performance and Transparency was established by a Royal Decree in 2002 to develop and improve the performance of ministries and public institutions in serving the Jordanian community and investors by increasing the awareness of distinguished performance concepts, quality and transparency and highlighting the exceptional efforts of the public sector institutions whilst presenting their accomplishments in the development of their systems and services.

### **Enhancing e-services**

- E-Government (*e-government portal*), E-Procurement and E-Services.
- Automation of a large number of departments and procedures such as courts, Greater Amman Municipality, JIB (one-stop-shop), customs procedures, licensing for new businesses, and traffic department.

- Linking the public sector development programs, in the areas of procedure simplification and processes restructuring, with the E-Government programs in the areas of automating public services and connecting the headquarters with the various branches.

## **2) Increasing Public Integrity**

### **Fighting corruption, good governance and promoting greater accountability**

- Enacting the Financial Disclosure Law and the Anti-Corruption Commission Law in 2006.
- Putting in place the National Anti-Corruption Strategy (2008-2012) aims at reducing engagement in corrupt acts through developing a strong legal and institutional framework, and consequently, the Government adopted a new Civil Service Bylaw.
- Enacting an Anti-Money Laundering Law.
- The “*Code of Conduct and Ethics*” for Cabinet Ministers and Government employees to ensure transparent practices. The Code was signed by all government officials, this code asserted on the rights and responsibilities for the employees.
- Establishment of the National Center for Human Rights in 2006 as an independent Center mandated with promoting and further protecting human rights in Jordan and civil and political freedoms and liberties.
- Establishing an independent Ombudsman Bureau began its work in 2009.
- Establishing a Committee (*by Council of Ministers’ decision*) tasked with conducting an assessment for the Government’s organizational structure related to the Audit Bureau for the purpose of ensuring its organizational independence.
- Amending the Associations Law in 2009.

### **Promoting transparency and access to information**

- Enacting a law on the Access to Information in 2007 (*Jordan is the first country in the Arab region to have a law that regulates the right of access to information*).
- A foreign aid database (*Jordan Aid Information Management System-JAIMS*) on the Ministry of Planning and International Cooperation website in 2010.
- The Statistics Law stipulates the production and dissemination of timely and high-quality statistical data that meet the users’ various and changing needs with a view to contributing to the comprehensive development process in Jordan.
- Jordan Joined the Special Data Dissemination Standard at IMF in 2010.
- Establishing an electronic portal at the Prime Ministry’s website that allows for periodic monitoring and evaluation of individual ministries’ Action Plans, and within the context of the overall implementation of the Executive Development Program (2011-2013), which serves as the country’s socio-economic development plan.
- The Anti-Corruption Commission started publishing its annual reports on its website in 2011, and the Audit Bureau’s annual report was published for the first time on the Bureau’s website (*this report used to be confidential*).

### **Enhancing citizen participation in decision-making, and citizen feedback on governance**

- Enacting an amended Public Gatherings Law in 2011, a significant advance in terms of enshrining into law the right of assembly and expression.
- Establishing the National Dialogue Committee was set up with the main task of proposing draft laws for Parliamentary Elections and Political Parties, which submitted its report to the Prime Minister in June 2011.

- Forming a Royal Committee on Reviewing the Constitution to review Constitutional Reform and propose amendments; amendments were approved by Parliament in September 2011. Constitutional amendments, including the establishment of Independent Commission for Elections (*draft law for the establishment of the Independent Commission for Elections was approved by the Government end of 2011*), and the Constitutional Court. The Constitutional amendments include:
  - Cabinet Ministers will now be subject to investigation by public prosecutor after referral by simple majority of the Parliament rather than the two third majority of the Parliament.
  - Cabinet Ministers will now be tried in competent ordinary courts in Amman for crimes of corruption instead of a Special Council compromised of Senators and Judges.
  - The resignation of a Cabinet Minister does not impede such investigation or trial.
- Approving a new Teachers' Association Law in 2011.
- Establishing a dedicated interactive website at the Legislative and Opinion Bureau/Prime Ministry by which the public and civil society can access, and express views on pending legislation, regulations, and policy issues.
- Announcing a new National Strategy for the Media in June 2011 in partnership with the private sector and the civil society organizations, with the main objective to raise the ceiling of the freedom of expression, enhance the professionalism of journalists (*establishment of a Training Center for Journalists*), and set new mechanisms of self-regulation.

