



EN

THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX II

of the Commission Implementing Decision on the financing of the individual measure in favour of the Hashemite Kingdom of Jordan for 2021

Action Document for Support to Rule of Law and justice for all in Jordan

ANNUAL MEASURE

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and action plan/measure in the sense of Article 23(3) of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1. Action Summary Table

1. Title CRIS/OPSYS Basic Act	Support to Rule of Law and justice for all in Jordan Annual measure in favour of the Hashemite Kingdom of Jordan for the year 2021 CRIS number : NDICI-GEO-NEAR/2021/43397 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
2. Team Europe Initiative	No
3. Zone benefiting from the action	The action shall be carried out in Jordan, throughout all regions.
4. Programming document	N.A.
5. Link with relevant MIP(s) objectives/expected results	N.A.
PRIORITY AREAS AND SECTOR INFORMATION	
6. Priority Area(s), sectors	Rule of Law, access to justice, human rights, gender equality (DAC 150, Government and civil society)
7. Sustainable Development Goals (SDGs)	Main SDG: 16, Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels Other significant SDGs: SDG 5: Achieve gender equality and empower all women and girls; SDG 10: reduce inequalities within and among countries.

8 a) DAC code(s)	15130, Legal and judicial development, 80% 15210, Security system management and reform, 20%			
8 b) Main Delivery Channel	Central Government - 11001			
9. Targets	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development ¹ <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Human Rights, Democracy and Governance			
10. Markers (from DAC form)	General policy objective	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	11. Internal markers	Policy objectives	Not targeted	Significant objective
Digitalisation Tags: digital connectivity digital governance digital entrepreneurship		<input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

¹ For the Neighbourhood, activities related to education shall be marked as part of the "Social Inclusion and Human Development" target, in line with the NDICI-GE programming guidelines.

job creation		<input type="checkbox"/>	<input type="checkbox"/>
digital skills/literacy		<input checked="" type="checkbox"/>	<input type="checkbox"/>
digital services		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Connectivity</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tags: transport		<input type="checkbox"/>	<input type="checkbox"/>
people2people		<input type="checkbox"/>	<input type="checkbox"/>
energy		<input type="checkbox"/>	<input type="checkbox"/>
digital connectivity		<input type="checkbox"/>	<input type="checkbox"/>
Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reduction of Inequalities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BUDGET INFORMATION

12. Amounts concerned	<p>Budget line(s) (article, item): 14.020110 Southern Neighbourhood</p> <p>Total estimated cost: EUR 30 000 000</p> <p>Total amount of EU budget contribution EUR 30 000 000, of which EUR 26 500 000 for budget support and EUR 3 500 000 for complementary support.</p>
------------------------------	---

MANAGEMENT AND IMPLEMENTATION

13. Implementation modalities (type of financing and management mode)	<p>Budget Support</p> <p>Direct management through:</p> <ul style="list-style-type: none"> - Budget Support: Sector Reform Performance Contract - Procurements
--	--

1.2. Summary of the Action

The Government of Jordan has embarked upon large-scale Rule of Law (RoL) reforms, in order to enhance the efficiency and effectiveness of justice services and judicial procedures, namely by increasing the independence of the Judiciary and operating an extensive digitalisation and automation of justice systems to improve workflow management and the exchange of information between justice sector institutions. Reforms introduced from 2017 have increased the implementation of free legal aid services and alternative sanctions. However, RoL reforms need further support to improve the management and quality of justice services delivered to citizens, to strengthen guarantees for fair trial in criminal procedures and encourage the use of alternative measures to detention.

The action builds upon the support provided by the EU to the Rule of Law (RoL) reform agenda over the last decade. It seeks to maintain and support efforts already undertaken and progress achieved by the justice and law enforcement institutions to deliver effective, efficient, and accountable justice services and judicial procedures. It fully aligns with the multiannual indicative programming under its priority 1, Good governance (SDG 5, 10, 16) and in its objective to improve the right to a fair trial and access to justice for all, in particular for persons in vulnerable situations.

The **overall objective** of the action is to consolidate the Rule of Law and access to justice for all in Jordan. It aims to balance the supply and demand sides of the Rule of Law reforms, by further enhancing the

performance, quality, accountability and transparency of justice services and criminal proceedings, in compliance with international law standards and by integrating gender responsive and rights-based approaches.

The **Specific Objective** (Outcome) of this action is to contribute to enhancing the performance, quality, accountability and transparency of justice system, in line with international legal standards, gender responsive and rights-based approaches.

The expected **outputs** are as follow:

1. Management, administrative and technical capacities of justice sectors institutions and judicial procedures are further developed, modernised, implemented and monitored, with a gender responsive approach.
2. Qualifications and skills of judges, prosecutors and investigators are strengthened, among others, on specialised crimes.
3. Revisions and amendments to the criminal law and procedure framework are discussed and drafted to increase fair trial guarantees and legal safeguards especially at the pre-trial stage and during detention , in line with international human rights obligations.
4. Correctional and rehabilitation services are further developed to ensure standardised levels of service delivery in line with international best practices and with a gender responsive approach.
5. Anti-narcotic investigations, treatment and rehabilitation mechanisms concerning drug addict offenders (including juveniles) are improved in line with human rights' international standards and best practices.
6. Alternative sanctions and alternative measures to pre-trial detention are further promoted and developed (including for drug addict juveniles) by criminal justice institutions in line with international law standards and best practices.
7. Inter-communication and coordination among RoL sector institutions, dissemination of legal information and awareness on Rule of Law sector reforms and legal rights of the most vulnerable groups are increased.

This programme is relevant for the United Nations 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG Goal 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions all levels".

2. RATIONALE

2.1. Context

Following the constitutional amendments of 2016, Jordan has pursued its governance transformation and socio-economic reform agenda, with a commitment to Agenda 2030 and Sustainable Development Goals. In the last decade the country undertook **major reform initiatives** in the Rule of Law sector. A significant legislative production and revision process resulted in the **strengthening of the independence** of the Judiciary, **improved litigation procedures** and enhanced fair trial guarantees. Justice and law enforcement institutions embarked on an ambitious modernisation and digitalisation process, introducing innovative technology and automation systems for exchange and transmission of judicial data and cases, establishment of remote trials and e-justice services to improve public access to information and efficiency of service delivery.

Despite these achievements, the country still faces **challenges in fulfilling its human rights obligations in justice and rule of law**. Jordan ranks 50 (out of 128) on the World Justice Project Rule of Law index 2020,

and whilst performing best in criminal justice, civil justice and regulatory enforcement (average rank of 34), declining scores are observed on fundamental rights and open government (ranks 88 and 91). Jordan ranks low in the global Gender Gap, positioned 138 (out of 153)², with the lowest score on economic participation and opportunity (145).

The **consequences of the COVID-19 sanitary crisis** along with the lockdowns, curfews, trade disruptions and suspension of international travel had a sizable impact on Jordanian's economy and employment market. Jordan's unemployment rate continued to rise, reaching 23% in the second quarter of 2020 from 19.2% in 2019. The Gender Development Index for 2019 reports an important difference of resources between men and women, the GNI per capita is \$3,324 for females, and \$16,234 for males. Despite the low level of female participation in the labour market (14.4 percent compared to 63.7 for men), the **level of debt for women** has been particularly alarming during the last two years and the sanitary restrictions imposed during the pandemic worsened their situation, in particular for single mothers and female headed families, who lost income, mobility and access to legal support³. In 2019, the Minister of Social Development (MoSD) stated that around 50,000 women were wanted for charges of financial fraud. Many women in Jordan continue to be **trapped in debt** and some of these women end up in prison.⁴

The country keeps facing internal political challenges due to recurrent changes of government, cabinet reshuffles, a controversial electoral law and a fragile parliamentary system, which resulted in a turnout of only 29% during parliamentary elections held in November 2020. In the midst of the regional turmoil and continuous instability at its borders, Jordan remains relatively stable and secure in comparison to its neighbours⁵. Social strikes and protests driven by poverty and inequalities have however toughened the response of the security apparatus, whose powers increased with the reactivation of the National Defence Law no. 13 of 1992 since 18 March 2020. The issuance of the **defence orders lead to a backslide on human rights and gender equality**, restricting the rights of expression and assembly and the rights of the defence in a trial.

Fundamental values

Jordan is party to nine international human rights conventions. While a **party to the Committee Against Torture (CAT)**, the country has not ratified the Optional Protocol to the Convention (regarding a national preventive mechanism, confidential inquiries and individual complaint procedures) and the Jordanian Penal Code falls short of CAT standards – including in criminalising torture merely as a misdemeanour (Art. 208). Similarly, while a **party to the International Covenant on Civil and Political Rights (ICCPR)**, it has not ratified the First and Second Optional Protocols (individual complaint procedure and abolition of the death penalty). Jordan holds **reservations on Committee on the Elimination of Discrimination Against Women (CEDAW)** provisions (concerning equal rights with regard to nationality of children, equal rights and responsibilities in marriage, equality of rights and responsibilities of parents after marriage dissolution, equal personal rights, including the right to choose a profession and occupation) that, together with the Personal Status Law (which upholds male guardianship), seriously impact the status of and sustain discrimination against women in the country. Jordan also holds reservations on the Convention of the Rights of the Child (including the right to choose religion) and permits exceptions to child marriage (authorised by Sharia judges for children over 15 years and three months old). Jordan accepted 149 recommendations out of 226 made by the UN's Human Rights Council at the Third Universal Periodic Review (UPR) held in November 2018. Main concerns raised by the the National Centre of Human rights (NHCR) and NGOs related to **gender equality**,

² World Economic Forum's Gender Gap Index 2020

³ Sources: Center for Strategic Studies survey April 2020 <http://jcss.org/ShowAllNews.aspx?catid=11>; reports published by the NGOs Tamkeen (<https://tamkeen-jo.org/covid-19>) and AARD on the Impact of the COVID-19 Pandemic on Women's Access to Justice in Jordan (<https://www.ardd-jo.org/Publications/the-impact-of-the-covid-19-pandemic-on-womens-access>)

⁴ ARDD (October 2020 and March 2021). Policy briefs – Women's advocacy issues Volume 1 and 2, on the indebtedness of women in Jordan during COVID-19 pandemic and challenges women face with debt and loans. Human Rights Watch (2021). Debt imprisonment in Jordan.

