

Annexe

ACTION FICHE FOR JORDAN

1. IDENTIFICATION

Title	Support to Justice Reform and Good Governance in Jordan		
Total cost	EC Contribution: EUR 7 million Indicative UNODC contribution : EUR 125 000		
Aid method / Management mode	Project approach - Decentralised management		
DAC-code	15130	Sector	Legal and Judicial Development

2. RATIONALE

2.1. Sector context

The Jordanian Government has prioritised efforts to reform the judiciary, enhance the respect for human rights and pursue good governance reforms. A certain number of steps have been undertaken to improve the situation in this area, namely the adoption and implementation of a judiciary strategy (JUST), the recent establishment of an Anti-Corruption Commission, and the adoption of the 'Amman message' to counter radicalisation. It should also be noted that the Government is planning to bring the penitentiary system under the authority of the Ministry of Justice. Despite some steps forward, the Jordanian authorities still need support on the policy, technical and organisational levels to perform their respective roles in an efficient and effective manner. The criminal justice legal and regulatory framework needs to be upgraded in line with international standards. The juvenile justice and child protection system needs to be strengthened to enhance the respect for children's rights. There is also the need to increase public awareness of the content and values of the 'Amman message', with the aim of thus reducing the level of religious extremism. It should also be considered that the input of civil society to the public decision-making processes is inconsistent and that the participation of women in government should be encouraged. This project aims at supporting the Government of Jordan to address these challenges.

2.2. Lessons learnt

This project was formulated based on the assessment of the problem and the stakeholder analysis and it takes into consideration lessons learnt from ongoing and past projects. Given the purely “public sector” nature of this project, it is desirable to entrust the implementation of its components to EU Member States' public institutions (through grants awarded through a restricted call for proposals and twinning) and to UN Agencies with a clear mandate in the sector (through a direct grant awarded under joint management). Lessons learnt from the ongoing 'Institutional Strengthening of the Ministry of Justice of the Hashemite Kingdom of Jordan' Project confirms that a service contract with a private consulting company is not the best implementation method to

support justice reform. Another lesson learnt from the evaluation of Twinning Projects and Calls for Proposals in the Justice and Home Affairs (JHA) area funded under the MEDA, PHARE, CARDS Programmes is that EU Member States' public institutions can bring significant added value to the implementation of public sector reform projects. The assessment of the ongoing EC project 'Short-Term Technical Assistance for the Anti-Corruption Commission' shows that there is full political support from the Government of Jordan to implement the anti-corruption strategy and action plan, and that the Anti-Corruption Commission would welcome the possibility to receive support from an EU Member State (MS) public institution (through a twinning project) to implement the strategy and action plan.

2.3. Complementary actions

This project is complementary and builds on the results of the following EC-funded projects:

- 'Institutional Strengthening of the Ministry of Justice of Jordan' (Budget: EUR 1,1 million) – end date: June 2008;
- 'EuroMed Justice I and II' (regional programmes);
- 'Human Rights and Good Governance' Project (budget EUR 5 million) - status ongoing
- 'Short-Term Technical Assistance for the Anti-Corruption Commission' (Budget: EUR 0,15 million) – end date: April 2008;
- TAIEX 'Workshop on Anti-Corruption' – held in October 2007;
- TAIEX 'Workshop on Money Laundering and Organised Crimes' – held in November 2006.

The project will build on the results, and bring forward the achievements of the:

- UNODC Project 'Strengthening the juvenile justice system - Phase I'
- UNDP/POGAR Regional Programme

The project is complementary with the ongoing USAID funded projects:

- 'Rule of Law Programme (MASAQ)' which is supporting the automatisisation of 80% of courts in Jordan, the establishment of a modern case management system, and the Judicial Institute of Jordan in the training of judges, clerks and legal professionals – status ongoing.
- ABA-CELI Project which is supporting the Law Faculty of the University of Jordan to prepare and deliver training courses on mediation and ethics matters.

