

Towards a Legislative Environment Supporting
Civil Society: Observations and
Recommendations for Amending
the Associations Law in Jordan

Asso
Law
for the
Associations
Law No. (51)
for the year 2008

Contents

Introduction	4
Regulating the Work of Civil Society Institutions Legally	7
The Jordanian Associations Law and Its Impact on the Work of Civil Society Organizations	8
Challenges Faced by Associations in Dealing with Legal Procedures and Local Administration Systems for Associations	15
Conclusion and Recommendations:	18
Accordingly, we recommend the following actions:	19

Introduction

The civil space is one of the essential elements that contribute to strengthening democracy and developing communities. One of its most important manifestations is the associations and civil society institutions that work to achieve public welfare and enhance citizen participation in public life.

The importance of the Associations Law lies in this context, as this law is the legislative tool that regulates the work of associations and civil society organizations, outlining the procedures and conditions necessary for their establishment and operation. Despite the significance of having a law to regulate the work of associations and civil society organizations, there are certain restrictions and challenges that hinder this law, preventing associations and civil society organizations from achieving their goals effectively and reducing their role in serving the community due to some of its provisions.

This is despite Article (22) of the International Covenant on Civil and Political Rights, which became part of Jordanian law after its publication in the Official Gazette in June 2006, stipulating: *“Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.”*

The Universal Declaration of Human Rights also affirms in Article (20): *“Everyone has the right to freedom of peaceful assembly and association”* Similarly, Article (8) of the International Covenant on Economic, Social and Cultural Rights underscores this right, stating: *“1. The States Parties to the present Covenant undertake to ensure: (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others”*

Other normative frameworks also affirm the right to freedom of association, including declarations, regional human rights instruments, and resolutions of the United Nations Human Rights Council. The Arab Charter on Human Rights (hereinafter referred to as the "Arab Charter") states in Article (24): "Every citizen shall have the right To freedom of association and peaceful assembly."

Moreover, the Declaration on Human Rights Defenders, adopted by the United Nations General Assembly by consensus in 1998, affirms in Article (1): "Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels." Article (5) further provides: "Everyone has the right, individually and in association with others, at the national and international levels: To form, join and participate in non-governmental organizations, associations or groups; To communicate with non-governmental or intergovernmental organizations."

In 2010, the United Nations Human Rights Council adopted Resolution 15/21 (Rights to Freedom of Peaceful Assembly and of Association), reaffirming that "everyone has the right to freedom of peaceful assembly and association," and recognizing that "the rights to freedom of peaceful assembly and of association are essential components of democracy" It called on states to "respect and fully protect the rights of all individuals to assemble peacefully and associate freely, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law;" In accordance with the same resolution, the Human Rights Council established in 2010 the mandate of the Special Rapporteur on the Right to Freedom of Peaceful Assembly and Association. As summarized by the Special Rapporteur, this right protects an individual's freedom to form or join a group of like-minded individuals to pursue common interests. Such a group may be formal or informal, and the registration of the association is not required for the rights to freedom of association to apply.

It is important to note that the right to freedom of association is not an absolute right, but is subject to several acceptable justifications for restriction. According to Article (22) of the International Covenant on Civil and Political Rights, any restrictions on this right must be clearly defined by law and necessary in a democratic society to safeguard national security, public safety, public order, public health, morals, or the protection of the rights and freedoms of others. According to the guidelines of the United Nations Human Rights Committee and the Special Rapporteur on the Right to Freedom of Peaceful Assembly and Association, the state must demonstrate that any restrictions it seeks to impose on the freedom of association meet the requirements of legitimacy, necessity, and proportionality, and that these restrictive measures are the least intrusive means to achieve the intended goal. Moreover, these restrictions must not be applied in a discriminatory manner. The justification for imposing restrictions must be legitimate and specific, and should not be used to restrict associations that oppose the state's policies or positions. In the context of the Arab Charter, Article (24) imposes fewer restrictions on the freedom of association, emphasizing the need to safeguard national security, public safety, and the protection of the rights and freedoms of others. Unlike Article (22) of the International Covenant on Civil and Political Rights, the Arab Charter does not mention the protection of public health, morals, or the interest of public order as justifications for imposing restrictions.

The Jordanian Constitution stipulates in Article (16): " Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their by-laws not contrary to the provisions of the Constitution." Article (23) states: "The State shall protect labour and enact legislation therefore based on the following principles: Every worker shall receive wages commensurate with the quantity and quality of his work." Additionally, Article (128) emphasizes that "The laws issued in accordance with this Constitution for the regulation of rights and freedoms may not influence the essence of such rights or affect their fundamentals." It is important to note that the Jordanian Constitution uses the term "law" when referring to the regulation of the work of associations and syndicates, and by implication, the work of associations cannot be regulated by instructions or regulations.

