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Neighbourhood Co-operation Priorities for Jordan 2012-2014

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I. INTRODUCTION

At its 121st Session in Istanbul on 11 May 2011, the Committee of Ministers took note of the proposals made by the Secretary General regarding a [Policy of the Council of Europe](#) (CoE) towards neighbouring regions and invited him to develop action plans for the implementation of this policy.

In this context, high level contacts have taken place with the Jordanian authorities in order to identify areas of co-operation where the CoE could provide meaningful assistance in the light of its expertise. The Secretary General met with Mr Nasser Judeh, Minister for Foreign Affairs, in the margins of the September 2011 UNGA session in New York. As a follow-up to this meeting, a number of exchanges were held with the Jordanian Ambassador in Brussels, and a high level CoE Secretariat delegation discussed potential areas of cooperation in Amman on 8-9 February.

On 18 April 2012, the Secretary General received His Majesty Abdullah II, King of Jordan, in Strasbourg. The King was accompanied by the speakers of the two houses of the Jordanian Parliament and by the Minister for Foreign Affairs. On that occasion the King repeated his commitment to democratic reforms and confirmed the readiness of Jordan to conclude the "Neighbourhood co-operation priorities" document during the official visit of the Secretary General to Jordan on 27 May 2012. He also informed that Jordan would explore possibilities for acquiring the partner for democracy status with the Parliamentary Assembly.

With a view to the finalisation of the present co-operation priorities, a technical delegation from Jordan came to Strasbourg on 23 and 24 April and held in-depth discussions with the CoE Secretariat.

In close coordination with the European Union (EU), the CoE is fully committed to accompanying and assisting Jordan in its institutional reform process put in place by His Majesty and implemented by the Government for an inclusive and democratic society. In this context, CoE's assistance would be instrumental for the important political and economic transformations to take shape in 2012. The CoE's presence and active participation in the first Jordan - EU Task Force meeting demonstrated this commitment.

The Neighbourhood Co-operation Priorities document for 2012-2014 outlines possible areas of work selected on the basis of the current priorities of the Jordanian authorities. CoE's assistance is strictly demand driven; all actions enlisted in this document have been drawn up in close consultations with the Jordanian authorities and reflect their needs expressed in the course of this consultation process. The present document foresees short and mid-term assistance in specific priority sectors.

Co-operation in the field of constitutional justice and electoral assistance could be launched shortly through the CoE's European Commission for Democracy through Law (Venice Commission). Accession of Jordan to the Venice Commission is also considered as a short-term priority. Besides, the CoE could support the reform of the judiciary with a view to promoting its independence and efficiency.

Furthermore, possible accession by Jordan to certain CoE conventions open to non member States, in conformity with the procedures described in the relevant conventions, could be implemented as a matter of priority.

Medium-term action is suggested regarding freedom of expression/media freedom, youth participation as well as women's empowerment and women's rights. Further details on medium-term action would be provided at a later stage, once these activities are discussed in detail with relevant Jordanian partners.

These proposals have been prepared in the light of close consultation with the EU. Activities will be designed and implemented in a manner to ensure full complementarity of approach and close coordination with actions already taking place, or planned by various actors on the ground, notably the EU Delegation to Jordan; this will be key to ensuring the continued, effective coordination and dialogue taking place at present. Some immediate actions could be undertaken through the joint EU/CoE Programme "Strengthening democratic reform in the southern Neighbourhood". However, wider CoE action as foreseen in this document would need to be supported by complementary financial resources. In this respect, contacts are under way with the EU, in particular with the EU Delegation in Amman and other national and international partners and financial contributors.

Similarly to the action proposed in other countries of the neighbourhood programmes, cooperation in Jordan will be backed by extra budgetary resources.

The follow-up to the implementation of co-operation with Jordan will be the responsibility of the Committee of Ministers of the CoE and notably its Rapporteur Group on External Relations (GR-EXT). The GR-EXT will be regularly updated by the Secretariat on the progress of the projects. For this purpose, the Office of the Director General of Programmes will prepare a mid-term stocktaking report and a final assessment report.

II. SHORT TERM PRIORITY AREAS

1. Constitutional Justice

Constitutional Justice is a priority issue on Jordan's reform agenda. In the framework of the constitutional reforms in Jordan, the draft law on the new Constitutional Court has been submitted to the lower chamber of the Parliament.

The Jordanian authorities see the Venice Commission as the main partner in this field. In this connection, they have suggested the appointment of a "liaison officer". More specifically, they have requested assistance to finalise the law on the Constitutional Court and to create the conditions for its effective functioning. The below-mentioned activities could be a relevant complement to those supported by other donors. They could in particular feed into the cooperation between the EU and Jordan on the justice sector reform.

Furthermore, Jordan has confirmed its interest in becoming a member of the Venice Commission in the near future.