### **3) More Effectively Managing Public Resources**

#### **Enhancing fiscal, budget, expenditure transparency**

- Implementing public financial management reforms, including:
  - Establishing the Treasury Single Account (TSA).
  - Applying the Government Financial Management Information System (GFMIS). Six pilot ministries and public institutions were selected for the implementation of the system including: MOF, Ministry of Education, Ministry of Health, Ministry of Planning and International Cooperation, General Budget Department and Aqaba Governorate Department of Finance.
  - Developing a new public debt management strategy.
  - Introduction of a new chart of accounts based on international standards. New Chart of Accounts is an internationally accepted standard for structuring government accounts to provide comprehensive analytical information for fiscal management.
  - Introduction of a three-year medium term expenditure framework (MTEF) since 2008, and the revision of the budget planning timetable to allow for the Budget to be promulgated prior to the start of new fiscal year.
  - Adoption of a result-oriented budget (ROB). ROB is a methodology to link resources with national priorities. It prioritizes limited resources to programs that are most important to economic and social development. It shows how public expenditures are impacting the improvement of the lives of the citizens of Jordan. Citizens are enabled to know where money goes and how those resources are used.
- Enhancing the transparency of the general budget preparation and disseminating information on the budget, through publishing a “*Citizen's Guide to the Budget*”, and “*Budget in Brief*” that explains each of the definition of budget headings and making it available on the web. Budget in Brief” document is also available in English language.
- Approving the Internal Control By-Laws by the Council of Ministers that enables the Audit Bureau to withdraw from ex-ante controls and reviews and strengthens the internal controls in line ministries.

## Improving public procurement

- Putting in place reliable country procurement systems. The General Supplies Department at the Ministry of Finance and the Government Tender Directorate at the Ministry of Public Works are the governmental institutions responsible for public procurement. A separate entity has been established (Joint Procurement Department) for the procurement of the medical and pharmaceutical supplies for the Ministry of Health and the Armed Forces, which applies the regulations of the Joint Procurement Department.
- Currently, a specialized technical committee formed at the Governmental Tender Directorate comprising representatives from the General Supplies Department, the Joint Procurement Department and others is developing new unified procurement legislation in cooperation with the World Bank in order to meet the international standards and best practices, and it will be implemented by all governmental entities in Jordan.
- Developing an E-procurement system at the General Supplies Department, and once fully operational, this system will govern all the government procurement both in supplies and services.
- Executing central Governmental Inventory Management Information System (GIMIS) for controlling and monitoring the goods in the governmental warehouses. This system has to be integrated with the E-procurement system in bidirectional way (*this system is applied now on six governmental entities and it will be launched for the rest after establishing operation data center as focal point in the National Information Technology Center, both of these systems, e-procurement and GIMIS will be integrated with GFMS and GHRMIS to achieve one governmental GRP*).
- Adopting measures to ensuring that the Jordanian public procurement system satisfies all procurement requirements, while it ensures transparency and equal opportunity for all bidders. The system is also subject to outside auditing. The controlling mechanisms include: (a) the Audit Bureau of Jordan, which is an independent entity responsible for public audit, reports on the violations of the procurement process to the financial committee of the Lower House, and (2) the Anti-Corruption Commission is mandated with investigating corruption in public procurement.

## III. Jordan Commitments under OGP

The Government of Jordan's efforts, highlighted above, constitute the foundations for increasing transparency, openness and wider public participation. To this end, the OGP commitments, *illustrated below*, have been identified to build on past achievements and aim at moving forward towards further improved governance, accountability and transparency. These commitments, which will address the three Grand Challenges mentioned above, have been developed through a participatory approach that included representatives from the public and private sectors in addition to civil society organizations.

### 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)**

- Amending "*the Government Services Improvement Bylaw*" number 64 for the year 2006 in a view of introducing adequate follow-up and accountability mechanisms and to improve the legislative framework governing the delivery of public services. In addition, the amended bylaw will enhance transparency and strengthen the trust between the recipients of services and the government entities. The amended bylaw will also assist in combating administrative and financial corruption. Equality and justice will be ensured to all citizens based on the fact that their voice and suggestions will be taken into consideration, by virtue of the bylaw.

Improving and ensuring wider implementation of the "Government Services Improvement Guidelines Manual" to enable Governmental entities to deliver services through unified general scheme and best international practices. This will institutionalize the culture of constant improvement of the government services.