In conclusion, the Jordanian Constitution guarantees the right to freedom of association and joining associations, and in application of this, the Jordanian Associations Law No. (51) of 2008 and its amendments was issued.¹

The current Associations Law of 2008 restricts the freedom to form and operate associations and civil society institutions. Therefore, this paper highlights the key challenges faced by civil society institutions under the Associations Law and the essential amendments that should be made to it.

Regulating the Work of Civil Society Institutions Legally

Charitable associations in Jordan began as voluntary social activities between 1912 and 1935, according to the Ottoman Associations Law issued in 1852. These associations were focused on social solidarity and providing assistance to those in need.

With the establishment of the state in the early 1920s, many charitable associations were registered under the Jordanian Associations Law of 1936, which was later abolished and replaced by the Charitable Associations Law No. (12) of 1956, as it remained in effect until 1965. Following the Social Associations and Institutions Law No. (7) of 1965 was issued, followed by Law 33 on Societies and Social Bodies No. (33) of 1966. While the Jordanian Constitution guaranteed the right to form associations, the law restricted this right and subjected it to legal and administrative procedures that diminished the substance of the constitutional right to the extent that it no longer ensured freedom of use or the ability to exercise it in accordance with the constitutional conditions. This led to calls in 2006 to amend the law, where a coalition of civil society organizations proposed a new draft law. However, the government rejected it and instead presented an alternative draft law to Parliament, which was more restrictive than the previous 1966 law on charitable associations. Parliament approved the draft law with minor changes in 2008, and it was published in the Official Gazette No. 4928 on 16-09-2008.

¹ The Jordanian Associations Law No. (51) of 2008 was published in the Jordanian Official Gazette, Issue No. (4928), on September 16, 2008, on page 4219.

After the law was enacted in 2008, civil society organizations renewed their demands for amendments to the approved law, which continued to restrict their operations. Several committees were formed to review the law, starting in 2014 and again in 2016, while the most recent dialogue began intermittently in 2019 through the reviewing committee. A committee was formed in March 2021 under the tenure of former Minister of Social Development Ayman Mufleh. Later, in August 2023, the current Minister of Social Development, Wafa Bani Mustafa, decided to reform the committee tasked with reviewing the Associations Law No. 51 of 2008, to revive the stalled process since 2021. Civil society organizations have once again called for amending the law and granting them the freedom to operate without restrictive limitations on their activities.

The Jordanian Associations Law and Its Impact on the Work of Civil Society Organizations

The work of associations in Jordan is governed by legislative frameworks, primarily the Associations Law, which limits their independence and ability to secure sufficient funding. Since 2008, civil society organizations have been calling for amendments to the law to enable associations to carry out their activities more freely and with adequate financial resources². However, challenges persist in the operation of associations in Jordan, including:

Firstly, upon reviewing the law, it becomes evident that it prohibits associations from engaging in activities and objectives that fall within the scope of political party work. Article 3/A/1 of the law, in its definition of an association, includes the activities permitted for associations. It states: " The term "association" means any legal person composed of a group of persons whose number is not less than seven and is registered in accordance with the provisions of this law to provide services or carry out activities on a voluntary basis without targeting profit-taking and sharing, or achieving any benefit for any of its members or for any person defined by itself or achieving any political goals that fall within The scope of work and activities of political parties in accordance with the legislation in force."

The definition provided by the law prohibits political activities, thereby restricting the freedom of associations and limiting their scope of work. This contravenes international standards that encourage the respect of associations' rights to carry

² See the National Center for Human Rights Report for the year 2008, p. 57, and the Center's Report for the year 2009, p.63

out their activities freely, without imposing unlawful restrictions. Furthermore, the terminology used in the definition is broad and vague, which could allow authorities to interpret an association's activities as having political objectives, thereby justifying their prohibition.