Proposed action

- Before the establishment of the Constitutional Court, organisation of a Joint Meeting involving experts from the Venice Commission and various stakeholders from Jordan (such as members of the legal committee of the lower house of Parliament and members of the Senate) in Amman by the end of May 2012, to address in particular remaining issues of the draft law on the Constitutional Court;
- Immediately after the setting-up of the Constitutional Court, the Venice Commission will provide assistance with a view to the preparation of the Rules of Procedure of the Constitutional Court and other by-laws to ensure its proper functioning, drawing from relevant good practice;
- Capacity-building activities for the members and the staff of the Constitutional Court, including study visits to the ECtHR and the German and Italian Constitutional Courts. In this connection, workshops organised in co-operation with the Constitutional Court could provide occasion for exchange with other Constitutional Courts in Europe and the Arab world on issues such as separation of powers and judicial independence but also case-flow and IT issues;
- Once the Constitutional Court will be fully functional, assistance will be provided regarding its task of protecting human rights and upholding the primacy of the Constitution also by facilitating its integration into regional and international networks (Union of Arab Constitutional Courts and Councils, World Conference on Constitutional Justice).

Expected results

- good practice relating to the setting-up of Constitutional Courts is discussed with relevant stakeholders and taken into consideration in the final draft law;
- good practice relating to the relevant Rules of Procedure and other by-laws is discussed with relevant stakeholders and taken into consideration in the final texts;
- the future Constitutional Court of Jordan takes part in regional and international networks. Jordan becomes a member of the Venice Commission;
- the capacities of members and staff of the Constitutional Court are strengthened.

Partners: Parliament, Judiciary, future Constitutional Court, German and Italian Constitutional Courts, regional and international constitutional courts' networks.

2. Electoral legislation and practice

In 2011 Jordan adopted several constitutional amendments which provided, among other changes, for the establishment of an Independent Electoral Commission. After the approval of the constitutional changes, His Majesty King Abdullah II announced that the next parliamentary elections could be held already in 2012.

The law on the establishment of an independent electoral Commission was approved by the Parliament at the end of March 2012 and ratified by the King at the beginning of April. The members of the Commission were appointed by Royal Decree on 6 May 2012. Several draft laws, notably the Draft electoral law and the Draft law on political parties, are currently being examined by the Parliament. In 2011 – 2012 Jordan announced that it would seek international assistance in bringing its electoral legislation and practice closer to international standards.

During the visit of the representatives of the CoE to Jordan in February 2012, the Jordanian authorities expressed their interest to start co-operation with the Venice Commission in the electoral field, notably on the establishment and capacity building of the new Independent Electoral Commission, in organising training activities for political parties, media and other participants of the electoral process and in reforming the existing electoral complaints and appeals system.

Such activities would be designed and implemented in close linkage with other actors present in Jordan and their ongoing and planned support programmes (notably UNDP, EU, USAID) in order to ensure complementarity of approach and the continued and effective coordination in place.

Proposed action

- Participation of representatives of Jordan in the European Conference of the electoral management bodies (4 – 5 June, Tallinn, Estonia);
- Seminars/round tables with the Independent Electoral Commission, Ministry of the Interior and other relevant stakeholders on international standards in the electoral field (June - September 2012);
- Training of trainers' seminars for the officials of the electoral administration and for the Independent Electoral Commission staff (focussing on the operation of electoral bodies);
- Training workshops on electoral complaints and appeals for the Independent Electoral Commission and the judiciary;
- Training of journalists on fair and balanced coverage of election campaigns.

Furthermore, expert assistance and preparation of opinions in the field of draft legislation/by-laws on the operation of the new electoral administration, political parties, media coverage of election campaigns, complaints and appeals procedures could be provided on specific requests from the authorities.

Expected results

- a sharing of experience and good practice on electoral management bodies takes place;
- awareness on international electoral standards is raised among relevant actors;
- the capacities of members of the Independent Electoral Commission and staff of electoral administration are strengthened;
- the capacities of members of the Independent Electoral Commission and of the judiciary to deal with electoral complaints and appeals are strengthened;

- the capacities of journalists relating to good practice for a fair and balanced coverage of the elections are strengthened.

Partners: future Independent Electoral Commission, Ministry of the Interior, Ministry of Justice, Professional Associations of Journalists.

3. Independence and efficiency of the judiciary

On 1 February, the President of the Court of Cassation and the Judicial Council Mohammad Al Mahameed submitted to His Majesty King Abdullah II the Strategy for the Judiciary 2012-2014, aimed at developing the judicial system and at enhancing its performance, impartiality and independence. Priority will be given to the implementation of the Judicial Council Strategy in force. The draft laws on the judiciary and administrative justice are currently being revised in line with the recently endorsed constitutional amendments.

Proposed action

- The reform of the judiciary could be facilitated by the preparation and presentation of an assessment study on the efficiency of the judiciary based on the tools to measure court performance developed by the European Commission for the Efficiency of Justice (CEPEJ). This could usefully feed into the work undertaken by the EU and other donors on the ground to reinforce and stabilise the strategic framework for justice reform in Jordan.

The CoE would make available the expertise and methodology of the CEPEJ. As a first step, a targeted evaluation could be carried out of the current judicial system, with a view to drawing up a cooperation programme. Such an evaluation would take full account of the findings of the SWOT assessment already completed by the Jordanian authorities in connection with the development of the Judicial Strategy. Indeed, projects or activities with the CoE in the field of the judiciary would complement and reinforce as necessary the above-mentioned Judicial Strategy.