- The Government will also ensure wider implementation of the Manual, and will conduct a comprehensive customers' satisfaction survey in 2012. This will enhance citizens' satisfaction by empowering citizens to be active partners in the development of service delivery mechanisms. It will also improve constant monitoring of service providers which will ensure the good quality of service delivery, and accordingly strengthen the trust among citizens and service providers.
- Designing the second phase of the national program aimed at improving public services and simplifying procedures on governorate and district levels for the period 2014-2016 through tackling additional departments and services. This will ensure justice in providing services across the Kingdom.
- Concluding cooperation agreements among the Ministry of Public Sector Development and the different Governmental institutions to enhance partnership and integration. These agreements aim at restructuring the various processes and services and automate them. This will strengthen harmonization among government service providers. In addition, a manual for public services will be developed. It will also improve transparency and reduce the cost of services, which will assist in combating corruption as citizens will be aware of the exact cost of provided services.

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

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

### **Enhancing E-services**

- Continue working on linking the governmental institutions with the E-Government. This will facilitate obtaining the services, and enhance the competitiveness of the public sector.
- Enactment of a new E-Transactions Law in view of covering all public, civil and business communications.

### **Improve citizen feedback and complaint mechanisms**

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

## **2) Increasing Public Integrity**

### **Promote audits of public sector projects**

- Amendment of the Audit Bureau Law to ensure enhancing the independence of the Audit Bureau as a Supreme Audit Institution according to international best practices (*The responsible entity is a Governmental Committee formed by the Prime Minister*).
- Establish a modern Internal Audit function in line ministries in accordance with international good practices following a study that clarifies the appropriate balance between ex-ante and ex-post controls and the organization required for such arrangement (*The responsible agencies are the Ministry of Finance and the Audit Bureau*).
- Setting and developing standards and indicators to measure the level of transparency, accountability, and good governance, in addition to activating the role of the internal audit units at the government institutions (*The responsible agencies are the Ministry of Finance and the Audit Bureau*).

### **Fighting corruption, good governance and promoting greater accountability**

- Approval by Parliament and enactment of the amended Anti-Corruption Law (*approved by Government in 2011*). The proposed amendments will further empower the Anti-Corruption Commission (ACC) and will facilitate its daily work. It will also enhance the scope of coverage of corruption crimes and improve the effectiveness of the ACC in preventing and fighting corruption.
  - The amendments propose criminalizing hiding conflict of interests, abstention of notification about corruption activities, and also the abstention or delay in providing information during

investigations. It will give ACC authority to negotiate with corruption suspects deals for reduced sentences against provision of information.

- The amendments propose the protection of corruption informants, witnesses, experts, and whistle blowers, and criminalize any action that will lead to uncover their identities according to the standards adopted by UNCAC. If passed, the new law will give ACC authorities over corruptive actions undertaken by foreign public service and over employees working in public international agencies and will criminalize bribery in private corporations.
  - The new amendment suggest that any contract, benefit or concessions resulted from corruption action shall be voidable, emphasized on the secrecy of the ACC document and asked for an exception from prescription for corruption cases".
  - The following issues are also under consideration in the new Law: Criminalization of Bribery in Private Sector, Giving competent courts the right to nullify or rescind contracts obtained by corrupt practices. The ACC has the authority to temporarily stop the implementation of such contracts until the competent court delivers its ruling in the validity of such contracts, adding a clause to the effect those crimes of corruption, sentences and recovery of proceeds will not be dropped according to lapse of time rules, and adding a clause that gives the ACC council the power to participate in recovery of proceeds of corruption crimes whether from within Jordan or from abroad.
- After investigation, the ACC Council will refer cases found to have crimes of corruption to public prosecutor for further investigation. The public prosecutor has the jurisdiction, either to decide that there is no case, or to refer matter to the competent court for trial. There are four public prosecutors seconded by the Judicial Council to the ACC.
  - Ensuring the implementation of the Code of Conduct which will foster the values of transparency, accountability and integrity among government employees.
  - Strengthening the financial and operational independence of the National Center for Human Rights.

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

- Approval of the Independent National Electoral Commission law by Parliament that will allow the establishment of an Independent Commission in 2012.
- Enhancing citizen participation in decision-making through the adoption of a new Political Parties by Parliament in first half of 2012, approval of the new Elections Law by Parliament in 2012, (*will be the basis for holding the next national elections*), while holding Municipal Elections by June 2012 based on an amended Municipal Elections Law.
- A Constitutional Court in charge of observing the compatibility of legislation with the constitution will be established.
- An Administrative Court is in the process of being established as an instrument to enhance transparency in the Public Sector performance and to enhance the specialization of the Judiciary.
- Improving access to information through adopting amendments to the existing Access to Information Law in view of further improving it and ensuring that it is consistent with international best practices.
- Increasing transparency of foreign assistance through the completion of the second phase of the Jordan Aid Information Management System-JAIMS to include ongoing assistance targeting civil society and regional projects.
- Publishing the annual reports for 2011 of the Audit Bureau and Anti-Corruption Commission in the first half of 2012.

