

UJRC convenes three Training Workshops on Access to Information

Preface

In June 2007 Jordan endorsed a law that preserves the Right of Access to Information: Law no. 47 of 2007. In so doing, Jordan was the first Arab country to issue such a law on freedom of information. However, despite the existence of this law for over 18 months, there is still a lack of knowledge of this law. Information users, media persons and stakeholders are still not fully aware of the existence of this law. Many still do not know about the provisions that this law entails and the rights that this law entitles them to. In a report published in September 2008, figures showed that there has been not one complaint raised about any obstacle experienced by any person requesting information. This indicates that there is a gap in the public's knowledge of the existence of this law.

UJRC believes that having a Jordanian legislation that guarantees the right of access to information not only makes the flow of information smoother for media outlets; it provides a significant opportunity for Jordan to benefit from a free investment climate and an economically open market. It provides for endorsing a transparent and competitive climate for the business sector, whilst promoting the flow of foreign investment into Jordan. Investors feel more secure and confident when investing in a transparent environment that makes information, facts and figures, legislations and economic regulations easily available.

Equally, UJRC believes that it is necessary to raise the awareness of journalists and practitioners working in the media on the existence of the Access to Information law and the provisions it allows for. This includes people working in the electronic and paper media, private and public TV and radio stations.

Just as the receivers and users of information are necessary targets, UJRC believes, the "providers" of this information are the cornerstone of the whole process. Ideally, UJRC sees the significance of targeting them as well.

Accordingly, UJRC realised that there is a need to conduct focused training sessions to materialise the implementation of this law. This includes delivering training to journalists and the business sector on how to utilise the law for their access of information, the rights that the law provides for the user, mechanism and procedures of filing an information request, and method of filing complaints if information was withheld or restricted. Moreover, UJRC targeted employees in governmental and public entities that are involved in the providing of information to the public, to train them on how to deal with information requests submitted to them.



Participants at one of the training workshops

First Workshop: Training Journalists and Media persons



Dr. Mohammad Al-Musa speaking about freedom of information in international conventions



Mr. Taleb Saqqaf overviewing with the participants their experiences in requesting information from official bodies, and Abeer Abu Touq speaking about her own experience

Proceedings:

On February 2 and 3, UJRC with IREX conducted the first of the series of workshops, at the Jerusalem hotel in Amman. A total of 27 media persons participated at the workshop. Attendees included media persons working for the state TV and radio channels, in addition to private sky channels. Journalists working for electronic and paper press also attended.

The first day commenced by an opening speech by Mr. Hani Hourani, UJRC Director General. He briefed the participants on the significance of access to information to media people in particular; as they use it in their everyday life. Hourani talked about the law of free access to information and the need to raise awareness on it, which is done through these workshops UJRC is conducting with IREX and USAID support. Following this, there was an introduction of participants and their expectations of the workshop.

Dr. Mohammad Al Musa, Professor of International Law and Human Rights at Zaitoonh University, delivered a training session on the Right to Access of Information in International Conventions. He overviewed the historical evolution of freedom of information, basic principles of this right, and highlighted international conventions and best practices.

In the second session, Dr. Al Musa portrayed the interconnectedness between the right of access to information and other human rights. Participants were divided into working groups to highlight the relation between the right to free information and other civic, political, economic, social, and cultural rights.

Mr. Taleb Saqqaf, the Lawyer and Director of Human and Environment Watch, trained on the third session. He tackled the Fundamental Pillars of the Right of Access to Information in Jordanian legislations. He gave an analytical reading into each of the 20 articles of the law, whilst assessing the advantages and the setbacks in each provision and phrase.

The first day ended with concluding remarks by Dr. May Al-Taher, UJRC Deputy Director, who summed up the main conclusions and recommendations of the first day. Finally, evaluation forms were distributed among the participants to complete.

The second day started with an overview by May Al-Taher with the participants of the main topics discussed in the first day. Mr. Taleb Saqqaf then examined with the participants the Request for Information Form that users have to fill in to ask for information. All phrases were discussed among the participants. One of the participants gave a case study on her own experience in requesting information from a governmental department of agriculture in Jarash governorate. She overviewed the process she went through and the setbacks she encountered.