2.4. Donor coordination

Donor coordination in Jordan involves regular meetings among the main donors and results in effective information sharing. A comprehensive matrix of donor-funded

projects has been prepared by the EC Delegation to Jordan. The main donors in the justice sector are the EC and USAID.

3. DESCRIPTION

3.1. Objectives

The Overall Objective is to support justice reform and good governance in Jordan. The Specific Objectives are:

Component 1.1. To support the Ministry of Justice to effectively steer and implement the criminal justice reform process in line with international standards.

Component 1.2. To strengthen the juvenile justice system in line with international standards.

Component 2: To support the Anti-Corruption Commission (ACC) to effectively implement the anti-corruption strategy and action plan in line with international standards.

Component 3: To support the promotion of the 'Amman Message' (fight against radicalisation).

3.2. Expected results and main activities

Expected Results (Component 1.1):

- Criminal justice reforms adopted and implemented in line with international standards.
- Improved criminal legal and regulatory framework in line with international standards.
- Increased respect for human rights.
- Increased efficiency, effectiveness, transparency and accountability of the judiciary.
- Enhanced institutional and administrative capacity of the Ministry of Justice.

Activities (Component 1.1):

- Provide policy support to the Ministry of Justice, including the preparation and follow-up of the EU-Jordan Sub-Committee meetings on Justice and Security.
- Support the Ministry of Justice to assess and implement the measures needed to accomplish criminal justice reforms (including the upgrading of the criminal justice legal/regulatory framework, transferring authority over the penitentiary system from the Ministry of the Interior to the Ministry of Justice, strengthening the current legal aid system, establishing a witness protection system, developing a specialised system for prosecutors, strengthening international cooperation in the area of transnational organised crime, money laundering and counter-terrorism).

- Support to revise the national criminal legal and regulatory framework in line with international standards.
- Prepare and deliver a project of institution and capacity building activities for the Ministry of Justice and other stakeholders to enhance the efficiency, effectiveness, transparency and accountability of the judiciary.
- Prepare technical specifications, procure and install the necessary equipment.

Expected Results (Component 1.2):

- Strengthened juvenile justice and child protection system.
- Strengthened prevention and protection initiatives for vulnerable children.
- Increased respect for children's rights.
- Enhanced institutional and administrative capacity of the judiciary to deal with children in conflict with the law.

Activities (Component 1.2):

- Based on a needs assessment, develop and deliver a project of institution and capacity building to enhance the capacity of the judiciary to deal with children in conflict with the law.
- Support the development of a data base on juvenile cases.
- Support the establishment of a legal aid system for juveniles through a referral mechanism with selected partners, in particular the Ministry of Justice and the Jordanian Bar Association.
- Prepare and carry out an awareness-raising campaign and advocacy on children's rights.
- Assess, procure, and install audiovisual equipment for the Juvenile Court in Irbid and provide the necessary training to ensure the respect of international standards and the protection of privacy.

Expected Results (Component 2):

- Reduced level of corruption and increased public trust in the institutions.
- Anti-corruption coordination, prevention, investigation and monitoring systems established and fully operational.
- Regulatory framework on anti-corruption prepared and adopted.
- Increased public awareness on ethical principles and anti-corruption matters.
- Strengthened institutional and administrative capacity of the ACC.

Activities (Component 2):

- Support to establish/strengthen an effective system for coordinating the anti-corruption efforts of the Jordanian Government.
- Prepare and deliver a project of institution and capacity building activities for the ACC (including training, workshops, seminars, study tours, secondments to EU Member States).
- Support to develop and adopt the regulatory framework for the functioning of the ACC, including by-laws, the ACC investigative activities, the coordination of the national strategy and action plan implementation, and the preventive and educational/public awareness-raising programme.
- Support to establish/strengthen a system of corruption prevention in all structures of the Jordanian administration.
- Support the ACC in its efforts to investigate corruption.
- Support to establish a system to monitor the implementation of the national strategy and action plan.
- Prepare and carry out an education and public awareness-raising campaign.