### **3) Manage Public Resources more Effectively**

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

- Undertaking the self-assessment using the Methodology for the Assessment of National Procurement Systems developed by the OECD-DAC Task Force on Procurement. The methodology includes baseline indicators to compare a country's systems to international-accepted good practice, as well as a new set of indicators. These indicators assess overall performance of the system, compliance with national legislation and standards and whether there is a reform programme in place to promote improved practices, and also the final PEFA report about financial reform that concentrated on enhancement of procurement transparency and its indicators.
- Adopting a new Unified Procurement By-Law (*final stages for approval*) based on three central departments as mentioned above, with a recommendation from the specialized technical committee formed at the Governmental Tender Directorate to establish a procurement policies unit at the Prime Ministry, in addition to a procurement complaints unit. In addition, a new system that transforms the present procedures into automated tendering system will be developed. This will regulate the procedures, processes, and control the procurement expenditures, and will increase the accountability and transparency, and enhance performance.

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

- Adopting additional measures aimed at increasing transparency in public spending and improving the allocation of budget resources in accordance to the national priorities. These measures include:
  - Assessing the performance of ministries as well as government entities and units based on targeted performance indicators and exploring deviation from targets, reviewing the public spending for all sectors in the General Budget Law. This will improve the effectiveness and efficiency of the delivery of services, resulting in enhancing the accountability and allowing citizens the access to all services and activities provided by the government. Public expenditure reviews assess the current situation, and the future opportunities.
  - Upgrading the content and format of the annual Government Units' Budgets Law in accordance with the advanced phases of ROB concept whereas it is planned that the 2014 Government Units' Budgets Law will come out according to the new orientation. This will provide data about services provided by the government units at the program level. It will provide information about strategic objectives; duties entrusted; programs, projects and activities undertaken by these units and their costs; and identify performance indicators on the level of strategic objectives and related programs on the medium term.
  - Expanding the application of the chart of accounts' components for the general budget and budgets of government units through classifying the current expenditure programs at the activity level of the government units in the government units' budgets law for the fiscal year 2013.
  - Classifying the current and capital expenditures at the lowest level of the functional classification in the general budget law for the fiscal year 2014, and classifying the budget at the directorate level based on the organizational classification in 2015. Budget classifications provide comprehensive analytical information for fiscal management; they also provide the means to track government spending. They provide more information pertaining to spending distribution on projects and activities, allowing for all transactions to be reported in accordance with international standards, and to record monetary assets and liabilities using modified cash basis of reporting.
- General Budget Department will enhance the orientation towards the social gender and child concept within the Government Units' Budgets for the fiscal year 2014. This will identify programs, projects and activities oriented towards "social gender and child" along with resources allocated over the medium term.
- Enhancing the transparency of the general budget preparation and disseminating information on the budget, through publishing a "Citizen's Guide to the Budget", and "Budget in Brief" that explains each of the definition of budget headings and making it available on the web. Budget in Brief"



document is also available in English language. Budget in brief features more technical detail targeting Parliament, international financial institutions and others, while the Citizen's Guide targets the public and the media using more simplified presentation and narrative. These documents provide user-friendly guides to Government spending and promote public awareness.

- In order to enable citizens to participate in decision-making concerning the development of their communities, the General Budget Department (GBD) in coordination with other ministries and departments will work in the year 2012 on deepening the implementation of decentralization through preparing a strategy for the financial decentralization project including strategic planning as well as the preparation, implementation, review and assessment of the budget on governorate and municipality level to link the local development requirements with the national policies and to ensure the effective utilization of the capital spending priorities according to these requirements.
- Launching GFMIS in government ministries and departments and financial centers (deployment phase). The GFMIS is an important initiative of the Government of Jordan (GOJ) which was launched in 2008 and seeks to computerize the entire life-cycle of budget preparation, execution, and financial reporting. It will serve as an integrated system across all spending agencies to ensure transparency and accountability in the allocation, use and monitoring of Jordan's valuable public resources.
- Increasing transparency and accountability in the use of public funds through putting in place revised Action Plans of Ministry of Finance (MOF) and the Audit Bureau (AB) based on the MOU signed between both sides on separating MOF and AB responsibilities with regard to internal control and external audit.
- Initiating discussions to join the Extractive Industries Transparency Initiative (EITI).