The second training session was delivered by Mr. Yahia Shukkeir, Editing Secretary at Al-Arab Al-Yawm daily. He tackled the Role of Media in Access to Information and Transparency. He elaborated on the right of journalists to accessing information as per the Press and Publications Law and several other related laws, whilst linking this to transparency and combating corruption. He spoke about press freedoms in Jordan and linked this to international

examples. Shukkeir then gave the participants a number of exercises and divided them into working groups.

The third session was devoted to listening to the participants speaking about their experiences in requesting information from different public and private sources. Participants openly discussed the impediments and obstacles they face in their daily work whilst requesting information, facts and figures from the data providers. This was linked to public freedoms in Jordan, labour issues, and

the investment climate. Finally, UJRC facilitators reviewed with the participants the most significant outcomes of this training workshop, whilst coming up with concrete recommendations concerning the provisions of the Law itself, the lack of awareness, and the information providers.

Finally, UJRC handed out certificates to the participants stating that they have successfully completed a 2-day training workshop on access to information.

Second Workshop: Training the Business Sector



Mr. Hani Hourani, Dr. May Al-Taher and Dr. Qassem Al-Hammouri at the headtable



Participants at the workshop: representatives of the main business associations

Proceedings:

On February 9 and 10, UJRC conducted the second of the series of workshops. This second workshop, targeted the private sector and business associations. It was held at the Century Park hotel in Amman. A total of 18 participants from the business and investment sector participated at the workshop, representing a number of chambers of industry and trade, business associations, professional associations, the Social Security Corporation, and the Securities Depository Center.

The first day commenced by an opening speech by Mr. Hani Hourani, UJRC Director General. He spoke about the importance of access to information to the business sector and to enhancing the investment climate in Jordan. Hourani said that free and transparent access to information is a prerequisite for promoting both local and foreign investment in Jordan.

Mr. Philip Madanat, IREX Program Manager, gave a welcoming speech on behalf of IREX. He outlined the different programs and components that IREX is working on in Jordan, aiming at strengthening

the media and supporting media-related initiatives. Madanat said that addressing freedom of information is one issue that needs to be promoted in order to further strengthening the media. He said that IREX has chosen UJRC to implement this project, since it enjoys a solid record in holding capacity-building and training workshops on issues of timely importance, and has been involved in freedom of information in its various streams and activities. Following this, there was an introduction of participants and their expectations of the workshop.

Dr. Mohammad Al Musa, Professor of International Law and Human Rights at Zaitooneh University, delivered the first training session on the Right to Access of Information in International Conventions. He overviewed the historical evolution of freedom of information, basic principles of this right, and highlighted international conventions and best practices.

In the second session, Dr. Al Musa tackled the significance of access to free information in promoting the investment climate. Participants



Ms. Enaam Mutawa speaking about NIC and the Access to Information Law

were divided into working groups to highlight the relationship between the right to free information and the investment climate. Groups also worked on assessing the need of flow of information, transparency, disclosure, and equal opportunities for promoting a real competitive environment.

Mr. Taleb Saqqaf, the Lawyer and Director of Human and Environment Watch, trained on the third session. He tackled the Fundamental Pillars of the Right of Access to Information in Jordanian legislations. Saqqaf gave the participants an analytical reading into each of the 20 articles of the law, whilst assessing the advantages and the setbacks in each provision and phrase.

The first day ended with concluding remarks and summing up of the main conclusions and recommendations of the day. Finally, evaluation forms were distributed among the participants to complete.

The second day started with an overview by May Al-Taher with the participants of the main topics discussed in the first day. Ms. Enaam Mutawa, Secretary General of the National Information Council, gave the first training session. She examined with the participants the Request for Information Form that users have to fill in to ask for information. She outlined the procedures that the Information Council has implemented in order to ensure that all ministries and departments are informed of the Law of Access to Information. Mutawa stressed that copies of the Request for Information Form have been disseminated and distributed to all ministries and departments. She clarified the mechanism of submitting appeals to the Information Council in the case of not receiving the information requested from any official department. Participants took this opportunity to pose questions and inquiries on how to request information and

exchanged their experiences in asking for economic facts and figures from official entities.

