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Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Jordan

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A. Draft Resolution

1. In adopting Resolution 1680 (2009) on the establishment of a "partner for democracy" status with the Parliamentary Assembly, the Assembly resolved to establish a new status for institutional co-operation with parliaments of non-member States in neighbouring regions wishing to benefit from the Assembly's experience in democracy building, the rule of law and human rights and to participate in the political debate on common challenges that transcend European boundaries. Rule 62 of the Assembly's Rules of Procedure sets out the conditions and methods for granting this status, including formal political commitments that the parliament concerned must undertake.

2. On 25 July 2013, the Speakers of the two chambers of the Jordanian Parliament addressed an official request for partner for democracy status to the President of the Assembly. After Morocco and Palestine, Jordan is the third parliament of the South Mediterranean to make such a request.

3. The Assembly takes note that, in their letter, the Speakers of the two chambers of the Jordanian Parliament, in line with the requirements set out in Rule 62.2 of the Rules of Procedure, reaffirm that the parliament represented by them shares "the same values as our colleagues members of the Council of Europe: a pluralist and gender parity-based democracy, the rule of law and respect for human rights and fundamental freedoms", and undertook to:

3.1. keep "the electoral process in compliance with international standards for parliamentary elections";

3.2. support "the balanced participation of women and men in public and political life";

3.3. continue with the "endeavours to raise the awareness of public authorities and civil society as regards abolishing the death penalty and the introduction of a moratorium on executions";

3.4. "encourage the competent authorities to become party to the relevant Council of Europe conventions and partial agreements which are open for signature and ratification by non-member States particularly those of them related to [pluralist and gender parity-based democracy, the rule of law, and the respect for human rights and fundamental freedoms]";

3.5. "keep the Assembly regularly informed on the state of progress in implementing the principles of the Council of Europe";

3.6. "make use of the Assembly's experience and the expertise of the European Commission for Democracy through Law (Venice Commission) in [their] institutional and legislative work".

4. The Assembly therefore considers that the Jordanian Parliament's request meets the formal criteria set out in its Rules of Procedure.

5. Furthermore, the Assembly acknowledges that, at the instigation of King Abdullah II, the parliament and its blocs, political organisations and movements, State and public officials, trade unions and civil society in Jordan share the objectives of the partnership for democracy, which aims to strengthen democracy, the rule of law and respect for human rights and fundamental freedoms in the country. Obtaining this status is considered an important incentive for continuing the reforms already begun.

6. The Assembly welcomes Jordan's commitment to give priority to in-depth constitutional, institutional, political and legal reforms, and in particular the changes to 39 articles of the Constitution, the establishment of a Constitutional Court, the proposal for an Elections Act, the Political Parties Act and the draft legislation on decentralisation and municipalities. The partner for democracy status provides an appropriate framework for the continuation of the reform process by the Jordanian Parliament. Jordan's national authorities are encouraged to make full use of the Council of Europe's expertise and draw inspiration from Council of Europe standards in carrying out these reforms.

7. At a time when the peoples of a number of Arab and Mediterranean countries are clearly expressing their desire to enjoy fundamental political and social rights, the Assembly deems it important that the Jordanians want to modernise and stabilise their political institutions so as to continue firmly on the path of democratic transformation; and this despite the instability of the region and at the borders of their country.

8. The war in Syria has led to an unprecedented influx of refugees into Jordan, a small country which is making considerable efforts to accommodate them in decent conditions. The Assembly warmly congratulates Jordan on its efforts and its exemplary hospitality and urges the international community to increase its support to the Jordanian authorities, either directly or through the international organisations operating on the ground.

9. In this context, the Assembly considers that the package of measures undertaken in 2010 and again in 2013-2015, as detailed in the report, are essential for strengthening democracy, the rule of law and respect for human rights and fundamental freedoms in the framework of a constitutional parliamentarian monarchy. It calls on the Parliament of Jordan to:

9.1. continue the process of constitutional reform, in particular by consolidating the separation of powers and strengthening the role of the parliament;

9.2. continue the decentralisation reform with the aim of consolidating local and regional democracy;

9.3. adopt the Elections Act and hold free and fair elections in line with the relevant international standards; enhance public interest in, and awareness of, the democratic and electoral process, as well as ensure a higher level of participation in elections; and strengthen public monitoring of elections by independent observers;

9.4. constitutionally guarantee equality between men and women by revising Article 6.1 of the Constitution, which is

discriminatory: “Jordanians are equal before the law without discrimination between them as regards to their rights and duties even if they differ in race, language or religion”;

9.5. combat all forms of gender discrimination (in law and in practice); abolish all legislation that discriminates against women; fight all forms of gender-based violence; and actively promote equal opportunities for all;

Amendment 5
Tabled by the Committee on Equality and Non-Discrimination

in the draft resolution, paragraph 9.5, after the words "in law and in practice", insert the following words: ", and particularly in family law".