Expected Results (Component 3):

- Reduced level of religious extremism in the country, region and globally (including the EU).
- Increased awareness on the content and values of the 'Amman message'.
- Fostered respect for human rights.

Activities (Component 3):

- Support to establish/strengthen an effective coordination mechanism among the key stakeholders responsible for the promotion of the 'Amman message'.
- Support to prepare an action plan for the implementation of the 'Amman message' in a systematic manner.
- Prepare and implement an education campaign (including the preparation of training material, curricula for teachers/educators/service providers/sheiks/imams, training courses, workshops).
- Prepare and implement a public awareness-raising and communication campaign (including the preparation of a strategy, action plan, questionnaires, publications, radio/TV programmes, school and youth centre competitions).
- Organise workshops (both at the local and regional levels) and study visits to allow religious leaders from Jordan to interact with religious leaders in the region and Europe to support the dissemination of the 'Amman message'.

3.3. Stakeholders

A stakeholder analysis was undertaken during the identification and formulation phases. The analysis of the institutional framework and the organisational and implementation capacity was assessed thoroughly. Target groups and stakeholders are as follows:

Component 1.1: The Ministry of Justice is the main counterpart. Other stakeholders are the Ministry of the Interior, the Public Security Directorate, the Legal Affairs Bureau of the Prime Minister Office, the Judicial Council, the Attorney General, Parliament, the Judicial Institute of Jordan, the National Centre for Human Rights, and civil society organisations (CSOs) concerned with legal and judicial affairs (Universities, the Jordanian Bar Association, NGOs).

Component 1.2: The main counterpart is the Family Affairs Directorate of the Ministry of Justice. Other stakeholders are the Ministry of Social Development, Juvenile Courts, the Judicial Institute of Jordan, the Judicial Council, the National Centre for Human Rights, the Jordanian BAR Association, the Ministry of the Interior, the Public Security Directorate, the Ministry of Education, the Police, Parliament, national and international CSOs/NGOs dealing with juvenile justice/child protection matters.

Component 2: The main counterpart is the Anti-Corruption Commission. Other stakeholders are: the Council of Ministers, the Ministry of Public Sector Reform, the Ministry of Economy, the Ministry of Finance, the Ministry of the Interior, the Public Security Directorate, Police Academy/School, the Jordan Institute of Public Administration, the Jordanian Information Office, Universities, NGOs, and the Media.

Component 3: The Ministry of Awqaf and Religious Affairs is the main project counterpart. Other stakeholders are the Higher Council for Youth, the Ministry of Education, the Ministry of Culture, the Regional Centre on Conflict Prevention of the Jordan Institute of Diplomacy, King Abdullah Centre, CSOs, NGOs, and the Media.

3.4. Risks and assumptions

In order to mitigate risks, the implementing partners/contractors will have to closely monitor the following assumptions and propose the necessary corrective actions in the case that these assumptions are found to be incorrect.

- Peace and stability in the country/region.
- Full political support from the Government of Jordan.
- The Government of Jordan implements without significant delays the National Agenda, the EU-Jordan ENP Action Plan, the 'JUST' strategy and the Anti-Corruption strategy.
- The Government of Jordan provides sufficient human, material and financial resources under the National Budget for the implementation of the aforementioned strategies/action plans.
- Parliament adopts the revised legislation on criminal justice.

- EU MS express interest in the proposed projects and second qualified experts.
- Good coordination among the main stakeholders.
- Beneficiary institutions provide the necessary human, material and financial support to the project.
- Trained staff remain in service.

Preconditions

The MoPIC and MoJ assist the participating EU MS national institution in dealing with the other Jordanian authorities responsible for issuing visas, giving customs clearance and border transportation of imported equipment.