The second session on that day was given by Dr. Qassem Al Hammouri, Secretary General of the Jordan Chamber of Commerce. Hammouri elaborated on the importance of information in being the cornerstone of rational financial policies and coherent decision-making. He outlined that there is an existing culture of withholding information and not disclosing it to the public, out of the feeling that information is a source of power for the officer. Yet, Hammouri stressed that information should not be used for harmful purposes such as offending people or blackmailing them. He called for the need to organise lobbying efforts by Chambers of Commerce and by the Parliament to advocate for the need to access free and transparent information.

The third session was devoting to envisaging obstacles faced by business people and investors while requesting information. The session was facilitated by May Al-Taher, who discussed with the participants the main blocks of accessing information from investment-related governmental bodies. The bodies that hold the most needed information for economists, researchers and investors were identified as the Jordan Investment Board, Department of Statistics, Social Security Corporation, Department of Companies Control, Customs Department, and the Ministries of Finance and of Planning. Participants stressed that there is a definite need to establish directorates of information at the various investment-related bodies and departments.

The workshop ended by UJRC handing out certificates to the participants stating that they have successfully completed a 2-day training workshop on access to information.



Mr. Yahia Shukkeir delivering training on access to information

Third Workshop: Training Public Sector Officials



Representatives of key governmental departments participating at the workshop

Proceedings:

On February 18 and 19, UJRC conducted the third of the series of workshops, which targeted governmental officials and employees in the public sector. It was held at the Century Park hotel in Amman. A total of 48 representatives of ministries and public departments participated at the workshop. Attendees included the Spokespersons of a number of ministries and public institutions, which are in daily contact with receiving information requests from the public. Examples of ministries represented are: the Ministry of Labour, Planning and International Cooperation, Finance, Social Development, Culture, Environment, and Water and Irrigation. Other governmental institutions included the Department of Statistics, Customs Department, Public Security Directorate, the Audit Bureau, Department of Publications and Press, Income and Sales Tax Department, TV and Radio Corporation, Jordan Valley Authority, Civil Defence Department, Water Authority, Public Transport Regulatory Commission, Department of Antiquities, Department of Lands and Survey, and the Jordanian Parliament.

The first day commenced by an opening speech by Mr. Hani Hourani, UJRC Director General. He outlined the objectives of the series of workshops that have been conducted on the right of access to information, stating that this third one addresses the information providers in particular. Hourani spoke about the Jordanian Alliance of Freedom of Information and Transparency that UJRC launched last September, and about the Arab Freedom of Information Network that UJRC is a founding member of. Mr. Philip Madanat, IREX Program Manager, gave a welcoming speech on behalf of IREX. He overviewed the different programs and components that IREX is working on in Jordan, aiming at strengthening the media and supporting media-related initiatives. Examples are training university

students on paper journalism, and the New Media program that has recently been launched. Madanat said that addressing freedom of information is a key element that needs to be promoted in order to further strengthening the media. He said that IREX is working on this project with UJRC which possesses a record in holding capacity-building and training workshops on issues of timely importance, and has been involved in freedom of information in its various streams and activities. Following this, there was an introduction of participants and their expectations of the workshop.

Dr. Mohammad Al Musa, Professor of International Law and Human Rights at Zaitooneh University, delivered the first training session on the Right to Access of Information in International Conventions. He overviewed the historical evolution of freedom of information, basic principles of this right, and highlighted international conventions and best practices.

In the second session, Dr. Al Musa portrayed the interconnectedness between the right of access to information and other human rights. Participants were divided into working groups to highlight the relation between the right to free information and other civic, political, economic, social, and cultural rights.

