

EVENT REPORT

Konrad-Adenauer-Stiftung e.V.

JORDAN OFFICE

27 FEBRUARY 2017

STEFANIE TURKANIK
DR MANUEL SCHUBERT
AFAF MARAQA

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Workshop in cooperation with the Ministry of Social Development

Policy Mechanisms of Ministries Working with International Organizations

Background

The Jordanian NGO-Law, the Law on Associations, implemented in 2008 (Law 51) and amended in 2009 (Law 22), has been criticized for being vague and restrictive, most notably by the Human Rights Watch.¹ International organizations have encountered difficulties with understanding the various ministries' procedures, but are dependent on their approval. Those ministries include the Ministry of Social Development (MoSD), the Ministry of Labour and the Ministry of Interior. On the other hand, the government portrays limitations as essential for the protection of national security, as well as necessary to better organize the nongovernmental sector.²

In March of 2016, the Ministry of Social Development released plans to further amend the Law on Associations. These amendments would restrict the work of international organizations significantly. There would also be new requirements on establishing branch offices of international organizations and significant barriers to

foreign funding. As of March 2017, these amendments have yet to be approved.³

In this procedural turmoil between foreign civil society organizations and related Ministries, MoSD and KAS Jordan proposed a cooperative workshop: the concerned ministries would communicate best practice examples of registration, residency and work permit procedures for employees, and foreign funding applications, with the benefit of less obstructive bureaucracy as a consequence.

Content

The workshop opened with welcome speeches by both Dr. Manuel Schubert, the Resident Representative of KAS Jordan office, and MoSD Secretary General Deputy, Mr Abdallah Smeirat. Dr. Schubert highlighted the importance of taking responsibility for those in need, and therefore of cooperating with other civil society organizations located in Jordan, and to close the currently existing knowledge gap regarding procedures. Mr. Smeirat also spoke of the importance of streamlining procedures, overcoming obstacles, clarifying issues, and facilitating the work of NGOs. He also stated that the Minister of Social Development, H.E. Eng. Wajih Azaizeh, was keen on maintaining clear and easy procedures, and correcting the previous lack of information.

The workshop was divided into three sessions, all of which began with presentations by the respective ministry employees,

¹ Human Rights Watch (2016) "Human Rights Watch Statement on Proposed Amendments to Jordan's 2008 Law on Associations"

[<https://www.hrw.org/news/2016/08/07/human-rights-watch-statement-proposed-amendments-jordans-2008-law-associations>]

ICNL (2009) "Law of Societies (No. 51 of 2008) as amended by Law No. 22 of 2009"

[<http://www.icnl.org/research/library/files/Jordan/51-2008-En.pdf>]

ICNL (2016) „Civic Freedom Monitor:

Jordan" [<http://www.icnl.org/research/monitor/jordan.html>]

² ICNL (2016), Human Rights Watch (2016)

³ ICNL (2016), Human Rights Watch (2016)

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followed by a Q&A session with the representatives of international organizations.

The first session focused on registration procedures and foreign funding for refugees. The main point of confusion for the organizations was the seemingly ambivalent registration and application procedures within MoSD. The procedures were explained in detail, and material was supplied by MoSD to help clarify confusion. The ministry representatives also stated that organizations should maintain a formal relationship with MoSD, despite being potentially primarily associated with another ministry. MoSD stressed the rule of law and their desire for an orderly and honest nongovernmental sector. This is also why 19 of the 135 foreign associations in Jordan were shut down last year. The majority of these were violating laws by being registered as country office with MoSD, and as a regional office with the Ministry of Economy in order to enjoy the privileges granted to them by the latter such as the exemptions of duties for their residencies, cars and purchase, without considering the conditions that they should implement such as: the prohibition to conduct any activity in Jordan; to have 50% Jordanian employees; besides failing to provide MoSD with accurate administrative-managerial and financial reports.

One difficulty for organizations regarding foreign funding is the fact that funding for Jordanians and funding for refugees must be applied for separately, with the latter being channelled through the Ministry of Planning and International Cooperation. In reality, however, these are often intertwined. The fact that approval is necessary before receiving funding can also be a challenge. The representatives of MoSD were very forthcoming in their willingness to help the organizations.

The second session focused on the requirements for customs and tax exemptions. The employees of the Jordanian customs and tax department explained how societies can obtain charitable status. The most important insight was that a successful application is dependent on the

goal being "in the interest of the public." Close cooperation and conversation with the representatives of MoSD is hence vital for the clarification of this point.

The third session discussed the issuance of residency and work permits. A crucial point made by the representatives of the Ministry of Interior and the Ministry of Labour was that Jordanians should not suffer from hiring non-Jordanians. It has to be proven that the non-Jordanian has irreplaceable and valuable expertise for the country. In order to limit bureaucracy, the presenters encouraged organizations to keep copies of transactions with the ministries. Following questions by international organizations regarding visitors with restricted nationalities, the ministry employees recommended always filing a request.

Conclusion

The event received very positive feedback and was seen as a huge success. The originality of the idea and the knowledge gained by both sides of the conversation is evidence of this. Questions were clarified and contact was established between various organizations, as well as between ministry and NGO employees. The workshop also made way for new ideas, and potential projects in the future. NGOs representatives suggested holding a meeting hosted by KAS, in order to specify their general needs and come out with recommendations to facilitate their work in Jordan, especially the splitting between the rules governing the national NGOs and those governing the foreign ones; while MoSD suggested to set a meeting between The Registry of the Ministry which consists of different ministries (12 members), KAS and active NGOs, in order to discuss these recommendations before presenting them to the Ministerial Council to be reviewed and potentially added to the New Law of Associations. MoSD also suggested postponing the manual which will include the complete set of rules for registration, procedures for obtaining a work permit and residency, besides the procedures to enjoy customs and tax exemptions, until the new

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law is passed by the Jordanian Lower and Upper houses.

Most importantly, however, it showed that it is necessary to keep the conversation between MoSD and the members of international organizations alive in order to maximize the benefits for Jordan.

Press coverage

http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=2&lang=1&NewsID=291047&CatID=14&Type=Home>ype=1

<http://sahafaty.net/news8344186.htm>

www.leaders-news.com/arab-news/333652.html

<https://wakionline.com/arab-news/74322.html>