⁵ DCAF – Security and Justice Sector Governance in the Middle East. October 2019

women's empowerment, the treatment of detainees and inmates at police stations and prisons (including alleged use of torture), infringement of civil and political rights, namely **restrictions of the freedom of expression** and the right to peaceful assembly. The Laws governing NGOs, Cybercrime Law, Antiterrorism Law, Press and Publications Law are still not compliant with Jordan's international obligations. **Fundamental freedoms (expression, association and assembly) have deteriorated** in the context of COVID-19 restrictions (even if the scope of the state of emergency relates only to the pandemic). The dissolution of the Jordanian Teachers' Association in July 2020 by the Attorney General's Office (rather than suspension and dissolution by court order, which only took place in December) pointed to a general regression in the Rule of Law and highlights interference in the administration of justice. Provincial governors continue to make use of the 1954 Crime Prevention law, which allows them to place individuals in administrative detention without warrants or judicial review, denying them legal safeguards (information on the reason for their arrest, access to a lawyer and to a doctor, being brought before a judge without delay). While in direct contravention to the Criminal Procedure Law, this practice is used to detain individuals in the special court system, including on allegations of violating the counterterrorism or cybercrimes laws, and is extensively used to detain women for reasons relating to "honour crimes", allegedly for their protection. A related problem is the lack of documentation of cases and protection of those detained. As far as women's detention is concerned, the Ministry of Social Development (MoSD) established a shelter in July 2018 to provide an alternative to the administrative detention of women at risk, in "protective custody", and other shelters are run by the Jordanian National Council for Women are in place, but underused. According to the Family Protection Department of the PSD, gender-based violence offences have steadily increased, with 71,000 domestic and sexual violence cases reported in April 2020.

Complementarity with EU and other Donors

The proposed action is complementary to the planned interventions supported by the EU in the rule of law and governance sectors. It fully complements and creates synergies with a parallel action focussing more directly on enhancing access to justice for refugees and host communities. It will strengthen the integrity and accountability programme improving the performance of public administrations and their responsiveness to citizens' needs at both central and local levels. The action will also run in parallel with other programmes supporting the capacities of security and law enforcement agencies, including assistance to the PSD /Community Peace Center on Preventing Violent Extremism (PVE) issues; the Family Protection Department (FPD) and the WPD on GBV issues in the refugee camps and communities in the North and Mafraq regions; two integrated border management projects in the North-Eastern parts of Jordan as well as the Jordanian National Action Plan (JONAP) for the implementation of UN Security Council Resolution 1325 on Women, Peace and Security (2018-2021).

Key development partners active in the RoL sector include EU member states, the USA, the UK, Norway, Japan as well as United Nations agencies. **USAID** is, along with EU, the other main donor in the RoL sector. USAID supported actions to enhance the independence of the Judiciary, the effectiveness and efficiency of the judicial system and processes through its RoL programme since 2008. The current programme ended in May 2021 and a follow up "Public accountability and strengthening Justice Project" of USD 40 million is planned to start at the end of 2021. It will focus on strengthening accountability, efficiency and transparency of public sector reforms, with a lesser focus on judicial independence and protection of human rights. USAID also plans to support the operational work of the PSD/ FPD and WPD on GBV issues, with the set up of gender friendly places, shelters, and better referral mechanisms for victims of violence. The **German** Federal Foreign Office have been implementing RoL programmes, through IRZ and the Max Plank Foundation supporting the courts, the MoJ and the Judicial Institute of Jordan (JIJ), on criminal law issues, constitutional law, international law standards, legislative drafting, etc. More recently, Germany started to partner with international and local NGOs to promote the RoL culture and human rights at the grass root level with universities, schools and youth. **Denmark** is financing a Governance regional programme covering four countries: Jordan, Morocco, Tunisia and Egypt, focusing on human rights, gender, and freedom of media. Their Human Rights portfolio is managed under the **Dignity Project**, which works with justice sector

institutions, the NCHR, CSOs and the Bar to reduce pre-trial detention, prevent the use of torture and ill-treatment in places of detention and provide legal assistance and rehabilitation services to victims of mistreatment and torture. The **France** is supporting the justice sector through their bilateral cooperation involving French High Courts and the National School for Magistrates. At the regional level, **France** envisages to develop a programme supporting the legal clinics of universities (Jordan, Iraq, Lebanon and Palestine) and more operational programs on anti-corruption and CT issues. The **French development agency (AFD)** is financing the GoJ through a sector policy loan (EUR 40 million) to support the implementation of the civil and commercial pillar the MoJ's strategy. The **Spanish cooperation (AECID)** supports the RoL programme components on access to justice and legal empowerment of citizens, and co-funds the EU programme with a set of grants of EUR 990,781, allocated to the MoJ, the National Human Rights Center (to enhance the skills of the Jordanian Bar), some CSOs and Universities). The **Dutch embassy** is currently financing JCLA and UNODC to conduct a mapping exercise of the juvenile Justice chain to identify niche areas for future intervention. They also support a large human rights and gender projects implemented by CSOs through the Shiraka fund.

EU added value

This action is aligned with the core values of Rule of Law, democracy and human rights, which are anchored in the EU legal and policy framework, and its development agenda. These were most recently reiterated in the *Global strategy for EU's foreign policy and security* and the *New European Consensus on Development*, which constitute the comprehensive framework aligning the EU external action to the 2030 Agenda and the fulfilment of Sustainable Development Goals (SDGs). These policies underlay the link between the principles set out in article 21 (3) of the Treaty of European Union (TEU), the rights-based approach, gender equality, political dialogue and participation of civil society in all development cooperation. The proposed intervention also contributes to achieve the EU priorities defined in the *Neighbourhood, Development and International Cooperation Instrument (NDICI)*, and will integrate some of the Commission's overarching priorities, in particular the consolidation of the Rule of Law, respect for human rights and human dignity, the digital transformation, the green transition and the development effectiveness principles.

The action additionally reflects the objectives laid out in the *EU Action Plan on Human Rights and Democracy (2020-2024)*⁶, in particular the protection and the empowerment of right holders, the reinforcement of accountability mechanisms, the increased respect of human rights in the administration of justice and the deeper engagement with civil society. The action will also take into account the *EU Gender Equality Strategy (2020-2025)*⁷ and the *Gender Action Plan (GAP) III (2021-2025)*⁸, to mainstream the gender perspective throughout the action project cycle, with a focus on some thematic engagements, namely on strengthening economic and social rights and empowering girls and women, and advancing equal participation and leadership. The EU - Jordan bilateral relations have been conducted under the EU-Jordan Association Agreement and the EU-Jordan partnership priorities. The support to the Rule of Law (RoL) has been emphasized as a priority area of the EU-Jordan bilateral cooperation, namely under the last Support Single Framework 2014-2020, which focused on strengthening the rule of law for enhanced accountability and equity in public delivery and the Partnership Priorities.

The action further aligns with the renewed EU partnership with the Southern Mediterranean partner countries as provided for under the Joint Communication of 9 February 2021⁹. The new agenda draws on the full EU toolbox and proposes to join forces in fighting climate change and speeding up the twin green and digital transformation and to renew our commitment to shared values. A dedicated Economic and Investment Plan¹⁰

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020JC0005>

⁷ COM(2020) 152

⁸ JOIN(2020) 17

⁹ JOIN(2021) 2

¹⁰ SWD(2021)23

accompanies the Joint Communication to spur long-term socio-economic recovery in the Southern Neighbourhood in the aftermath of the COVID-19 pandemic.

2.2. Problem Analysis

Priority Area and sector 1:

Performance, quality, accountability and transparency of justice service delivery

Despite the progress achieved on the independence of the Judiciary and efficiency of justice service delivery through automation of IT infrastructure improving transmission of criminal cases between agencies, all justice sector institutions need to consolidate their administrative workflow and management of judicial procedures. Beneficiary institutions have improved their planning, implementation and monitoring processes of their respective strategies, but struggle to cope with legislative and technologic progresses. Shortcomings include skills and capacities of their human resources in data analysis, management and reporting, namely on financial and budgetary aspects (costing of strategies, budget and investment planning, monitoring, execution, and regulatory impact assessment). The sector has significant capacity building needs to overcome the lack of ICT skills and bridge a mind-set gap. In parallel there is a strong need for further investments in interconnectivity, automation and digital systems to speed up the entire criminal justice chain, improve the quality of the litigation process, and the delivery of e-services and management processes. The priorities for interconnectivity between agencies and the support of new IT systems will build on and complete the achievements of the ongoing RoL programme, to support optimal coordination and data exchange among criminal agencies. The needs will be assessed and costed prior to the provision of new infrastructure and equipment, in connection with the recent upgrade of the courts' case management system (MIZAN III), and in order for justice services to be more accessible and delivered in compliance with international standards. Training is also required on all aspects of investigation and litigation procedures, in particular, for prosecutors to enhance their investigative skills, analysis and prosecution skills in specialised crimes (drug offences, human trafficking, cyber-crime, money laundering, and economic crimes). Accountability mechanisms for the justice and police sectors need to be further strengthened to ensure public confidence across the Criminal Justice System and lessen perceptions of corruption and criminality within justice and law enforcement institutions. The judicial inspection unit of the Judicial Council (JC) requires further assistance to apply procedures in place and the reviewed code of conduct for the Judiciary. The PSD's Judicial Affairs Department, which is responsible for investigating all allegations of criminality and corrupt practice involving its officers (20,000 investigations per year) also requires capacity building for its 52 Police Judges, 201 Police Prosecutors and legal/case officers.

Priority Area and sector 2:

Fair criminal investigation and trial procedures guaranteeing legal and procedural safeguards of suspects and defendants

Despite improvements of the criminal regulatory framework, legal and procedural amendments are still required to increase the defence rights of offenders and detainees, namely to guarantee legal representation of detained persons during the investigation and pre-trial detention stages. It is also recognised by the authorities that the Correctional and Rehabilitation Centres Department (CRCDD) Law is in conflict with the Jordanian Penal Code, restricts the ability to control remission of sentences by good behaviour and limits the ability to deliver alternative sanctions. A full review of the related legislation is therefore necessary to ensure their alignment with international human rights standards. Moreover, the initial investigation stage led by the police and prosecution is frequently poor and inconsistent, due to ineffective tactical operational practices. This affects the integrity and quality of the procedures and impacts upon the fairness of any subsequent case. The prosecution Strategy 2021-2025 recognises that beyond additional training, Standard Operating Procedures (SoPs) and guidelines need to be developed and applied to ensure that the training on detection, investigation and prosecution of specialised crimes is utilised, sustainable and shows tangible effect.