Mr. Yahia Shukkeir, Editing Secretary at Al-Arab Al-Yawm daily and the trainer on media laws, delivered the third training session. He tackled the Fundamental Pillars of the Right of Access to Information in Jordanian legislations. Shukkeir gave the participants an analytical reading into each of the 20 articles of the law, whilst assessing the advantages and the setbacks in each provision and phrase. He also linked the Law on the Right of Access to Information with several other laws that deter the functionality of this law, such as Protection of State Secrets and Documents, the Penal Law, the Civil Service Regulations, and others.



Outstanding participation of public institutions at the 3rd training workshop



Workshop participants after receiving their certificates

The first day ended with concluding remarks and summing up of the main conclusions and recommendations of the day. Finally, evaluation forms were distributed among the participants to complete.

The second day started by an overview by Dr. May Al-Taher, UJRC deputy director, of the main topics that were addressed in the first day. Taher pointed out that this workshop is particular as it shows the other side of the coin; instead of learning about different stories and experiences of persons submitting requests for information and encountering difficulties, today we are hearing from the information providers and learning from them the problems they encounter from disclosing information that is then misused by the user. Taher said that participants in first two workshops agreed that the Department of Statistics presents a successful holder of information and provides it smoothly and flowingly to the users. This is why we will be hearing from the Department about their mechanism in dealing with request for information.

The first phase of the session was delivered by Mr. Yahia Shukkeir, who outlined the roles and responsibilities of the information providers in ministries and public institutions towards the requestors of information. He overviewed best regional and international practices in this regard, and focused on the principle of “maximum disclosure” of available information.

Mr. Kamal Al-Saleh, Assistant Director General of the Department of Statistics gave the second phase of the session. He presented a practical experience of a governmental entity that deals with dozens of requests of information from wide varieties of stakeholders. Saleh said that since 1999 the Department revoked an earlier decree that necessitated the presence of an official letter or statement to request any piece of information. Thus, the user directly contacts DoS and asks for the figure or data requested. DoS staff respond by sending the data either by email, or by fax, or putting it on a CD,

or printing it out if the users so chooses. This saves time and effort of having to a) submit an official statement supporting the request of information and identifying place of work, purpose of requesting information, etc. and b) having to commute to DoS to pick up the needed information. Saleh clarified that there is a front office for serving people at the Department, which is authorised to provide any available reports or surveys or figures to the users. DoS also disseminates its surveys’ findings, figures, and indicators among a wide list of email contacts. Secrecy of personal information and accuracy of figures is an utmost priority at DoS.

In the second session, three participants who hold key and senior positions in their institutions were selected to sit at the podium, and the audience was invited to pose questions at these three spokespersons. Selected key personnel were representatives of the Customs Department, Public Security Directorate, and the Ministry of Water and Irrigation. This was a good opportunity to ask these persons about the mechanism their institutions follow in dealing with the public, with requests for information, their transparency in disclosing their work, posting their rules and regulations on their websites, etc.

The final session was delivered by Mr. Yahia Shukkeir, who tackled the status of Access to Information at the global level. He gave an overview of the countries that have already endorsed Freedom of Information Acts, whilst linking this to the different regions and the dates of endorsing these legislations. Shukkeir looked at Jordan’s press freedom ranking in the past five years. He made a comparison between press freedom, transparency, and GNP per capita, whilst stressing the correlation between endorsing Freedom of Information Acts and the incidence of poverty and corruption levels.

Finally, UJRC handed out certificates to the participants stating that they have successfully completed a 2-day training workshop on access to information, organised by UJRC and IREX.

UJRC NEW PUBLICATION:

The Right of Access to Information in Jordanian Legislations

A research paper on Access to Information in Jordanian Legislation has established the need to abolish the Law on Protection of State Secrets and Documents no. 50 of 1971. This Law has remained a provisional law despite 37 years since its endorsement. According to the report, the law is no longer required since the Right of Access to Information Law no. 47 has entered into effect in June 2007.



The study which was conducted at the Urdun Al Jadid Research Center (UJRC), calls upon the Lower House of Parliament and the Jordanian government to amend the Law on Freedom of Information towards an increased representation of Civil Society Organisations and the Press Association in the "Information Council". Moreover, there is a need to revise the exceptions enlisted under Article 13 of the law, which were highly disputable among the Press Association, the National Center for Human Rights and other civil society organisations.