The evaluation would initially focus on pilot Courts to be identified jointly with the Jordanian authorities, and could then be expanded to a larger assessment of the functioning of the judiciary. This assessment would include recommendations and suggestions for their implementation. It would seek to strengthen aspects such as:

- The organisational structure and regulatory framework of the judiciary.
- The services provided by the courts, their needs and their judicial and financial resources.
- Length of proceedings.
- Staff and their productivity.
- Qualitative evaluation criteria.

Jordan could also apply for observer status with the European Commission for the Efficiency of Justice (CEPEJ).

Expected result

- The efficiency of the judiciary is improved through review of the revised legal framework and capacity-building of the Judicial Council based on a needs assessment study and the formulation of recommendations to improve the court performance and targeted follow-up assistance. This expected result is implemented jointly with the CEPEJ.

Partners: Judiciary, Ministry of Justice, Ministry of Political Development, Ministry of the Interior, bar associations, Parliament, Judicial Council, future Constitutional Court, other Ministries.

4. Seminar on CoE Conventions

The Jordanian authorities have expressed interest in considering accession to certain CoE conventions, some of which are mentioned in their EU-Jordan Action Plan currently in force. In this context, the CoE would organise a seminar providing the opportunity to address issues relating to accession to certain key CoE conventions.

Expected results

- The seminar results in an in-depth understanding of the process leading to and of the implications inherent in acceding to certain key CoE conventions;
- Jordan officially requests to be invited to accede to certain CoE conventions.

Partners: primarily the Ministry of Foreign Affairs and the Ministry of Justice, plus other Ministries, depending on the content of the seminar.

III. MID-TERM POSSIBLE ACTION AREAS

1. Freedom of expression/Media freedom

The CoE could support the development of legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape as regards both traditional and new media, in line with European and international standards, through:

- Assistance in the field of regulatory framework for freedom of expression and for media; First issues to be addressed would involve the regulation of new media.
- Support to the implementation of the media-related regulatory framework and self-regulation.
- Capacity building activities targeting journalists. Among the first issues to be addressed are: training for journalists on media coverage of elections (activity to be carried out under the aegis of the Venice Commission); joint training for media and police. Initially the assistance would be channelled through the Jordan Media Institute.

The CoE could also assist in promoting ethical and tolerant journalism and in dealing effectively with violations of the law and of the professional ethics, including hate speech.

2. Promotion of human rights for staff of law enforcement services

Training activities for staff of the above-mentioned services (such as the police or penitentiary services) could be considered, in order to guarantee respect of fundamental rights. These activities, to be concretely defined in consultation with the Jordanian authorities on the occasion of an exploratory mission, could tackle issues such as the promotion of practices respectful of human rights with a view to maintaining public order. The precise definition of the activities would take into consideration on-going cooperation projects as well as bilateral projects that could be developed by CoE member States able to transfer good practices in this field.

3. Social media/Youth

Internet, interactive, networked platforms have transformed the media and communicative environment, which has been regarded as having real emancipatory possibilities. At the same time, those platforms have strengthened the public reach of organised racist and hate groups. In this new communication environment, it is advisable to consider the positive use of information and communication technology for addressing hate speech, promoting a culture of tolerance and understanding, gender equality and democratic sustainability. Young people are the key actors in developing positive use capabilities.

Jordan could join the CoE project “Young people combating hate speech on-line”, aimed to equip young people and youth organisations with the motivation, competences and means necessary to recognise and act against human rights violations on-line.

The project builds on the engagement and commitment of young bloggers and on-line human rights defenders to prepare and mobilise other young people against all forms of racism and hate-speech on-line.

The active participation of young people in decisions and actions is essential to build more democratic and inclusive societies. Participation and active citizenship is about having the right, the means, the space and the opportunity to participate in and influence decisions and engage in actions and activities so as to contribute to building a better society. To that end, the CoE could provide training on human rights education, intercultural dialogue, youth participation and education for democratic citizenship to youth workers, leaders and staff of non-governmental youth organisations, and of students’ organisations.

4. Women empowerment, women’s rights

The CoE could support the Jordanian authorities in promoting women’s rights, notably regarding the promotion of their participation in political life as well as addressing violence against women.

➤ Women participation

Proposed action

- Jordan is represented in North-South Centre’s networking activities to promote women’s participation in public and political life.

➤ **Violence against women**

This project aims at, as a first step, raising awareness about international instruments to prevent and combat violence against women, notably the [Council of Europe Convention](#) (CETS 210) and, at a second stage, providing capacity building to professionals concerned and empowering victims of violence.

Proposed action

- National conference to discuss the issue of violence against women, to take stock of the current situation and share experience and practices, as well as to raise awareness about the Council of Europe Convention on preventing and combating violence against women and domestic violence. Participants could include representatives from governments, parliaments, judiciary and law enforcement, civil society, representatives/experts from some Council of Europe member states.
- Capacity-building activities, notably through training of relevant actors/ professions, study visits (peer-to-peer and sharing good practice) and empowering victims of violence.