Prisons remain overcrowded with over 21,000 detainees for a capacity of 17,500 in the 17 centres across the country. There is only one facility for women at Jweideh, near Amman, which occupies an old building and is currently housing 750 inmates, in a facility designed to accommodate 400. The current facilities only allow a limited number of women inmates to access training courses organised by the Ministry of Labour, thus reducing their chances to be successfully reintegrated. The CRCD also lacks a departmental facility in which to train its officers in prison management and operational techniques and tactics, and requires support to set up a training model CRC facility, which will serve as an operational premises and hub for all tactical professional training, testing of policies, procedures and SoPs and can be linked to the mandatory two-year postgraduate diploma in penitentiary management, (previously funded by the EU).

Improvements in intelligence gathering, investigation and analysis have increased the detections of drug cases since 2014. The use of drugs is a key issue within Jordan given its links to organised crime, terrorism funding, money laundering and document forgery, hence tackling drug-related criminality, is one of the PSD's 4 main strategic priorities. However, there is still a limited understanding of appropriately grading offences and offenders according to type, frequency and gravity. Accordingly, relatively minor offences appear to be treated disproportionately, due to the lack of anti-narcotic skills and basic investigative processes, limited specialised training and treatment facilities, limited forensic and testing capabilities. The increased number of juvenile drug offenders is alarming the PSD given their limited expertise on these issues and the lack of specialised treatment facilities under the juvenile education and rehabilitation centres¹¹ managed by the Ministry of Social Development (MoSD). Support is required to develop, equip and set curricula for a new training facility secured within the Royal Jordanian Police Academy. Juveniles convicted for drug offences, despite their status, are referred to the State Security Court (SSC) for trial. Although there are provisions for 7 non-custodial alternative sanctions applicable to them, these are rarely if ever, applied as SSC prosecutors and judges have limited understanding of the legal provisions or the benefits of alternative measures. Hence there is an urgent and recognised need for training, not only in procedures under the Juvenile Code, but also in court and administrative procedures. Given the introduction in the Penal Code, in 2017, of alternative measures to detention and the creation of a Community Sanctions directorate in 2018 within the MoJ, the implementation of non-custodial measures for all inmates, including women and juveniles remains limited in their number (417 cases in 2020) and their type (only community sanctions are applied). Other alternative sanctions foreseen in the Criminal Code and Criminal Procedure Code such as community monitoring, conditioned community monitoring with rehabilitation programmes and other legal/judicial measures need to be enforced.

Key cross-cutting issues:

Although a gender perspective is progressively integrated in policies, action plans, progress reports and statistics (through the disaggregation of data) of key justice and law enforcement institutions, gender mainstreaming remains limited in needs assessment, data analysis, implementation of projects and budgeting process. Women are still underrepresented in the justice sector, with 255 female judges and 767 male judges (including prosecutors for which the number is not disaggregated). Female police officers also lack exposure and involvement in most mainstream policing issues.

Gender equality therefore needs to be promoted and further reflected in administrative and institutional policies and procedures, in relation to career management (recruitment, training, promotion and transfer) as well as in standard operations procedures, judicial procedures and rehabilitation measures. Legal aid remains a challenge for most vulnerable Jordanians and other population groups, such as Syrian refugees and unregistered asylum seekers or migrant workers which are particularly at risk while lacking the necessary documentation.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

¹¹ UNICEF (2018) "Situation analysis of juvenile justice". The increase in drug offences committed by institutionalised offenders (under MoSD protection): from 26 in 2012 to 389 cases in 2016

The direct beneficiaries and duty bearers targeted by the action are the justice and law enforcement institutions supported under the ongoing EU RoL programme. The **Ministry of Justice** (MoJ) is responsible for the logistical, technical and financial support of the judicial system and the administration of justice services. The MoJ also contributes to the formulation of sector legislations and policies and the protection of human rights, namely by facilitating access to justice through provision of free legal assistance and the implementation of alternative sanctions. The MoJ has significantly modernised judicial procedures by leading an important digital transformation process connecting the key justice and police institutions in order to exchange information and judicial orders, access criminal records and enable remote trials. The MoJ aims to increase its connections with additional public agencies, social services and other departments, and wants to continue developing e-justice services, IT and court infrastructure, as well as improving its administration and management (including on budgeting). The **Judicial Council** (JC) is the judicial body entrusted to oversee the appointment and career development of judges and prosecutors, evaluating their performance and handling the judicial disciplinary system, in cooperation with its judicial inspection. After having established and operationalised its general secretariat and administrative units, the JC is in the process of improving its administrative workflow, judicial human resources strategy and information management system to streamline court work and judicial performance. The **Judicial Institute of Jordan** (JIJ) is responsible for the initial, continuous and specialised training of judges, prosecutors and other. After the issuance of its new bylaw in 2020, the JIJ reviewed its organisational structure and units' functions, and modernised its working and learning system and procedures. However, the institute still requires developing its research unit, strengthening its institutional and digital transformation development (e-learning programmes), upgrade its qualification ("diploma") programme for trainees, support the development of new specialised courses related to emerging legal and judicial matters capacity development of its personnel on substantive, managerial and technical aspects. The **National Committee on Criminal Justice** (NCCJ), composed of 15 government and independent agencies is implementing and monitoring the CJS. However, its composition and structure needs to be reviewed to improve the data collection and monitoring process of the objectives and outcomes of the CJS. The **Jordan Bar Association** (JBA) has concluded, in 2019, a cooperation agreement with the MoJ to handle the elective criminal legal aid cases eligible under the Legal Aid bylaw no 119 of 2018, besides the provision of their free judicial assistance in all cases. They face challenges to cope with the ongoing digitalisation process, are assisted by the MoJ to improve their e-connectivity and by AECID, under the RoL programme, to improve their legal aid services and the Bar lawyers' skills. The **Civil Society Organisations** active in the RoL sector in Jordan, play a significant role in raising awareness on human and legal rights, assisting detainees and providing legal aid to diverse vulnerable groups, including refugees and migrant workers. Few cooperation agreements exist between CSO and RoL institutions, and CSO are still not involved in law drafting and review processes. The **Public Prosecution Office** (PPO) has been indirectly supported under EU assistance to the Judicial Council, the MoJ and UNODC intervention on international judicial cooperation. The PPO now seeks to be assisted on its strategy's priorities, namely to develop the skills and capabilities of prosecutors to investigate and bring to trial complex or specialised criminal cases. The **following departments of the Public Security Directorate** (PSD) are envisaged to be assisted under the new action. The **CRCD** requires continuous assistance to support the treatment and rehabilitation of male and female inmates, including drug addict offenders. The **Anti-Narcotics Department** (AND), leads the investigation of drug-related offences, has jurisdiction over drug cases committed by adults and juveniles and are responsible to supervise the treatment of drug-addicts, but lacks facilities for treatment and the analysis of drug-related cases. Whilst it is well-structured, staffed (2,200 officers) and led, its staff requires to be well-trained across a wide range disciplines, from prevention, disruption, intervention and finally investigation. The **Women's police department** (WPD) has grown in size exponentially since its inception from 6 female officers in 1972 to over 5000 in 2020 following the merging of the gendarmerie and civil service within the PSD. Female police officers are usually recruited in administrative or social-oriented positions but have limited participation in other policing activities and a low representation in high-ranking positions. The **Ministry of Planning and International Cooperation** (MoPIC) has an essential role in facilitating the coordination and policy dialogue between the RoL sector institutions and international development partners as well as in coordinating public investment planning and donors' contributions. The **General Budget**

Department (GBD) and the Ministry of Finance (MoF) are indirect beneficiaries of the action. Their contribution is however essential to guide the implementation of the BS component and the disbursements of the variable tranches. The MoF is responsible for guaranteeing that RoL institutions remain financially stable, transparent, and accountable. The GBD is supervising budget preparation and allocation of financial resources to implement the public policies in accordance with their priorities and needs, and should be closely consulted while preparing the units' budgets, monitoring projects' performance and budget execution. **The final beneficiaries and right holders** of the action are the Jordanian citizens in need of justice and persons in vulnerable situations: detainees, juveniles, persons with disabilities, low income families and other minority groups.

2.3. Additional Areas of Assessment

2.3.1. Public Policy

The current policy framework is composed of the Justice Sector Reform Strategy, JSRS - (2017-2021) and the Criminal Justice Strategy, CJS - (2018-2021) The JSRS encompasses the three sub strategies of the Ministry of Justice, the Judicial Council and the Judicial Institute. These strategies were respectively developed and updated following the issuance of the Royal Committee's recommendations for developing the Judiciary and enhancing the Rule of Law (issued in 2017). These strategies seek to ensure judicial independence and fair trial guarantees, improve performance, integrity and transparency of the justice system, increase institutional capacity and equality, as well as public safety and confidence. The relevance and credibility of the justice sector strategies were satisfactorily assessed during the review of the general and specific conditions set in the financing agreement of the EU RoL programme and led to the nearly full disbursements of the first and second annual tranches.

As the JSRS and the CJS are both coming to an end, partner institutions are currently assisted by the TA of the ongoing EU RoL Programme to perform a final evaluation of these strategies and formulate the following ones which will cover the period 2022-2026. Two committees have been appointed in the spring by the MoJ and are working on the updated strategies which shall be approved before the end of 2021. The logical framework for the proposed action is already fully aligned to the main objectives of the updated strategies, as set in their draft versions.

The proposed action will also align with the newly developed Prosecution Strategy (2021-2025), whose main objectives are to upgrade the quality of criminal case management and the execution of judgements, develop the knowledge and capabilities of prosecutors, strengthen guarantees ensuring respect human rights, namely through the use of alternatives measures to detention, expand the use of technology and electronic services and enhance relations with partners.

The policies were assessed relevant, as they address the strategic priorities and the necessary measures, which remain valid to fulfil the justice reform agenda and improve Rule of Law in Jordan. The justice policies are aligned with the national development priorities (Jordan 2025 and Jordan Economic Growth Plan) and other related plans such as the National Plan for Human Rights 2016-2025 and the Royal Committee recommendations for Judicial Reform and Rule of Law. Gender equality is mainstreamed and documented throughout the projects, activities and budgets of the institutions. The different plans, reports and verification documents submitted show progress in focusing on gender dimension aspects, and data are presented based on sex, age, nationality and geographical disaggregation when required.