There are also restrictions on the right to register and ensure the freedom to establish and register associations, as the Jordanian legislator has adopted a registration-based approach for associations to obtain legal personality. This approach contravenes international standards governing the acquisition of legal personality for associations, which assert that registration as a method is legitimate and aligned with international standards, provided it adheres to key principles. These include the non-mandatory nature of registration and the independence of registration authorities from the government. However, the Jordanian legislator's stance in this regard makes registration a mandatory and essential requirement for an association to acquire legal personality, as stipulated by the Jordanian Associations Law. Paragraph (A) of Article (5) of the law grants the Board of Directors of the Associations Register the authority to approve association registrations in advance. To establish an association, an application for registration must be submitted to the Board of Directors of the Register, which has discretionary authority to either approve or reject the application within 60 days of receiving it. This is outlined in Paragraph (A) of Article (11) of the law, which specifies a legal registration period of 60 days from the date of application submission. If this period elapses without a decision being issued, the application is deemed approved by default. This approach clearly contradicts international standards, the Jordanian Constitution, and the Amman Declaration's principles on the freedom of associations in Arab countries. Article 4 of the Declaration states: "The fundamental legal principle underpinning the freedom of associations is the right to establish them without the need for prior authorization or approval. Associations are founded merely through the agreement of their founders' wills and may be publicly announced through prior notification. The establishment of associations should not be subject to prior intervention by administrative or judicial authorities."³

Accordingly, national legislation must align with international standards governing the establishment of civil society organizations and must grant these organizations legal personality upon notification of their establishment without requiring prior licensing or authorization.

³ [Declaration-of-Principles-and-Standards-Concerning-Freedom-of-Associations-in-Arab-Countries \(1\).pdf](#)

In conclusion, the approval of a registration application according to the provisions of the Associations Law is of great importance, as it constitutes the legal foundation necessary for the establishment of associations. Without this approval, no association can exercise its activities or achieve its objectives, which contradicts relevant international standards emphasizing that associations must acquire legal personality without prior authorization from public administration.

Regarding the supervision of associations' work, Article 4 of the law specifies that supervision is carried out by the Associations Registry, as the article states: " A. A register is created within the Ministry known as the Register of Societies. A council known as the Registration Management Council assumes responsibility for the management and supervision of the Registrar. This council is chaired by the Minister and each of the following: 1 . The Registrar – Vice Chair. 2 . Representative from the Ministry of the Interior. 3 . Representative from the Ministry of Culture. 4 . Representative from the Ministry of Tourism and Antiquities . 5 . Representative from the Ministry of the Environment. 6 . Representative from the Ministry of Political Development. 7 . Four people who have expertise in the field of charitable or volunteer work who are appointed by the Council of Ministers upon the recommendation of the Minister for a period of two years, which may be renewed. The membership of any such persons can be terminated and a replacement person may be appointed to take their place in the same manner. B. The Council of Ministers, upon the recommendation of the Minister, may add to the membership of the Board a representative from any other ministry which bears a relation to the work of Societies . C . The Relevant Minister is referred to as the representative of the ministry in the clauses (2), (3), (4), (5), and (6) of paragraph (A) of this article and in paragraph (B) of this article. The same term is also used for the employees of first grade from the ministry, whose grade is no less than second. D. The Vice Chair assumes the Chair's role in the Chair's absence."

From Article (4), we can infer that the Board of the Register is not independent from the government. It is important here to begin working on unifying the reference for all civil society institutions, assigning the task of monitoring the work of civil society institutions to a single entity. This overseeing body should be independent and include both official representatives and others from civil society institutions, with the management of its affairs being entrusted to a person with independence, elected to lead it.

As for Article (14)⁴ of the law, it obliges associations to notify the relevant minister and the registrar about the date, location, and agenda of their general assembly meeting at least two weeks prior to the meeting. If the association fails to do this, the meeting is not considered legally convened. The article also allows the minister and the registrar to appoint a representative to attend the general assembly meetings of associations. This contradicts the principle of freedom of associations and limits their independence in conducting their activities.

Article (16)⁵ of the law requires the Board of Directors of associations to submit an annual work plan to the relevant ministry, along with an annual report detailing the association's achievements, activities, sources of income, areas of expenditure, as well as any data required by regulations and instructions. Additionally, the associations must provide an audited annual budget by a chartered accountant elected by the association's general assembly. To facilitate the work of associations and civil society institutions, it would be better to limit the submission to an annual report that includes the association's achievements, activities, sources of income, areas of expenditure, and the audited annual budget.

4 Article [14]:

A. A society shall comply with the provisions of this law and the regulations and directives issued thereto and it shall undertake and abide by the following:

1. Pursuit of its work and activities according to the provisions of its bylaws.
2. Offering membership to any person who meets the criteria for it according to the provisions of the society's bylaws.
3. Notifying the Relevant Minister and the Registrar of the date of the meeting of the General Assembly, its location, and the meeting agenda at least two weeks before the meeting.
4. Recording and maintaining minutes of the Board of Directors' meetings and the General Assembly's meetings as well as any decision issued from them in chronological order in the headquarters.
5. Maintaining financial accounts which show revenues and expenditures.
6. Maintaining a register of available assets and the supplies available for them and any records necessary for the pursuit of the society's work and activities in accordance with its bylaws.