The report calls for an assessment of the work of the National Information Council during the past 18 months since the issuance of this law. The assessment should focus on the efficiency of the actions and procedures taken to inform citizens of their rights provided by the law. It is equally necessary to check to what extent citizens now enjoy more and smoother access to information. On the basis of that, measures should be taken to further activate the law and develop the relevant governmental policies, in order to create a transparent environment and to build the capacities of citizens in accessing information.

UJRC's report recommends expanding training of public sector officials who deal directly with the public, or who run the departments of information, public relations or media in their ministries. Profound training should focus on different applications and usages of Right to Access Information Law. They should also be made aware of the fact that the right to free information is not only one of the fundamental human rights in international conventions; but is a well recognised and preserved right in Jordanian legislations.

The study falls in 75 pages and is divided into three main chapters. The first tackles freedom of opinion

and expression in international charters and covenants. It sheds light on the right of freedom of information and its relationship with freedom of opinion and expression.

The second chapter addresses exercising the right of access to information at the Jordanian level. It overviews both the constitutional framework and the legal framework governing the right of access to information. A section is devoted to the

right of journalists and media persons to freely access information, as provided by the Press and Publications law. The chapter concludes by addressing the impact of the 'Right of Access to Information' law on the Jordanian economy and in promoting development and investment.

The third and final chapter tackles the restrictions imposed on the right of access to information in Jordan, through a comprehensive overview of existing legislations. Different dimensions are visited, such as international conventions and national security considerations, as well as existing constraints on publishing personal information.

The report concludes by several annexes that contain the texts of Jordanian laws pertaining to the right to free information, ad materials, and international and regional Arab declarations and conventions. In addition, the report includes the inauguration document of the Jordanian Alliance for Freedom of Information and Transparency (JAFIT), which was issued on the International Day for Freedom of Information, September 28, 2008.

The report was prepared by the journalist Ashraf Al-Rai. It was edited by Hussein Abu Rumman, with the foreword presented by Hani Hourani, UJRC Director General.

The report is published with support of the Arabic Freedom of Information Network (AFOINET) that was launched in Casablanca, Morocco, in July 2008. The network is supported by the Middle East Partnership Initiative (MEPI) and Beyster Institute at the Rady School of Management University of California San Diego, to implement a series of activities and programs on the right of access to information.

Cairo Declaration on the right to access information in the Arab world

The Egyptian Organization for Human Rights (EOHR) and the National Council of Human Rights in partnership with the Center of Media Freedom in the Middle East and North Africa organised a regional conference for the Arab Freedom of Information Network in Cairo under the title of “Information is a Right for All” during the period from January 27- 28, 2009. The conference included a group of media professors, members of People’s Assembly and Shura Council, civil society organisations, journalists and lawyers from 6 Arab countries (Egypt, Morocco, Jordan, Palestine, Mauritania, and Yemen).

Participants of the conference discussed the situation of information exchange in the Arab area, some countries practices concerning bills which were proposed or approved to support the right to access information, the campaigns to support the issuance of such laws, and international experiences presented in this regard.

Participants came to a set of basic conclusions, as follows:

- 1- Ensuring the individuals right to access information and to guarantee their rights to the freedom of opinion and expression. This right includes their freedoms to seek knowledge, receive and impart information to others regardless of frontiers, either orally, in writing or in print form or through other different means.
- 2- The necessity of Arab governments’ commitment to the policy of disclosing information in accordance

with the principles of accountability and good governance and corruption combating.

- 3- Arab countries lack such laws related to the freedom of information exchange. In fact, most laws in these countries impose restrictions on this freedom.
- 4- Most Arab countries criminalise the availability, exchange and publishing of information without permission from the competent authorities in many of their penal laws.
- 5- There should be a set of principles and fundamentals that control the existence of a law for the freedom of information in any Arab country according to the international standards in this concern. These standards are as follows:
 - To provide the right for anybody to access information; this right is not confined to journalists or media persons.
 - There is a need to specify the types of information, documents and records that are considered confidential and secret, whilst also determining the duration period of this secrecy and its standards. Secrecy of information should be very limited and in accordance with international standards.
 - The existence of monitoring body (a commission responsible for information exchange) to implement the provisions of law.