However, sustainability and impact of results remain underreported, as results achieved are not consistently and systematically linked to the objectives and performance indicators identified in the justice sector strategies and the justice development goals towards SDG 16.

The previous policies showed a good track record in implementation by the end of 2020 although tracking and linkages of outputs with the related outcomes is still not well reported. Financing of the sector policies is partially secured and ensured through the national general budget and the Medium Term Expenditure Framework (MTEF), based on annual action plans developed by the RoL institutions. Timely completion of projects is however largely dependent on donor support, and deviations may occur in case of shortage of resources. The Jordanian government maintained its financial support to the RoL sector, despite public finance risk factors that were further exacerbated due to the COVID-19 crisis. Fundamental freedoms have deteriorated in the context of COVID-19 restrictions. Use of emergency legislation and an enhanced power of the executive branch is leading to a step back in freedom of expression, association and assembly. The sector suffered from lockdowns and some activities have been delayed but this, combined with a smaller amount of crimes and judicial proceedings did not produced major long term effects in the administration of justice. Institutional capacity has remained stable, but the human resource capacity within justice institutions (except PSD) has decreased and recruitment is being frozen in 2021, due to economic and sanitary restrictions. The significant turnover of staff within partner institutions has however affected the transfer of knowledge and the workflow process, therefore reducing the effects of sustainability and coordination over the last years.

Policy and budget are relatively well linked for MoJ and Judicial Council strategies, but links between the Criminal Justice Strategy (CJS) and the PSD budget remain weak. All key institutions require further awareness and capacity building on the need to structure their budget in alignment with strategic objectives. Activities are generally implemented with the objective of achieving indicators prescribed by donor agencies (i.e., at the output level) and not to achieving overarching strategic goals (i.e., at the outcome level). The monitoring framework is in place and applied, with continuous operational difficulties, due to the lack of sufficient technical assistance delivered until now, which is planned to be further supported with the formulation of the new strategies. Data and supporting documents submitted by institutions are usually comprehensive and transparent, presenting few inconsistencies. However, progress reports do not consistently document how the strategies have achieved policies' outcomes, objectives and performance indicators identified in the operational plans and in the annual budgets. Thus the impact of the strategies' results need to be further demonstrated, by improving analysis and reporting on the performance of their results and spending. The Communication plan of the justice sector has been implemented. The coherence between results/objectives and their indicators should be improved at the design phase (whether in the strategy or their action plans) of the upcoming strategic framework, otherwise the credibility of the reporting remains weak.

In conclusion, the policy is sufficiently relevant and credible for budget support contract objectives to be largely achieved. Therefore the policy can be supported by the Commission with the proposed budget support contract.

2.3.2. Macroeconomic Policy

The authorities are committed to persevering with their efforts to reliably lift growth, create jobs, and reduce poverty, while preserving stability. Despite the severe impact of the COVID-19 pandemic, with unemployment reaching record high levels at 25 percent, Jordan has successfully maintained macroeconomic stability. On 30 June 2021, the Executive Board of the IMF completed the second review of Jordan's program supported by the Extended Fund Facility (EFF). The Board also increased access under the four-year EFF arrangement by about USD 200 million to a total of about USD 1.5 billion. Jordan had already benefitted from about USD 400 million under the Rapid Financing Instrument in 2020 to cope with the impact of the pandemic. In the same context, the EU's third Macro-Financial Assistance (MFA) to Jordan, for an amount of EUR 700 million, was signed in October 2020 to continue the EU support Jordan to preserve macro-economic stability. The first tranche of EUR 250 million was disbursed in November 2020. The second tranche of EUR 250 million was released in July 2021.

The Central Bank of Jordan maintains an adequate level of international reserves to support the Jordanian Dinar's USD peg. The second review of the IMF-supported program confirmed that international reserves are

projected to remain adequate, at above the 100% of the reserve adequacy matrix and should provide continued credibility to the dollar peg. Monetary policy has been appropriately accommodative since the onset of the pandemic.

Fiscal space is very constrained but the IMF has revised fiscal targets in the short-term to allow critical spending on health and social protection. Implementation of the Income Tax Law together with strengthening of tax administration is critical for domestic revenue mobilisation to pave the way for gradual fiscal consolidation as the economy starts to recover gradually. However, other specific measures are needed. In this respect, implementation of the Financial Sustainability Roadmap for the power sector remains crucial, while a roadmap for water sector financial sustainability should also be prepared shortly.

Jordan's public debt is currently assessed as sustainable by the IMF. There is, however, a significant risk to debt sustainability if the envisaged fiscal outlook falls short of expectations and concessional external financing does materialise as anticipated. The IMF review concluded that the consolidated public debt to GDP ratio would approach 90% in short term, while the new medium-term policy framework will anchor at around 80% (by 2025). Servicing the energy and water sectors' existing debt burden weighs heavily on the public finances while major infrastructure investments projects are being prepared in the water sector in particular. Jordan has been undertaking various measures to boost growth as part of the five-year Reform Matrix (2019) which is currently under review by the Government. The country is focusing on reducing the cost of doing business, strengthening governance and regulatory frameworks as well as increasing labour market flexibility and promoting digital economy. Energy, water, transport and tourism are the main sectors under focus. It is also aiming to enhance the overall competitiveness in the economy as well as efficiency of the public sector.

In conclusion, the authorities are pursuing a stability-oriented macroeconomic policy and the eligibility criterion is met.

2.3.3. Public Financial Management

Between 2016 and 2018 a number of international PFM diagnostic assessments were carried out such as the Public Expenditure and Financial Accountability (PEFA), Tax Administration Diagnostic Assessment Tool (TADAT), Public Investment Management Assessment (PIMA) and the OECD/SIGMA Corruption Risk Assessment of the Public Procurement System. Following these assessments, the Government endorsed in September 2018 a new PFM Strategy (2018 – 2021) that builds on the previous Strategy (2014-2017). The priorities and activities of the current strategy are still highly appropriate to address existing weaknesses and the reforms are meaningfully sequenced with clear institutional arrangements.

The main priorities of the Government are:

- Secure long-term aggregate fiscal discipline by reducing budget deficit and public debt as a percentage of GDP;
- Increase the linkage between the annual budget and the priorities established by national strategic objectives, especially for capital expenditure.

In line with the IMF programme and the wider policy framework, there is a strong commitment from the authorities to improve tax administration and public financial management are needed not just to improve budget outcomes but also to increase public trust.

Measures initiated by the Government in order to strengthen public financial management are expected to improve the management of fiscal risks and the monitoring of financial commitments, thereby preventing the continued accumulation of arrears. The GoJ is committed to put an end to the flow of new arrears and off-budget expenditures.

In the past two years several reforms were launched some of which are yet to be completed. However, there is evidence of steady but slow progress in most PFM areas. Important efforts have been made to contain the rising public debt before the COVID-19 pandemic, and significant steps were taken in the area of Public Investment Management to managing all investments according to standards set by the new PIM framework. The EU Delegation is currently carrying out an update of the PEFA, also to inform the Government's next phase of PFM reforms and strategy.

In conclusion, the public finance management reform strategy (2018-2021) is sufficiently relevant and credible, including on domestic revenue mobilisation, and the eligibility criterion is met.

2.3.4. Transparency and Oversight of the Budget

The budget proposal for 2021 was endorsed by Cabinet on 29/11/2020 and was published on the GBD website the following day. The legislature approved the budget in February 2021. The Royal Decree was then issued and published in the Official Gazette.

In the Open Budget Survey 2019 (released in April 2020) Jordan scored 61/100 on budget transparency, which is considered sufficient to enable the public to engage in budget discussions in an informed manner and is substantially higher than the world average of 45.

As for budget oversight by the legislature Jordan scored 43/100. This score reflects that the legislature provides limited oversight during the planning and the implementation stages of the budget cycle. The score on the oversight by the Supreme Audit institution is lower (28/100) because of the limited independence and resources of the Audit Bureau. The Audit Bureau Law was amended by the Parliament in September 2018 with some positive elements to enhance the independence of the institution in line with INTOSAI standards and there is a strong commitment from the appointed President of the Audit Bureau to further strengthen the institution.

IMF has stressed the publication of COVID-19 related spending, including beneficial ownership information for large transactions. MoF is continuously publishing the COVID-19 spending since September 2020 on its website including beneficial ownership information for large transactions in line with IMF programme.

The Government has put in place a number of fiscal and monetary measures to address the socio-economic impact of COVID-19. Such measures include tax/duties reductions or deferrals, employment protection programmes, cash transfers and concessional lending schemes for citizens and companies most affected.

In agreement with the IMF, Jordan is committed to publish COVID-19 related spending, including beneficial ownership information for large transactions. Ministry of Finance (MOF) is continuously publishing the COVID-19 spending since September 2020 on the MOF website including beneficial ownership information for large transactions¹².

The authorities have also undertaken an ex-post audit of all spending directly related to efforts to prevent, detect, control, treat and contain the spread of COVID-19. An independent audit firm selected through a competitive tender conducted this audit. For spending in 2020, the audit was conducted by PKF Jordan and is publically available¹³.

In conclusion, the relevant budget documentation has been published and the eligibility criterion is met.

¹² <https://mof.gov.jo/en-us/informationcenter/primeministryannouncementsandcirculars.aspx>

¹³ https://www.mof.gov.jo/EBV4.0/Root_Storage/EN/CORONA/1454_001.pdf

3. DESCRIPTION OF THE ACTION

3.1. Objectives and Expected Outputs

The **Overall Objective** (Impact) of this action is to consolidate the Rule of Law and access to justice for all in Jordan.

The **Specific Objective** (Outcome) of this action is:

Improved performance, quality, accountability and transparency of the criminal justice system, in line with international legal standards, gender responsive and rights-based approaches.

