

Advocacy Case Studies: Jordan

Ramses Hilton | 27 – 28 February 2010 | Cairo, Egypt



المركز الدولي لقوانين منظمات المجتمع المدني
The International Center for Not-for-Profit Law

Background

- ▶ Law on Associations and Social Entities of 1966:
- ▶ Did not cover different forms of CSOs and limited to social service providers.
- ▶ Mandatory registration.
- ▶ Excessive government supervision and control.
- ▶ Restriction on foreign funding.

Developing the Plan: Issue Identification and Analysis

- **Issue:** a positive law reform for Jordanian Law on Associations.
- Key players:
 - Minister of Social Development
 - Prime Minister
 - Parliament
 - Jordanian Civil Society Organizations
 - International Civil Society Organizations

Legislative Drafting (1)

- ▶ The Associations Law No. 51 of 2008: issued on December 2008:
- ▶ Registration:
 - ▶ is mandatory
 - ▶ denial of registration need not be justified
 - ▶ conditions on founders (Jordanians, full capacity and minimum age),
 - ▶ minimum of eleven founders
- ▶ Position of Controller
- ▶ Restriction on foreign funding.
- ▶ Extensive government control: prior approval for board elections, attending general assembly meetings.
- ▶ Ministry has broad authority to dissolve based on “violating the provision of the law”
- ▶ Criminal penalties.

Developing the Plan

Cultivating Individual Relationships

- ▶ Engaging International stakeholders, and International NGOs.
 - Minister of Social Development
 - Prime minister
 - The King
- ▶ Targeting CSOs with training and education



- Signing the Law postponed; government promised to look into the Law again.
- Minister of Social Development announces amendment of the 2009 Law

Developing a Plan 2

Cultivating Individual Relationships

- ▶ Approaching public officials (providing comments, case studies):
 - Minister of Social Development
 - Government committee for drafting the amending Law
 - One to one meetings
 - Wait and see approach
- ▶ But also Confrontational approach: open letters to prime Minister.
- ▶ MPs were not approached properly by local NGOs; no workshops dedicated solely for MPs, no private lobbying .

Developing a plan 2

Cultivating on Individual Relationships

- ▶ Key players were not included in the process. (National Center for Human Rights).
- ▶ No approach to social and economic role of NGOs.

Developing a Plan

Building a Coalition

- ▶ Educating and training NGOs: workshops on good advocacy, helping craft the message, grants
- ▶ Weak coalitions, and lack of capacity of small NGOs supported the government's unwillingness to change core provisions indirectly.

Developing the Plan

Public & Media Outreach

- ▶ A few articles in the media criticizing the law and the minister.
- ▶ Public was not aware of the process.
- ▶ No media campaigns on highlighting the importance of civil society, but a few articles criticizing the minister.

Legislative Drafting (2)

- ▶ Committee of a few CSOs and the government suggested a draft law that is still restrictive, and the MPs voted for imposing even more restrictions– Amending Law of 2009:
- ▶ **Positive amendments:**
- ▶ Number of founders is reduced to seven.
- ▶ Board of Registry instead of Registry Controller.
- ▶ Including different forms of NGOs: closed associations, private associations.
- ▶ Reporting on members cancelled.
- ▶ Government prior approval on board elections removed.
- ▶ Criminal penalties removed, but the law still refers to more severe penalties in other laws: Penal code.

Legislative Drafting (2)

- ▶ **Negative amendments:**
- ▶ Registration is still mandatory: authority need not justify denial of registration, conditions on founders stated in 2008 law remained.
- ▶ Approval on foreign funding by cabinet remained (government suggested minister's approval).
- ▶ Form of non-operating branches rejected by MPs.
- ▶ Government approval on general assembly resolutions remained, and notification of meetings remained.
- ▶ Government authority of dissolution remained

Lessons Learnt:

- ▶ Big NGOs or NGOs with similar activities cannot do it alone.
- ▶ Coalitions should consider all aspects of the law reform process.
- ▶ Creating a long relationship with cooperation not confrontation.
- ▶ Achieving something is better than achieving nothing at all.
- ▶ Open protest campaigns should not be the only means.
- ▶ Media should be used effectively.
- ▶ The message should be targeted to the appropriate audience, and delivered by the most effective messenger for that audience.