Speakers at the headtable

6- Participants called for the establishment of national networks to protect the right to access information. In the Egyptian case it was agreed to establish an Egyptian network with EOHR chosen as its coordinator. Fifteen of the participating NGOs agreed to join the network, which will hold its first meeting in the second half of February. The network will issue a foundational document that identifies its goals and mechanisms, and will target all governorates of Egypt. This is an invitation to all the Egyptian civil society organisations to join the network.

Conference deliberations and discussions ended with the following set of recommendations:

All Arab countries, except for Jordan, have not adopted laws to ensure the right of access to information. Secrecy is the main rule in the management of public affairs. Resisting accountability and transparency by the public authorities has its bad effects on the national economic and democracy. It is time for Arab countries to adopt laws that support and promote this right. Participants agreed on the following recommendations:

First: Arab countries should:

- 1- Provide individuals the right to access information in line with the international standards and best practices of freedom of information in democratic societies.
- 2- Review and amend all laws and procedures which impede the process of accessing information.
- 3- Seek to engage all the different stakeholders at

the national level who are concerned with this right in the process of enacting laws. Also it is important to encourage discussions concerning the proposed laws and it is not acceptable to exclude any side to participate in the discussions, including the marginalised groups.

4- Continue to manage the process of modernising their administration mechanisms and developing their E-Government policies through:

- a) Making the principles of transparency and accountability the primary focus for any policy aiming at modernising the public administration.
- b) Developing the E-government policies through applying more transparency in the activities of public administration and facilitating the process of accessing information.

5- Jordan, who has issued a law to preserve access of information, should undertake the following:

- Review and amend other existing laws that impose restrictions on access to information.
- Train governmental employees on the openness culture and how to respond to information requests.
- Encourage people to use the law through media campaigns.

6- Countries which have bills concerning the right to access information should:

- a) Organise national discussions among all involved parties to develop a new law that reflects the international standards in democratic communities.



Participants at the regional conference



Said Essoulami and Hafez Abu Seada at the headtable

- b) Finalise a draft bill on access to information as soon as possible for submission to the legislature.

Second: The League of Arab States should:

- 1- Endorse a decision that includes special principles to access information along the line with the declaration of principles issued by other regional unions (European Union and other unions that guarantee the right to access information).
- 2- Work on drafting an Arab agreement that guarantees the right to access information. This agreement should oblige the Arab governments to adopt it when drafting their own national legislations.
- 3- Ensure the full consultation with civil society organisations and experts concerning the right to access information, within the context of the Human Rights committee of the Arab League.

Third: International governmental organisations and the international community should:

- 1- Exert pressures on Arab states to adopt laws on the right to access information.

- 2- Develop independent programs in cooperation with international non-governmental organisations, the media, the business sector and other stakeholders involved to support the right to access information.
- 3- Support the Jordanian government to implement its law on the right to access information through training public sector staff, supporting civil society organisations to monitor this law, and spreading awareness among the public on the existence and the usage of this law.
- 4- Provide the technical assistance needed in the legislating process.

Fourth: The private sector, civil society organisations and media:

- 1- The Arab economic alliances should adopt voluntary initiatives to provide information needed by the public.
- 2- Labour unions and professional associations should exert pressures on their governments to adopt the right to access information law. They should inform their members – through spreading periodic newsletters and conducting training courses – on peoples' right to access information that is withheld by the government.
- 3- International NGOs should develop their legal efforts in the Arab world with the existing NGOs to protect the right to access information.
- 4- Arab NGOs should place the right to access information in their agenda and should practice pressures on their governments to adopt such laws that preserve this right.
- 5- Journalists should defend their rights to access information and should inform the public in case of any incidents where their requests for information are rejected.
- 6- Journalists should spread awareness among the public on the importance of this right and should support NGOs to protect this right.