The **induced Outputs** to be delivered by this action contributing to the corresponding Specific Objective (Outcome) are:

- 1.1 contributing to Outcome 1 (or Specific Objective 1) Management, administrative and technical capacities of justice sectors institutions and judicial procedures are further developed, modernised, implemented and monitored, with a gender responsive approach;
- 1.2 Contributing to Outcome 1 (or Specific Objective 1) Qualifications and skills of judges, prosecutors and investigators are strengthened, among others. on specialised crimes;
- 1.3 contributing to Outcome 1 (or Specific Objective 1) Revisions and amendments to the criminal law and procedure framework are discussed and drafted to increase fair trial guarantees and legal safeguards especially at the pre-trial stage and during detention , in line with international human rights obligations;
- 1.4 contributing to Outcome 1 (or Specific Objective 1) Correctional and rehabilitation services are further developed to ensure standardised levels of service delivery in line with international best practices and with a gender responsive approach;
- 1.5 contributing to Outcome 1 (or Specific Objective 1) Anti-narcotic investigations, treatment and rehabilitation mechanisms concerning drug addict offenders (including juveniles) are improved in line with human rights' international standards and best practices ;
- 1.6 contributing to Outcome 1 (or Specific Objective 1) Alternative sanctions and alternative measures to pre-trial detention are further promoted and developed (including for drug addict juveniles) by criminal justice institutions in line with international law standards and best practices;
- 1.7 contributing to Outcome 1 (or Specific Objective 1) Inter-communication and coordination among RoL sector institutions, dissemination of legal information and awareness on Rule of Law sector reforms and legal rights of the most vulnerable groups are increased. .

The **direct Outputs** of the budget support component are:

1. Increased size and share of external assistance funds made available through the national budget in the Rule of Law (RoL) sector;
2. Increased predictability of the disbursement of external funds and visibility of external funding in the national and departments' budgets;
3. Increased alignment and coordination of policy dialogue in the RoL sector ;
4. Improved capacity to implement activities conducive to RoL reforms, implementation, monitoring and reporting of the justice sector strategies (including on budgetary aspects);
5. Improved harmonisation and alignment of EU funded assistance in RoL sector with the government policies and systems;
6. Reduced transaction costs for providing assistance.

3.2. Indicative Activities

Activities related to Output 1.1:

Budget support:

- Strengthen the effectiveness and efficiency of automated judicial management systems, to increase sharing of information between RoL institutions, access to justice and legal information for citizens, in line with the e-transformation plan for the Rule of Law sector and the protection of privacy rights;
- Support upgrade and installation of IT systems and equipment in JC, JIJ and MoJ to improve their administrative workflow and the delivery of justice services.

Complementary measures:

- Further develop the technical skills of the justice and police institutions in data management, analysis, monitoring and reporting – including on performance management and budgeting (including costing, regulatory/financial impact assessment, risk analysis and management, etc.);
- Continue developing the capacities of the financial units of the MoJ/JC/JIJ and PSD on the budget support instrument, budget planning and monitoring in line with instructions developed by the MoF under the PFM reform
- Strengthen control and review mechanisms of justice strategies to ensure sustainability of results
- Continue supporting the technical upgrade of the integrated information system of the JIJ (providing technical assistance and expertise improve functionality and use of the digital learning platform of the JIJ)
- Continue supporting the interoperability of the management integrated information systems between the JC, JIJ and Judicial Inspection to improve information sharing and monitoring on the judges' affairs framework (status and professional career cycle)
- Support assessment of automated processes and eventually development to improve investigation procedures, namely at PSD and prosecution levels in link with the judicial case management system;
- Promote and include gender- oriented career management of justice and law enforcement institutions (qualification criteria, competition processes, access to leadership training, etc.)

Activities related to Output 1.2:

Budget Support

- Support the design and conduct of research studies at JIJ to improve the qualitative development of the diploma programme, the specialised training programmes and the integration of rights-based and gender-dimension approach in the JIJ training curricula.
- Develop and deliver specialised training courses on legal aid, alternative measures to detention, specialised crimes and other international law standards and procedures based on preliminary needs assessment of judges and prosecutors.
- Continue strengthening the Judicial Inspection of the JC to support the operationalisation of thematic focused inspection missions and review, based on newly adopted inspection criteria and instructions to evaluate the qualitative performance of both judges and prosecutors, namely following up specialised legal trainings they received at JIJ.

Complementary measures

- Support the upgrade of the curriculum development and training delivery for both qualification (diploma) and specialised training programmes in line with modern engineering training methods and international legal standards.

- Continue supporting the blended learning approach and transforming pedagogic approach initiated by the JIJ (execution and monitoring support on the quality control assurance of the development and delivery of classic training courses and e-learning courses)
- Deliver training and operational support to the international cooperation units of the MoJ, PPO and SSC to develop a robust and transparent approach to organised and specialised criminality and enhanced international and cross-border cooperation
- Support the development of policies, procedures and working practices to guide investigation of specialised crimes - cyber-crime, corruption, tax evasion, customs smuggling, money laundering, economic crimes, etc;
- Support integration of gender and rights-based approach through the investigation, prosecution and adjudication of specialised crime cases.
- Support the development of judges, prosecutors, legal officers of the PSD police judicial department who deal directly with allegations of criminality and corruption of PSD officers.

Activities related to Output 1.3:

Budget support

- Proceed with impact financial assessment and gender-based analysis of criminal legal and procedural amendments to undertake in the criminal law and regulatory framework
- Proceed with the revision and amendment of the PC and CPC to ensure legal and procedural safeguards to suspects, detainees and defendants are guaranteed from the time of arrest in line with international human rights standards
- Proceed with the revision and amendment of the CRC law to ensure legal and procedural safeguards of detainees, in line with international human rights standards.

Complementarity measures:

- Assist with the set up and organisation of a high-level justice criminal committee that will discuss, propose and draft the revisions relating to the improvement of criminal legislations and procedures, namely in relation to fair trial guarantees, criminal policies and criminal lawsuit procedures
- Support establishment of dialogue platforms engaging CSO and interest groups in the legal and procedural review of fair trial guarantees, as well as other partners agencies active in the RoL sector

Activities related to Output 1.4

Budget Support

- Establish a model training centre for CRCDD, within an existing facility, (for simulation training on handling reception, treatment, rehabilitation of detainees)
- Supporting the delivery of modern and tailored correctional services to need, targeting rehabilitation of all inmates (including recidivists and high-risk offenders).
- Develop existing infrastructure and equipment to support vocational training and rehabilitation facilities at the women's CRC – Juweideh, to assist in post-release reintegration
- Provide female prisoners with work/life/skills opportunities and rehabilitation skills, prior to release.
- Negotiate and develop accreditation procedures and cooperation agreements with ministries, public agencies and non-governmental organisations, to improve post release reintegration of offenders

Complementary measures

- Assisting with the development of a wide-reaching criminal justice programme which encourages rehabilitation of prison inmate offenders through to release and reintegration.

- Support integration of gender dimension in correctional and rehabilitation procedures and the development of individualised tailored rehabilitation plans for female convicted inmates.

Activities related to Output 1.5

Budget Support

- Develop an anti-narcotic training centre, in line with current PSD plans, to deliver a small drug identification laboratory where samples can be tested and identified
- Develop bespoke evidential handling training procedures including ToT training and curriculum-building addressing latest anti-narcotic trends and criminal practices
- Further develop and expand the addiction treatment center at Bereen CRC for drug addicts' inmates - in particular creation of a second floor at the centre to provide additional accommodation for staff, medical personnel and improve treatment and specialised rehabilitation programmes for drug addict offenders

Complementary measures

- Develop the capacities of the Anti-Narcotic Department to effectively identify, prevent, manage and prosecute and/or divert drug criminality in line with international human rights standards and best practices
- Strengthen the capacities of police officers, prosecutors, judges and court officials dealing with juvenile drug-addict offenders, including gender-sensitive practices
- Support to investigative training and prosecutorial and court procedures for police officers, prosecutors, judges and court officials who deal with juvenile drug offenders.
- Assist with the development of fair and transparent investigation and rehabilitation processes reflective of gender balance and human rights
- Continue developing the capacities of CRC officers working at Bereen addiction treatment facility in implementing of treatment, rehabilitation and reintegration measures of drug-addict inmates in line with human rights international standards

Activities related to output 1.6:

Budget support

- Develop comprehensive needs, resources and costs assessment for the operationalisation of services and programmes implementing all alternative sanctions and alternative measures to pre-trial detention that are stipulated in the Criminal Code and Criminal Procedure Code
- Support issuance of judicial decisions ruling on alternative sanctions and alternative measures to pre-trial detention
- Develop pilot services and programmes operationalising alternative sanctions and alternative measures to pre-trial detention prescribed in the Criminal Code and Criminal Procedure Code, in selected governorates with the support and cooperation of the Judiciary, police institutions as well as other state and non-state national and local organisations.

Complementary measures

- Support the development and delivery of SoPs and training curricula in the fields of alternative sentencing and non-custodial measures for all concerned offenders (including drug-addict juvenile offenders for the prosecutors and judges of the State Security Courts)

Activities related to Output 1.7:

Budget support:

- Develop and adopt new joint MoJ-JC communication and media plan for the period 2022-2026
- Develop inter-coordination mechanisms between justice sector institutions to improve coherence of actions on RoL reforms (with the related instruments and tools)
- Develop large awareness campaign on RoL reforms, justice services and legal rights of throughout the country and for further dissemination of legal information
- Upgrade the functionality and use of the MoJ and JC websites for better access and information on justice and court services
- Support assessment of the establishment of a call center at the MoJ to assist with the guidance of citizens on the use of e-justice services and referral processes to available legal /judicial and redress mechanisms ;

Complementary measures:

- further develop the skills and capacities of the MoJ and JC communication units to implement information sessions for justice sector institutions (continue supporting awareness to judges, prosecutors, court liaison officers etc) and coordination meetings among justice sector institutions
- advise on the development of media and e-campaigns, communication and sensitisation tools allowing better outreach of communities in governorates outside of Amman;
- advise on the design and implementation of targeted surveys and feedback processes.

3.3. Mainstreaming

Environmental Protection, Climate Change and Biodiversity

Outcomes of the Strategic Environmental Assessment (SEA) screening:

The SEA screening concluded that an SEA should not be undertaken.

Outcomes of the Environmental Impact Assessment (EIA) screening

The EIA screening classified the action as Category C (no need for further assessment).

Outcome of the Climate Risk Assessment (CRA) screening

The CRA screening concluded that this action is no or low risk (no need for further assessment).

Gender equality and empowerment of women and girls

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that gender equality is a significant objective.

