Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2469 (2022)[1]

Evaluation of the partnership for democracy in respect of the Parliament of Jordan

Parliamentary Assembly

1. On 26 January 2016, the Parliamentary Assembly, in adopting Resolution 2086 (2016) "Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Jordan", granted the Jordanian Parliament partner for democracy status. After the parliaments of Morocco, Palestine and Kyrgyzstan, the Parliament of Jordan became the fourth parliament to receive this status, introduced by the Assembly in 2009 to develop institutional co-operation with the parliaments of States neighbouring the Council of Europe.

2. When making its official request, the Parliament of Jordan declared that it shared the same values as those upheld by the Council of Europe and undertook substantial political commitments in accordance with Rule 64.2 of the Rules of Procedure of the Assembly. These commitments are set out in paragraph 3 of Resolution 2086 (2016).

3. The Assembly stated in paragraph 9 of the aforementioned resolution that a number of measures undertaken by the authorities were essential for strengthening democracy, the rule of law and respect for human rights and fundamental freedoms. It called on the Parliament of Jordan to continue and to deepen the constitutional, institutional, political and legal reforms in a number of specific areas.

4. On 10 October 2017, the Assembly adopted Resolution 2183 (2017) "Evaluation of the partnership for democracy in respect of the Parliament of Jordan", where it noted that even though reforms were advancing slower than planned, some vital ones had been carried out. Considering that Jordan was moving in the right direction, the Assembly resolved to expand its support as part of a progressive and trusting approach leading to greater democracy and greater rights, while following very closely the implementation of reforms.

5. Five years later, the Assembly welcomes the efforts of the Jordanian Parliament in striving to comply with the political commitments of a partner for democracy despite the internal and external challenges the country is facing. Sitting at the centre of a volatile region, Jordan continues to play a crucial role in regional stability and peace, including by hosting millions of refugees.

6. As the Assembly has already stressed, Jordan is making substantial efforts to accommodate the needs of this population, which constitutes a permanent challenge. The Assembly once more warmly congratulates Jordan on its efforts. It again urges the international community to increase its support for the Jordanian authorities, either directly or through the international organisations operating on the ground.

7. The Assembly recalls that progress in moving reforms forward is the prime aim of the partnership for democracy and constitutes the benchmark for assessing its effectiveness. As regards the political commitments entered into by the Parliament of Jordan upon requesting partner for democracy status, and in the light of Resolution 2183 (2017), the Assembly:

7.1. welcomes the holding of parliamentary elections on 10 November 2020 within their constitutional deadline, despite an adverse pandemic situation. While the low turnout was disappointing and it is regrettable that less than 10% of the elected representatives come from political parties, the others

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 25 November 2022 (see Doc. 15649, report of the Committee on Political Affairs and Democracy, rapporteur: Mr George Loucaides).

being affiliated to tribal or financial forces, the mere fact that, despite the pandemic, the elections were organised and conducted according to schedule and without any major problems proves that the democratic institutions and processes in Jordan have reached a certain level of resilience and maturity;

7.2. welcomes the adoption of the new electoral law and the new law on political parties, which are aimed at encouraging the formation of political parties, rising above tribal allegiances, and at guaranteeing a greater role for young people and women in political life;

7.3. regrets that Article 6.1 of the constitution, which prohibits discrimination, still does not enumerate "gender" or "sex" in the list of grounds for discrimination. However, it welcomes the newly introduced reference to women in the title of the constitution's relevant chapter as well as the new Article 6.6 whereby the State shall guarantee the empowerment of women and undertakes to support them to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity and protects them from all forms of violence and discrimination. All this may be considered as a first step to raising public awareness of gender equality and setting the basis for further changes in the constitution. The Assembly calls on the Jordanian Parliament to take a clear stand against gender-based discrimination and initiate a public debate on the necessary reforms;

7.4. regrets that Article 340 of the Criminal Code, which allows perpetrators to receive lenient sentences for crimes committed in response to adultery, has still not been repealed. It also regrets that perpetrators of crimes "against women" continue to receive mitigated sentences if the victim's family does not support prosecutions of the male family members. It calls on the Jordanian authorities to take resolute action against violence against women in co-operation with civil society and women's organisations;

7.5. welcomes the efforts made to reduce the number of cases of administrative detention and the memorandum submitted by 82 members of the Jordanian Parliament requesting the abolition of administrative detention. It stresses that the purely preventive detention of persons suspected of intending to commit a crime is inconsistent with Council of Europe standards and should be abolished;

7.6. regrets the fact that, while no executions have been carried out since 2017, courts continue to hand down death sentences. It calls on the Jordanian Parliament to intervene to introduce a *de jure* moratorium on executions pending the abolition of the death penalty, in line with the expectations indicated by the Assembly upon granting partner for democracy status. It also calls on the Jordanian Parliament to take the lead in explaining to the public the importance of abolishing the death penalty;

7.7. welcomes the adoption of a new law for children's rights which codifies a host of protection measures for children as well as the repeal of the requirement for mothers to have lived for five years in Jordan for their children born to non-Jordanian fathers to qualify for a number of benefits, including health and education.

8. The Assembly calls on the Jordanian Parliament to speed up the implementation of its general commitment to promote the core values of the rule of law and respect for human rights and fundamental freedoms, in particular by guaranteeing and promoting freedom of expression, media independence and plurality, and freedom of association and peaceful assembly in line with international standards. In this context, it invites the Parliament of Jordan to co-operate more closely with civil society.

9. The Assembly welcomes the ratification by Jordan of the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127). It invites the Jordanian authorities to consider the advisability of signing and ratifying other Council of Europe conventions or partial agreements, in particular the Convention on Action against Trafficking in Human Beings (CETS No. 197), the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201) and the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210).

10. When granting partner for democracy status to the Jordanian Parliament, the Assembly wished to foster closer relations and co-operation between Jordan and the Council of Europe. The Assembly recalls that the expertise of Council of Europe bodies (the Parliamentary Assembly, the European Commission for Democracy through Law (Venice Commission) and the Congress of Local and Regional Authorities of the Council of Europe) is at the disposal of the Jordanian authorities to help with strengthening human rights, the rule of law and democracy in Jordan.

11. The Assembly considers that the implementation of the political commitments entered into by the Parliament of Jordan should be the collective responsibility of its two chambers and shared between them. Consequently, as from the adoption of this Resolution, the Assembly invites the Parliament of Jordan to

appoint, from both the house of representatives and the senate, a partner for democracy delegation consisting of three representatives and three substitutes, to be composed in accordance with Rule 64.4 of the Assembly's Rules of Procedure.

12. The Assembly resolves to continue to review the implementation of political reforms in Jordan and to offer its assistance to the Jordanian Parliament, and to make a new assessment of the partnership when appropriate.