



## Resolution 2183 (2017)<sup>1</sup>

Provisional version

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

Parliamentary Assembly

1. On 26 January 2016, the Parliamentary Assembly adopted [Resolution 2086 \(2016\)](#) on the request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Jordan, whereby it granted the latter partner for democracy status. The Parliament of Jordan thus became the fourth parliament to request and to be granted this status, introduced by the Assembly in 2009 to develop institutional co-operation with the parliaments of the Council of Europe's neighbouring States.
2. Upon making its official request for this status, the Parliament of Jordan declared that it shared the same values as those upheld by the Council of Europe and made a number of political commitments in accordance with Rule 64.2 of the Rules of Procedure of the Assembly. These commitments are set out in paragraph 3 of [Resolution 2086 \(2016\)](#).
3. In addition, the Assembly stated in paragraph 9 of the aforementioned resolution that a number of specific measures were of key importance for strengthening democracy, the rule of law and respect for human rights and fundamental freedoms in Jordan. It stressed that progress in moving reforms forward was the prime aim of the partnership for democracy and constituted the benchmark for assessing its efficiency.
4. The Assembly deems it important that the Jordanians want to modernise and stabilise their political institutions so as to continue firmly on the path of democratic transformation. It is following with close attention the constitutional, institutional, political and legal reforms which are continuing to be pursued in Jordan, under the impetus of King Abdullah II, in spite of the instability in the region and on the country's borders.
5. As the Assembly has already stressed, the war in Syria has led to an unprecedented influx of refugees into Jordan, a small country which is making considerable efforts to accommodate them in decent conditions. The Assembly again warmly congratulates Jordan on its efforts and its exemplary hospitality. It again urges the international community to increase its support for the Jordanian authorities, either directly or through the international organisations operating on the ground, and notes with satisfaction the sum of over €700 million granted to Jordan by the European Union.
6. In this context, the Assembly:
  - 6.1. welcomes the efforts of the Jordanian Parliament in striving to comply with the political commitments of a partner for democracy despite all the difficulties and obstacles related to the instability in the region;
  - 6.2. considers positively the continuing constitutional, institutional, political and legal reforms and in particular those concerning the judiciary, political parties, decentralisation and education, and urges Jordan to keep up these efforts;

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1. *Assembly debate* on 10 October 2017 (31st Sitting) (see [Doc. 14399](#) and [Addendum](#), report of the Committee on Political Affairs and Democracy, rapporteur: Ms Josette Durrieu; and [Doc. 14412](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Andrea Rigoni). *Text adopted by the Assembly* on 10 October 2017 (31st Sitting).



6.3. welcomes the passage of the new electoral law and the holding of early parliamentary elections on 20 September 2016, which it was invited to observe. While it was disappointed by the low turnout, it noted with satisfaction that the elections were free and well organised, even though tribal and financial powers remained influential. At the same time, the representation of women in parliament increased substantially;

6.4. likewise welcomes the holding of local, municipal and governorate elections on 15 August 2017, according to the new legislation on decentralisation. This electoral process, while still complex, was conducted properly. These elections were free and well organised, although tribal and financial forces remained dominant. The low participation rate is still to be regretted, even if it is pleasing to note that the representation of women, and in particular young women, has made strong progress and confirms the important movement of women into politics. While noting that the powers and responsibilities of the councils are not yet clearly defined and that their revenues derive partly from State grants, the Assembly believes that this commitment to decentralisation is a step forward;

6.5. regrets the fact that Article 6.1 of the Constitution, which is discriminatory towards women, has not been revised;

6.6. welcomes the amendment of the Criminal Code, in particular the abolition of Article 308, which provided that a rapist shall not be prosecuted if he marries his victim, the revision of Article 98, which reduced the sentence for honour crimes if the crime was “impulsive”, but regrets the fact that Article 340 of the Criminal Code, which exempts from punishment men who kill their wives or female members of their families caught committing adultery and which reduces sentences if there is a presumption of adultery on the part of the victim, has not been repealed;

6.7. acknowledges the efforts made, in particular by women’s organisations, to promote the participation of women in political and public life, to fight discrimination based on gender, to ensure effective equality between women and men, and to fight gender-based violence. It calls on the Jordanian authorities to take resolute action against this scourge, in co-operation with civil society and more specifically women’s organisations;

6.8. regrets the fact that, while a *de facto* moratorium on executions was purportedly introduced in 2006, courts continue to hand down death sentences. In December 2014, Jordan hanged 11 men, a month later it executed two prisoners and on 4 March 2017 it executed 15 people. The Assembly strongly condemns all forms of capital punishment. It urges the Jordanian Parliament to intervene with the authorities to stop executions and reinstate the moratorium pending the abolition of the death penalty in the Criminal Code, in line with the expectations indicated by the Assembly upon granting partner for democracy status;

6.9. welcomes the fact that the media in Jordan are in general free and pluralistic, but regrets a degree of pressure from the authorities that leads to self-censorship;

6.10. welcomes the efforts made in combating corruption and money laundering. These efforts should be supported and continued.

7. The Assembly recalls its [Resolution 2122 \(2016\)](#) on administrative detention, which stresses the importance of the right to liberty and security and recalls that purely preventive detention of persons suspected of intention to commit a criminal offence is not permissible under Article 5 of the European Convention on Human Rights (ETS No. 5) as interpreted by the European Court of Human Rights. It therefore reiterates its call on the Jordanian Parliament to take steps towards abolition of administrative detention in circumstances such as these that do not comply with the right to liberty and security as protected under the Convention, as well as under the International Covenant on Civil and Political Rights, to which Jordan is a Party.

8. The Assembly calls on the Jordanian Parliament to speed up the implementation of its general commitment to promote the core values of the rule of law and respect for human rights and fundamental freedoms, while showing determination to address issues in these areas, including those reported by civil society and the media. The Assembly offers, upon request, its assistance to the Jordanian delegation to enable it to make full use of its rights to participate in the work of the Assembly.

9. In granting partner for democracy status to the Jordanian Parliament, the Assembly wanted to foster closer relations and co-operation between Jordan and the Council of Europe. Such relations have not, however, really been established. The expertise of Council of Europe bodies (Assembly, Secretariat,

European Commission for Democracy through Law (Venice Commission), Congress of Local and Regional Authorities) is at the disposal of the Jordanian authorities to help with strengthening human rights, the rule of law and democracy in Jordan.

10. The Assembly strongly regrets that, since being granted partner for democracy status, Jordan has not become party to any Council of Europe conventions or partial agreements, nor has it joined any relevant international instruments relating to human rights as requested by the Assembly.

11. Nevertheless, the Assembly welcomes the Jordanian parliamentary delegation's active participation in the work of the Assembly and its committees, which provides opportunities to keep the Assembly informed about political developments in the country in the direction of the values upheld by the Council of Europe. It encourages the delegation members to keep a watchful eye on and play an active role in the implementation of the process of reforms needed for the establishment of the rule of law and respect for human rights and fundamental freedoms, in line with the commitments entered into under the partnership.

12. Even though the reforms are advancing more slowly than planned, some vital reforms have been carried out, both as regards democracy and the elections scheduled and as regards decentralisation and social affairs (legislation favourable to women). We must therefore support Jordan at this difficult time and continue and expand our support under a progressive and trusting approach leading towards greater democracy and greater rights. Jordan and Europe have everything to gain from this partnership. Jordan is moving in the right direction.

13. In conclusion, the Assembly resolves to continue following very closely the implementation of the reforms in Jordan and to offer the Jordanian Parliament its full assistance. It will make a new assessment of the partnership within two years of the adoption of this resolution.