The action is integrating a gender perspective in most of its outcomes and outputs and will specifically adopt a gender-responsive approach when: 1) assisting the beneficiary institutions to assess the specific needs of women in elaborating their strategic annual operational plans (including in elaborating a gender-responsive budget) and delivering justice services, 2) reflecting gender-based practices in recruitment and human resources management of the key institutions, in training and capacity building activities of judges, prosecutors, police and court staff , namely those relating to investigation and litigation of specialised crimes, 3) introducing gender equality in the amendment of the criminal and regulatory framework, the development of internal policies and the implementation of non-custodial and rehabilitation measures; 4) enhancing the

defence and protection of offenders and victims' rights, as well as expanding the provision of legal aid and awareness services to an increased number of persons. The action will also continue to support beneficiary institutions in collecting and analysing disaggregated data, based on sex, age, and other relevant geographical/social criteria in the conduct of assessment studies, legislative reforms and implementation and monitoring of policies.

The action will involve the participation of the gender and family affairs department at the MoJ , the legal affairs unit of the JC , the research unit of the JIJ and the PSD women Police department and support capacity of their staff to mainstream gender responsive approaches into the implementation of the institutions' strategies and programmes.

Human Rights

The Action will adopt a rights-based approach and include support to applying all rights equally, participation and access of all groups to the decision-making process, transparency and accountability in the activities to directly contribute to the realisation of human rights throughout the intervention. The action will promote locally-driven solutions to better respond to people's needs and demands for justice, and further support ownership of the action by local actors within the framework of international human rights standards. The action will also encourage and advice justice and law enforcement institutions to promote and apply rights-based practices in investigation and litigation procedures, implementation of alternative sanctions and rehabilitation measures.

The action will involve the participation of the human rights department and the prison (CRC) department at the MoJ as well as the relevant staff of the other RoL institutions to mainstream a rights-based approach in the respective institutions' strategies and programmes.

Disability

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as D1. This implies that the inclusion of persons with Disabilities is a significant objective of the action. The action ensures all rights of vulnerable groups and safeguards their inclusive access to its benefit.

Democracy

The values of democratic governance are inherent to the RoL sector and the action will focus on the modernisation of the legislative process, supporting the engagement of CSO in dialogue platforms on law /policy-making and monitoring initiatives.

Conflict sensitivity, peace and resilience

The action will strengthen the capacity of the RoL institutions to be more resilient to the current economic context and assist them in streamlining and rationalising their work to improve their performance and to monitor adequately their strategies and policies. This will be achieved inter alia, by strengthening research, data collection, feasibility assessment, cost analysis of draft laws, regulatory impact analysis of policies and monitoring of financial resources in order to ensure stronger evidence-based assessment and reporting on their strategies. Resilience and conflict sensitivity will also be mainstreamed through support of alternative methods to detention and awareness programmes to far outreached and vulnerable groups, such as refugees, affected Jordanian host communities, foreign inmates or persons with disabilities.

3.4. Risks and Lessons Learned

Category	Risks	Likelihood (High/Medium/Low)	Impact (High/Medium/Low)	Mitigating measures
External environment	Instable regional and national political situation affect the smooth functioning of democratic and RoL institutions	M	M	Maintain and enhance the political dialogue through coordinated and regular meetings to enhance legal, policy and monitoring work
External environment	Worsening of the socio-economic situation leading to financial/budgetary constraints and limited funds availability, also due to the COVID19 pandemic.	H	H	Strengthen donors' and government coordination in the RoL sector, on budgetary and PFM issues, through the support of MoPIC
External environment	Degradation of the human rights situation further exacerbated by defence orders issued since 03/2020 under Defence Law, during the COVID19 pandemic.	M	M	Timely information provided by the action to the EUD to conduct adequate political dialogue and consultations with relevant national officials
Planning, processes and systems	Slow-down in the recruitment/ appointment process of human resources in justice institutions resulting in delays of the reforms implementation, and the reduction of gender equality measures	M	L	Set up of a strong technical assistance framework. Strengthen knowledge and cooperation with the middle and lower management in all the involved institutions, including on gender mainstreaming
People and organisation	Lack of institutional knowledge management and capacity skills, exacerbated by high turnover of personnel	M	H	Develop HR institutional policies with duty-bearers and multi-year capacity building plans, including on performance-based budgeting
People and organisation	Weak capacities on statistics production, data analysis, monitoring and reporting mechanisms (including on budgeting)	M	M	Ensure support on data analysis, performance monitoring, and to the budget committee with clear and standardised usage of narrative templates and budgetary tools
People and organisation	The male dominant justice and security apparatus does not accept female inclusion and leadership participation	H	M	Apply a gender-sensitive approach in all project activities and monitor targeted gender-based indicators, in cooperation with beneficiaries
External environment	Stakeholders coordination and cooperation is reduced during law and policy-making processes, budget preparation, implementation and review of sector strategies including with CSO	M	M	Stakeholders coordination and cooperation is lessening during law and policy-making processes, budget preparation, implementation and review of sector strategies including with CSO

Lessons Learned:

The proposed budget support action builds on previous EU-financed interventions to the national justice and security sector reforms, including two (previous and ongoing) sector reform performance contracts. The budget support approach introduced in 2012 and further applied from 2014, proved to positively influence the legislative changes and policy developments required by the authorities to advance the Rule of Law reforms in line with the Constitution and international standards. Under the Budget Support component of the ongoing RoL programme (which will end in December 2021), major achievements included the administrative and partial financial autonomy¹⁴ of the Judicial Council, the enhancement of the status and conditions of the judges and the transfer of the JIJ's authority from the MoJ to the JC. At MoJ and PSD level, e-connectivity of government departments permitted to enhance information sharing between government entities; the execution of judicial orders and judgements was increased and a modern communication unit was set up to improve citizens' information on their requests. Videoconferencing equipment was installed in CRC and courtrooms to facilitate the conduct of remote hearings in pre-trial criminal proceedings. A pilot addiction treatment centre for drug-addicted inmates was established and started operating in cooperation with the Ministry of Health. A legal aid directorate and a legal aid fund were set up allowing a broader legal representation before the courts, a community sanctions directorate was also launched and developed community services used as diversion measures to pre-trial detention. Awareness campaigns on justice services and legal reforms were developed based on a joint JC/MoJ communication plan.

However, the structure of the current Technical Assistance, which involves three main implementing agencies and five sub-contracting agencies, is perceived as extremely complex and overwhelming by beneficiary institutions. This implementation modality generates a cumbersome bureaucratic approval process, which overstretches the limited human resources and management capacity of the Ministry of Justice and other institutions (in particular on financial aspects for which institutions still require institutional support and capacity building).

Although beneficiary institutions have nearly fulfilled all general and specific conditions set in the current Sector Reform Performance Contract until end of 2020, some of their progress has been seriously impacted by the COVID 19 crisis due to the suspension and slowdown of judicial and programme activities during several months in 2020. Based on this experience, beneficiary institutions prefer to determine a combination of qualitative and quantitative targets for performance indicators of the identified action, which will incentivise institutionalised development focused on quality, and will enable them to adequately monitor the sustainability and performance of justice services.

Contrary to the MoJ and JC's strategies, links between the Criminal Justice Strategy (CJS) and the PSD budget are not well determined. Coordination of beneficiary institutions on budget preparation and investment planning has also weakened and further support to financial governance and performance-budget reporting is necessary to strengthen the implementation of Justice sector strategies and achievement of annual milestones and indicators.

The rapid changes occurred at the economic level, and at the legislative and institutional levels for the justice and law enforcement institutions, despite the outbreak of the pandemic, entail more regular assessment of programme risks and consultations with partners on their needs and capacities to deploy the tailored expertise and deliver tangible results. Recurrent staff turnover in partner institutions are causing many challenges for IP, other partner agencies and negatively affect relationships among partner institutions. The changes in leadership positions and the loss of institutional knowledge considerably delays decisions and activities. Transmission of knowledge management and institutional monitoring and performance mechanisms should be better implemented and managed to further formalise transition procedures.

¹⁴ It has now adopted its own budget that includes a limited operation budget, Judges Salaries and allowances and the operation budget for the Judicial Institute.

3.5. Intervention Logic

The underlying intervention logic for this action is based on the main assumption that the GoJ and RoL institutions continue to demonstrate genuine commitment and continuous efforts to implement RoL reforms and that budgetary constraints do not limit the efficiency, quality, accessibility and transparency of legal and judicial services. Moreover, targeted RoL institutions will be more effective in performing their duties if they are further cooperating with other key governance actors, including other public agencies, financial institutions, CSO, as well as other private actors.

The set of challenges that continue to affect the RoL sector calls for an approach supporting the newly developed justice reform sector strategies and its sub-strategies. This approach seeks to build on the current RoL Budget Support Programme, continuing to reinforce the judicial independence and the delivery of criminal justice services, to improve fair trial guarantees and legal awareness of justice professionals.

If the government, key RoL institutions continue to implement the policy reform agenda in the RoL sector, continue to modernise their workflow and case management processes and enhance the management skills, technical capacities and legal qualifications of judges, prosecutors, lawyers, police officers and justice professionals, namely in the field of investigation, prosecution and case management of specialised crimes, then RoL institutions are expected to increase the performance, quality, accountability and transparency of the justice service delivery.

Additionally, if legal and procedural safeguards of suspects, defendants and detainees are improved, namely at pre-trial stage of the criminal proceeding during investigations, and if criminal justice institutions are further supported in improving investigation, treatment and rehabilitation of drug-addict offenders, rehabilitation and reintegration measures of male and female detainees, alternative measures to detention and imprisonment (including for juveniles), in line with international law standards and gender-responsive practices, then fair trial guarantees, rights to legal representation and other human rights of defendants and detainees in the criminal justice chain will be further respected.