Amendment 6
Tabled by the Committee on Equality and Non-Discrimination

In the draft resolution, paragraph 9.5, delete the words “fight all forms of gender based violence” and insert a separate paragraph after 9.5 as follows: “fight all forms of gender-based violence; undertake research and collection of reliable and comparable data on gender-based violence; ensure adequate funding for prevention measures and assistance and protection services for victims”;

9.6. apply the moratorium on executions that was established in 2006, and go beyond by abolishing the death penalty set out in the Criminal Code;

Amendment 1
Tabled by the Committee on Legal Affairs and Human Rights

In the draft resolution, paragraph 9.6, before the word "apply", insert the word "consistently".

9.7. implement justice reform with a view to ensuring the independence and impartiality of the judiciary and, in particular, revise the 1954 Crime Prevention Act to prevent any misuse of administrative detention;

Amendment 2
Tabled by the Committee on Legal Affairs and Human Rights

In the draft resolution, paragraph 9.7, replace the words "in particular, revise the 1954 Crime Prevention Act to prevent any misuse of administrative detention" with the following words: "take a step towards the abolition of the practice of administrative detention."

9.8. provide better training of judges, prison staff and law-enforcement officials as regards compliance with international human rights standards;

9.9. improve conditions of detention, in line with the United Nations prison-related norms and standards;

Amendment 3
Tabled by the Committee on Legal Affairs and Human Rights

In the draft resolution, at the beginning of paragraph 9.9, insert the following words: "intensify its efforts to reduce the number of persons placed in pre-trial detention, and".

9.10. prevent torture and inhuman or degrading treatment of persons deprived of their liberty; combat impunity for perpetrators of torture and ill-treatment;

Amendment 4
Tabled by the Committee on Legal Affairs and Human Rights

In the draft resolution, at the beginning of paragraph 9.10, insert the following words: "ensure that a clear prohibition of torture is included in the legislation and that torture is considered as a serious crime and punished in accordance with international standards;"

9.11. accede to, and ensure the effective implementation of, the relevant international instruments in the field of human rights; especially fully co-operate with the United Nations special mechanisms and implement the United Nations Universal Periodic Review recommendations;

9.12. ensure full respect for freedom of conscience, religion and belief, including the right to change one's religion;

9.13. guarantee and promote freedom of expression and media independence and plurality;

9.14. guarantee and promote freedom of association and of peaceful assembly in line with international standards;

9.15. fight racism, xenophobia and all forms of discrimination;

9.16. rigorously combat corruption.

10. The Assembly expects Jordan to accede in due course to the relevant Council of Europe conventions and partial agreements, in particular those dealing with human rights, the rule of law and democracy, in accordance with the commitment expressed in the joint letter dated 25 July 2013 from the Speakers of the two chambers of the Parliament.

11. The Assembly encourages the Council of Europe and Jordan to incorporate these priorities into their current discussions on a bilateral co-operation programme.

12. In addition, the Assembly resolves to review, no later than two years from the adoption of this resolution, the state of progress achieved in implementing the political commitments entered into by the Jordanian Parliament, as well as the reforms in the areas mentioned in paragraph 9 above.

13. The Assembly stresses the importance of free and fair elections as a cornerstone of a genuine democracy. It therefore hopes to be invited to observe Jordan's parliamentary elections from the next general elections onwards.

14. Noting that the Parliament of Jordan has reiterated its determination to work to ensure full implementation of the political commitments contained in Rule 62.2 of the Rules of Procedure, and entered into by the Speakers of its two chambers in their joint letter dated 25 July 2013, the Assembly resolves to:

14.1. grant partner for democracy status to the Parliament of Jordan as from the adoption of the present resolution;

14.2. invite the Parliament of Jordan to appoint, from among its democratically elected members, a partner for democracy delegation consisting of three representatives and three substitutes, to be composed in accordance with Rule 62.4 of the Assembly's Rules of Procedure.