3.5. Crosscutting Issues

The project fosters the EC cross-cutting issues, and in particular, good governance, human rights and gender equality. Judicial reform will contribute to a more efficient, transparent, accountable and independent judiciary, and will foster the respect for human rights - specifically children's rights. The project will contribute to effective governance by supporting the implementation of the anti-corruption strategy. The project will ensure equal opportunities for men and women, during the implementation of its activities. Gender and environmental matters will be mainstreamed within the framework of the legal/judicial reform and institution/capacity building activities. The project will also ensure CSO//NGO involvement in project activities, thus strengthening the dialogue between Government and civil society.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

It is recommended to entrust the implementation of Components 1.1, 2 and 3 to the Ministry of Planning and International Cooperation (MoPIC) through the 'decentralised management' implementation method. This choice is justified by the fact that MoPIC has been successfully implementing programmes and projects under decentralised management (and this was confirmed by a recent Mid-Term Review of a large EC-funded programme managed by MoPIC). Twinning activities will be managed in line with the Twinning procedures laid down in the 2007 Common Twinning Manual. Component 1.2 will be implemented through a grant to UNODC under 'joint management with an international organisation' modalities. The service contract(s) for audit and evaluation will be subject to the 'centralised management' implementation method (contract to be signed by the European Commission).

The Financing Agreement will be signed by the European Commission and the Ministry of Planning and International Cooperation.

The Authorising Officer considers that the conditions of Article 56.2 of the Financial Regulations have been met for decentralised management by the Government of Jordan, following evaluations of these conditions in 2004 and 2007. The Commission controls ex

ante the contracting procedures for procurement contracts >50.000 EUR , all grants contracts and ex post for procurement contracts ≤50.000 EUR

Through the programme estimates, payments are decentralised for operating costs and contracts up to the following ceilings:

The Authorising Officer ensures that, by using the model of financing agreement for decentralized management, the segregation of duties between the authorising officer and the accounting officer of the decentralized entity will be effective, so the decentralization of the payments can be carried out within the limits specified below.

Works	Supplies	Services	Grants
< 300.000 EUR	< 150.000 EUR	< 200.000 EUR	• 100.000 EUR

4.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions. The maximum possible rate of co-financing for grants is 80%. Full financing may only be applied in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulation where financing in full is essential to carry out the action in question.

All contracts implementing the action under Component 1.2 must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the International Organisation concerned.

4.3. Budget and calendar

The indicative breakdown of the budget by main components including evaluation and audit is:

Project Components	Implementation modality	Indicative start date and duration	EC Budget in EUR
Component 1.1 (Criminal Justice Reform)	Grant to a EU MS ⁵ (decentralised) Supply contract (decentralised)	3 rd quarter 2009 36 months	3 600 000 300 000
Component 1.2 (Juvenile Justice)	Grant to UNODC ⁶ (joint management)	1 st quarter 2009 24 months	500 000

⁵ Grant to be awarded through a restricted Call for Proposals to relevant institutions of EU Member State.

⁶ The indicative contribution from UNODC for component 1.2 is EUR 125 000.

Component 2 (Anti-Corruption)	Twining Agreement (decentralised)	3 rd quarter 2009 24 months	1 500 000
Component 3 (Fight Against Radicalisation)	Service contract (decentralised)	3 rd quarter 2009 24 months	800 000
Audit and Evaluation (for the 3 components)	Service contract(s) (centralised)	2010-2011	300 000
Total EC Budget in EUR			7 000 000

The indicative operational duration of the whole programme is 42 months.

4.4. Performance monitoring

The project will be subject to both internal and external result oriented monitoring. The internal monitoring functions will be carried out by the EC Delegation to Jordan and the UNODC country office in Jordan. The external monitoring will be undertaken by external monitors contracted by the EuropeAid Cooperation Office.

4.5. Evaluation and audit

The project will be subject to external evaluation and auditing missions to be contracted to external consultants.

4.6. Communication and visibility

The EC Delegation will monitor that the EU visibility guidelines are respected by the implementing authorities, ensuring thus adequate perception of EU efforts among the key stakeholders and beneficiaries. The EC participation in the steering and monitoring of the project, and the implementation of Components 1.1 and 2 by EU MS will also contribute to ensuring adequate EU visibility.