3.6. Indicative Logical Framework Matrix

Results	Results chain	Indicators (max. 15)	Baselines (year)	Targets by the end of the budget support contract (year)	Sources of data (1 per indicator)
Indicative Impact of the policy	To consolidate the Rule of Law and access to justice for all in Jordan	Level of ranking and score in the World Justice Project Rule of Law Index in the categories of criminal justice, open government and fundamental rights	Score in the WJP-ROLI 2020: 0,57 and global rank :50/128 (crim. justice:0,57/32, open govt:0,42/98, fund. rights:0,48/91)	Increased ranking and scores in the WJP-ROLI 2024	Annual Progress reports on the implementation of the Justice Sector Reform Strategy 2022-2025
Expected Outcomes of the policy	Improved performance, quality, accountability and transparency of justice system, in line with international legal standards, gender responsive and rights-based approaches.	<p>1 . % of the population public trust in justice and police institutions.</p> <p>2. % of criminal cases dismissed, handled, resolved and referred for alternative measures to detention based on incoming cases per year (disaggregated by type of charges)</p> <p>3 Proportion of complaints filed by the NCHR and PSD for human rights violations processed, reviewed and sanctioned by the criminal justice institutions (ill treatment, rights of detainees, unfair trial, administrative detention)</p>	<p>1. 2018: police: 92,5%, courts: 77,5%, MoJ : 67%</p> <p>2. To be defined.</p> <p>3. NHRC : to indicate</p>	<p>1 To be set in the Financing Agreement</p> <p>2. To be set in the Financing Agreement</p> <p>3. To be set in the Financing Agreement</p>	<p>World Values Survey on public trust in Jordan and HiiL survey</p> <p>2. NHRC and PSD statistics</p> <p>3. MoJ statistics 2020</p>

Induced Outputs	1. Management, administrative and technical capacities of justice sectors institutions and judicial procedures are further developed, modernised, implemented and monitored, with a gender responsive approach	1.1 Status of progress by each institution on outputs and outcomes indicators planned in strategies, operational plans and budget laws 1.2 Status of developed and upgraded automated judicial management systems, digital mechanisms and IT equipment, improving workflow management of justice systems, installed and functional, in line with privacy rights and human rights standards	To be determined with beneficiary institutions VC systems installed in (18) first instance courts and (?) CRC E.g. age of the current IT equipment	To be set in the Financing Agreement	1.MoJ sub-strategy and annual progress reports
	2. Qualifications and skills of judges, prosecutors and investigators are strengthened, among others. on specialised crimes	2.1 Number and quality level of training delivered to criminal judges and prosecutors, per year, in specialised legal matters and specialised crimes (disaggregated by sex, rank, subject-matter) 2.2 Number of specialised crimes recorded and successfully prosecuted per year (disaggregated by category of crime, age and sex of offenders)	In 2021: 10% of training courses delivered on community sanctions or alternative measures to detention 20% of training courses delivered on specialised crimes		2 JC and JIJ sub-strategies and annual progress reports
	3. Revisions and amendments to the criminal law and procedure framework are discussed and drafted to increase fair trial guarantees and legal safeguards especially at the pre-trial stage and during detention , in line with international human rights obligations.	3.1 Status of revisions and amendments of the substantive and procedural criminal framework guaranteeing legal safeguards to suspects, defendants and inmates in line with international law standards	PC and CCP: do not explicitly grant the suspect the right to have a lawyer present from the moment of arrest and detention by police (at preliminary investigation stage)		3.Minutes of the High level criminal justice committee and draft amendments of criminal laws
	4. Correctional and rehabilitation services are	4.1 Status of development of the model training centre for CRCDD and of the	No model training centre for CRCDD, (for		4.CRCDD reports and statistics

	<p>further developed to ensure standardised levels of service delivery in line with international best practice, and with a gender responsive approach</p> <p>5. Anti-narcotic investigations, treatment and rehabilitation mechanisms concerning drug addict offenders (including juveniles) are improved in line with human rights' international standards and best practices</p> <p>6. Alternative sanctions and alternative measures to pre-trial detention are further promoted and developed (including for drug addict juveniles) by criminal justice institutions in line with international law standards and best practices</p>	<p>vocational training facilities at the women's CRC – Jwaideh to improve correctional rehabilitation services and post release reintegration of offenders</p> <p>5.1 Level of development of an anti-narcotic training centre and of evidential handling training procedures</p> <p>5.2 Number of inmates benefitting from drug rehabilitation programmes in psycho-social support, access to healthcare or other treatment at Bereen Drug treatment center</p> <p>6. Ratio of judicial decisions pronounced on alternative sanctions and non-custodial measures and development level of pilot services and programme to implement those measures</p>	<p>simulation training on handling reception, treatment)</p> <p>Number (to be completed) of female inmates benefitting from vocational rehabilitation training in 2021</p> <p>No AND small drug laboratory where drug samples can be tested and identified.</p> <p>Bereen Center: 1 floor equipped for 40 inmates. In 2020: 141 drug addict inmates treated in Bereen Drug Treatment facility in 2020</p> <p>In 2020: Judicial decisions issued on community sanctions: 286. In 2020: Executed decisions (community sanctions implemented): 149</p> <p>Twenty one (21) programmes available for implementation of community sanctions (delivered by 13 institutions)</p> <p>In 2020: 4 awareness campaigns and detailed figures on audience outreached</p>		<p>5. AND and CRCDD reports and statistics</p> <p>6. Mizan statistics and MoJ reports</p>
--	--	---	--	--	---

	<p>7. Inter-communication and coordination among RoL sector institutions, dissemination of legal information and awareness on Rule of Law sector reforms and legal rights of the most vulnerable groups are increased.</p>	<p>7 Level of development of internal coordination meetings between justice sector institutions and external media campaigns developed and implemented in line with the joint JC-MoJ communication and media plan for 2020-2026</p>			<p>7. Reports from MoJ and JC communication units</p>
--	--	---	--	--	---

Direct Outputs	<p>1. Increased size and share of external assistance funds made available through the national budget in the RoL sector</p> <p>2. Increased predictability of the disbursement of external funds and visibility of external funding in the national and departments' budgets</p> <p>3. Increased alignment and coordination of policy dialogue in the RoL sector</p> <p>4. Improved capacity to implement activities conducive to RoL reforms, implementation, monitoring and reporting of the justice sector strategies (including on budgetary aspects)</p> <p>5. Improved harmonisation and alignment of EU funded assistance in RoL sector with the government policies and systems</p> <p>6. Reduced transaction costs for providing assistance</p>	<p>1. Level of EU funding transferred to the RoL sector in fiscal years 2021, 2022 and 2023</p> <p>2. Regular monitoring of budget support eligibility criteria and provision of exhaustive information by the MoF and GBD on external contribution and external funding available in departments' budget reports (MTFF, MTEF, performance reports)</p> <p>3. Continued political and policy dialogue with the Government in the area of RoL and donor coordination in view of further aligning development cooperation and relieving the Government from multiple reporting duties</p> <p>4. Status of financial and performance monitoring and reporting of reforms, focusing on budgeting and costing methodologies</p> <p>5. Continued effort to reinforce Government institutional capacities to implement the RoL reforms</p> <p>6. BS funds integrated to national budget. Application of government management, planning, human resources, budgeting, accounting, and reporting.</p>	<p>1. Baseline required</p> <p>2. Baseline required</p> <p>3. Baseline required</p>	<p>To be set in the Financing Agreement</p>	<p>1. MoF reporting, MTFF, Budget annual law</p> <p>2. Reports of independent assessment missions, MoF reporting, MTFF, RoL sector MTEF</p> <p>3. Reports of RoL institutions on policy progress reports, reports of independent assessment missions, EUD political reports and Risk Management Framework</p> <p>4. Idem</p> <p>5. Idem</p> <p>6. Idem</p>
-----------------------	---	--	---	---	--

4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing Agreement

In order to implement this action, it is envisaged to conclude a financing agreement with the Hashemite Kingdom of Jordan.

4.2. Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this financing Decision and the relevant contracts and agreements.

4.3. Implementation of the Budget Support Component

4.3.1. Rationale for the Amounts Allocated to Budget Support

The amount allocated for the budget support component is EUR 26.5 million, and for complementary support is EUR 3,5 million. This amount is based on a provisional cost analysis of the impact of the reforms forecast in the national strategies.

Budget support for this programme will enable targeted justice and law enforcement institutions to continue financing the review and amendment of the criminal legal and regulatory framework for improvement of fair trial guarantees in line with international law standards and gender-based best practices and the institutionalisation of systems and procedures (including inspection and monitoring processes) that were initiated during the previous sector budget support programmes, namely through further development of digital and technologic justice tools.

Budget support will also continue reinforcing the management and performance of courts, prosecutor offices and police departments, through enhancement of their qualifications and technical skills of relevant legal matters, namely on investigation, prosecution and adjudication of specialised crimes, further enhance the use and implementation of alternative sanctions and non-custodial measures, treatment, rehabilitation and reintegration of offenders and detainees (including women and juvenile offenders), improve legal aid and awareness services delivered to the most vulnerable groups,.

Complementary measures will contribute to strengthen technical capacities and skills of the justice actors to achieve the performance and quality improvements required in their respective strategies and continue supporting transformative judicial procedures and justice practices, to further develop their accountability and transparency. Technical assistance will also assist beneficiary institutions to further integrate rights-based and gender-based approaches in all programme actions and implementation of the RoL strategies.

Policy dialogue is expected to improve the coordination and cooperation around the rule of law reforms, and to support dialogue and consultations between key justice and law enforcement institutions and other stakeholders (donors, international and national partner agencies, regional and local CSO and / or relevant private actors) for enhanced planning, budgeting, implementation, monitoring and execution of justice sector policies and related expenditures.

The record of accomplishment and absorption capacity of past disbursements is high with the first two tranches of the current programme which reached more than 99% disbursement rate and the third one aiming at a full disbursement.

4.3.2. Criteria for Disbursement of Budget Support

a) Conditions.

The general conditions for disbursement of all tranches are as follows:

- Satisfactory progress in the implementation of the Justice Sector Reform Strategy 2022-2026, the Criminal Justice Strategy 2022-2026 and continued credibility and relevance thereof or of the subsequent policy.
- Maintenance of a credible and relevant stability-oriented macroeconomic policy or progress made towards restoring key balances.
- Satisfactory progress in the implementation of reforms to improve public financial management, including domestic revenue mobilisation, and continued relevance and credibility of the reform programme.
- Satisfactory progress with regard to the public availability of accessible, timely, comprehensive, and sound budgetary information.

The specific conditions as well as the tranches to which they apply are as follows:

- Tranches 1 to 4: Bilateral Government – Donors Coordination Committee re-established and led by the Ministry of Justice, meeting once a year to present the review in implementation of the justice sector reform strategy and sub-strategies and the annual operational plans and budgets.
- Tranches 2 to 4: Structure for sector dialogue and consultation between justice sector institutions, PSD, Jordanian Bar Association, National Centers, CSOs and academia is in place and meets twice per year to discuss criminal legal amendments in line with international standards and operationalisation of legal aid services and alternative measures to detention

b) The performance indicators for disbursement that may be used for variable tranches may focus on the following policy priorities:

1. Development of automated and digitalisation processes improving workflow and case flow management (MoJ e-transformation plan – MoJ sub-strategy);
2. Enhancing the offer and quality level of training delivered to criminal judges and prosecutors in specialised legal matters (Justice Sector Reform Strategy 2022-2026,, Judicial Institute of Jordan’s sub-strategy, Judicial Council sub-strategy, Public Prosecution strategy);
3. Revisions and amendment of the criminal laws (National Human Rights Action Plan , Pillar 1, sub-objectives 1 and 2, Justice Sector Reform Strategy 2022-2025, Criminal Justice Strategy 2021-2024, Recommendation of the Royal Committee for RoL reform);
4. Development of a model training centre for CRCDC and of a vocational training facilities at the women’s CRC – Jwaideh to improve correctional rehabilitation services and post release reintegration of offenders (PSD Strategy 2020 – 2023 supporting Article (4) of Amending Law to public security Law No (14) of 2020. Criminal Justice Strategy Implementation Plan 3.5.2, 1.1.3, 2.1.3, 1.3.3. JJC Strategy, Objective 4. The Royal Committee recommendations for Judicial Reform and Rule of Law 43,48,49)

5. Development of an anti-narcotic training centre and training procedures; Increase the number of inmates benefitting from drug rehabilitation programmes (Public Prosecution Strategy 2021 - 2025 – (Strategic Objective 2. PSD Strategy 2020 – 2023). Criminal Justice Strategy)
6. Increase the use of alternative sanctions and non-custodial measures (Criminal Code – Art. 65 – Criminal Procedure Code ar.114 – Community Sanctions operational plans – JSRS strategy – Criminal Justice strategy Article 24 of the Jordanian Juvenile Law)
7. Increase cases benefitting from free legal aid services (Justice Sector Strategy - Criminal Justice Strategy / executive plan - Criminal Procedure Code - Legal aid bylaw No 119 of 2018 (amended))
8. Strengthen internal coordination between justice sector institutions and their outreach and communication (MoJ and JC Joint Communication Plan)

The chosen performance indicators and targets to be used for the disbursement of variable tranches will apply for the duration of the action.

c) Modifications.

The chosen performance indicators and targets to be used for the disbursement of variable tranches will apply for the duration of the action. However, in duly justified cases, the partner country and the Commission may agree on changes to indicators or on upward/downward revisions of targets. Such changes shall be authorised in writing ex-ante, at the latest at the beginning of the period under review applicable to the indicators and targets.

In exceptional and/or duly justified cases, for instance where unexpected events, external shocks or changing circumstances have made the indicator or the target irrelevant and could not be anticipated, a variable tranche indicator may be waived. In these cases, the related amount could either be reallocated to the other indicators of the variable tranche the same year or be transferred to the next variable tranche the following year (in accordance with the original weighting of the indicators). It could also be decided to re-assess an indicator the following year against the original target, if there was a positive trend and the authorities did not reach the target because of factors beyond their control. The use of this provision shall be requested by the partner country and approved in writing by the Commission.

d) Fundamental values

In case of a significant deterioration of fundamental values, budget support disbursements may be suspended, reduced or cancelled, in accordance with the relevant provisions of the financing agreement.

4.3.3. Budget Support Details

Budget support is provided as direct untargeted budget support to the national treasury. The crediting of the euro transfers disbursed into Jordanian Dinars will be undertaken at the appropriate exchange rates in line with the relevant provisions of the financing agreement.

4.4. Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures¹⁵.

¹⁵ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

4.4.1. Direct Management (Procurement)

The procurement for the complementary activities will contribute to achieving Specific Objective 1 of this action.

4.5. Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
Budget support - cf. section 4.3	26 500 000
Implementation modalities – cf. section 4.4	
Specific Objective n. 1 composed of	3 100 000
Procurement (direct management) – cf. section 4.4.1	
Evaluation – cf. section 5.2 Audit – cf. section 5.3	200 000
Communication and visibility – cf. section 6	200 000
Contingencies	N.A.
Totals	30 000 000

4.6. Organisational Set-up and Responsibilities

The Ministry of Planning and International Cooperation is signatory of this Financing Agreement, with overall responsibility for coordination with the EU and the various stakeholders involved. It is also responsible for facilitating the monitoring and appraisal missions to be conducted in the framework of this programme.

A Programme Steering Committee will ensure overall guidance and monitoring over the action and of the progress of the reforms achieved under the EU funding.

The SC will be chaired by the Secretary General of the Ministry of Justice, co-chaired by the Ministry of Planning and International Cooperation, and include representatives of the Judicial Council, the Judicial Institute of Jordan, PSD departments targeted by the action and other relevant beneficiary institutions, including CSOs having partnerships with key institutions or directorates. Representatives of the European Union and implementing partners (delegated bodies) will be attending as observers.

The SC will meet in the month following the start of the action and at least twice a year.

Additional thematic technical working groups will be established for each performance indicator set under the budget support component.

Focal points will be designated for each justice and police institution targeted by the action in order to facilitate communication with implementing partners, and relay the necessary information to the EUD.

Other regular meetings arrangements will be set at for the EUD, implementing partners and national institutions involved in the action to ensure frequent liaison among the stakeholders and coordination between programme activities.

Two specific coordination and dialogue platforms need to be organised under the fixed tranches of the action:

- the organisation of annual Government-Donors meeting for the RoL sector, led by the MoPIC, in cooperation with the Ministry of Justice and the Judicial Council, in order to coordinate and harmonise

sector programmes and funding based on the strategic annual operational plans and relevant department annual budgets and MTEF.

- The organisation by the MoJ and the JC, of bi-yearly dialogue and consultation platforms, between national institutions involved in the RoL reforms and civil society organisations active in the justice sector and other national or international organisations or committees, representing youth, women, vulnerable and marginalised groups.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

5. PERFORMANCE MEASUREMENT

5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support).

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

The monitoring framework for the country's sector strategies will apply for this action. Justice National Stakeholders will follow arrangements set in the JSRS, CJS and their respective sub-strategies. They will implement mechanisms and methods related to the monitoring of their strategic plans and measure the levels of progress and achievements according to their adopted set of performance indicators, on an annual basis. Each institution or Committee involved and supported by the action will be requested to submit annual progress reports reviewing the overall implementation of the policies (against their objectives and results) and achievements of the variable tranche indicators for each target to be met.

The statistical and monitoring systems as well as the quality of official data in the policy field covered have been assessed. This assessment has fed into the design of the action as follows: although the data collection and monitoring process has improved over the last years, the institutions still record weaknesses over the data analytical process and the reporting process. Indeed, they have not received the foreseen technical assistance to improve their monitoring and evaluation systems, and shortcomings remain at the reporting stage. The action will therefore ensure, namely under objective 1, that the national institutions receive the necessary institutional support and capacity building, to improve their management, monitoring and evaluation methods, and facilitate the data processing and analysis through digital integrated information systems.

The performance evaluation preceding the disbursement of the evaluation tranches will be undertaken by the EU through independent assessment missions prior to the disbursement and taking into account the information provided by the Government of Jordan and other relevant sources. These missions will determine

the extent to which the targets linked to the respective indicators have been fulfilled. Based upon these detailed analyses, an overall performance score will be determined by the independent monitoring missions and recommended as the basis for the calculation of the amount of the variable tranches. This method of calculation is mentioned in the Annex.

The EU will take its decision on the fulfilment of targets and related disbursements taking into account the conclusions of the independent assessment mission, the information provided by the Government in Jordan and other relevant sources. All documentation shall be transmitted to the Commission in English, ahead of the assessment exercises. Attachments to the main documents can be received in Arabic with an executive summary and a clear index in English.

5.2. Evaluation

Having regard to the importance of the action, mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to the advancement of the legal and institutional framework in the sector, as well as the evolution of the economic and social situation, in Jordan, which can lead to programme changes and generate review or corrections of priority needs and activities.

The final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the Justice Sector Reform Strategy 2022-2026 and the Criminal Justice Strategy 2022 – 2026 will be ending during or after the programme ends, so support can be provided to the institutions for the evaluation of implemented strategies and the formulation of the next strategies.

The evaluation of this action may be performed individually or through a joint strategic evaluation of budget support operations carried out with the partner country, other budget support providers and relevant stakeholders.

The Commission shall inform the implementing partner at least 30 days in advance of the dates envisaged for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a framework contract.

5.3. Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6. COMMUNICATION AND VISIBILITY

Communication and visibility is a contractual obligation for all entities implementing EU-funded external actions, to advertise the European Union's support for their work to the relevant audiences.

To that end they must comply with the instructions given in the [Communication and Visibility Requirements of 2018](#) (or any successor document), notably with regard to the use of the EU emblem and the elaboration of a dedicated communication and visibility plan, to be completed for every action at the start of implementation.

These obligations apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country (for instance, concerning the reforms supported through budget support), contractors, grant beneficiaries or entrusted entities. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and delegation agreements.

Communication and visibility measures may be funded from the amounts allocated to the action. For the purpose of enhancing the visibility of the EU and its contribution to this action, the Commission may sign or enter into joint declarations or statements, as part of its prerogative of budget implementation and to safeguard the financial interests of the Union. Visibility and communication measures should also promote transparency and accountability on the use of funds.

Effectiveness of communication activities on awareness about the action and its objectives as well as on EU funding of the action should be measured.

Implementing partners shall keep the Commission and concerned EU Delegation/Office fully informed of the planning and implementation of specific visibility and communication activities before work starts. Implementing partners will ensure adequate visibility of EU financing and will report on visibility and communication actions as well as the results of the overall action to the relevant monitoring committees.

It is envisaged that a contract for communication and visibility may be contracted under a framework contract.

The communication and visibility strategy will be coordinated with the relevant stakeholders in the justice sector and submitted for the approval of the EU Delegation. One of the main aim of the contract will be the strengthening of the capacities of the GoJ to communicate on its policies and reforms in the justice sector.