B. 1. If a society does not notify the Relevant Minister and the Registrar in writing of the date and time of the General Assembly's meeting as well as the agenda at least two weeks before the meeting, then said meeting is not considered to be a legal meeting.

2. Both the Relevant Minister and the Registrar may name a representative to attend the meeting of a society's General Assembly.

C. 1. A society shall provide the Relevant Ministry a copy of decisions issued by the General Assembly within fifteen days of the date of their issuance.

2. Notwithstanding any contrary text, the decision of a society's General Assembly to make any amendment to the provisions of the bylaws shall only be implemented following the Board's approval of the amendment. Such approval shall be within sixty days of the date of submission to the Registrar; the amendment is considered to be in force if nothing is issued to the contrary.

5 Article [16]:

A. The Board of Directors of a society shall provide the Relevant Ministry with the following:

1. An annual work plan.
 2. An annual report including the society's achievements and activities in the previous year and its sources of revenue and expenditures. Additionally, a society shall provide any statements required by the regulations and directives issued pursuant to the provisions of this law.
 3. An annual budget audited by a chartered accountant elected by the society's General Assembly. The Relevant Minister may exempt any society whose budget is less than two thousand dinars from an audit; in this case, such society's financial accounts are reviewed by the Relevant Ministry.
- B. The Board of Directors of a society shall create and organize specific records for membership and contributions so that the names of all members may be recorded as well as their personal information, their date of membership, and their contributions according to assets.

Article (17)⁶ of this law requires the approval of the Council of Ministers for associations to receive foreign funding, which contradicts the principle of freedom and independence of associations. Many associations face difficulty obtaining funding, as the Jordanian authorities impose burdensome conditions for approving foreign funding for civil society institutions. Civil society institutions continue to suffer from delays in obtaining government approval for foreign funding or its rejection, which deprives these institutions of access to resources. This affects their ability to carry out their activities and fulfill their roles, especially since many civil society institutions depend on foreign funding due to the limited availability of internal resources.

Moreover, civil society organizations are required to pay high fees for legal translators and other various costs. The fragmented regulatory framework for civil society organizations means they have to deal with bureaucratic procedures at multiple stages, often involving more than one ministry. Funding requests submitted by civil society organizations are often rejected without justification, granting the Council of Ministers wide discretionary power to reject requests and making it difficult for associations to appeal decisions that lack or are not based on clear reasons for rejection.

Article (17) also includes a provision related to freezing funds, where if an association receives funding that violates the provisions of the law, the Council of Ministers can redirect the funding to the Fund for Support of associations or take other punitive actions. This intensifies the challenges faced by associations and is considered government interference in the funds designated for these organizations, threatening their ability to operate freely and effectively.

To reduce the procedures that might delay the work of civil society organizations,

⁶ Article [17]:

A . Subject to the provisions of paragraphs (B) and (C) of this article, a society shall indicate in its annual report any donation or funding it has obtained; a society shall record in its financial records the name of the entity that made the donation or provided funding, the amount, the purpose for which such money will be disbursed, and any specific conditions related to this.

B . If the donation or funding is provided by an individual who is not Jordanian, then the society shall follow the procedures specified in paragraph (C) of this article provided that the funding or donation meets the following conditions:

- 1 . The source of funding or donation is legal and it does not violate public order or morals.
- 2 . The conditions stipulated by the donor or funder do not conflict with the provisions of this law or with the society's bylaws.
- 3 . Donations or funding are used for the purpose for which they were donated.

C .

1. If a society wishes to obtain a donation or funding from a person who is not Jordanian, it must notify the Council of Ministers. Such notification should indicate the source of the donation or funding, its amount, how it will be received, the purpose for which it will be disbursed, and any conditions specific to such monies. In the event that a refusal has not been issued by the Council of Ministers within thirty days from the date of notification, the donation or funding shall be deemed approved.

- 2 . If the Council of Ministers issues a decision to refuse the donation or funding within the period specified in clause (1) of this paragraph, then the society must refrain from receiving such donation or funding. A refusal may be appealed to the High Court of Justice according to the provisions of the legislation in force.

D . If a society obtained a donation or funding contrary to the provisions of paragraph (B) or paragraph (C) of this article, then the Council of Ministers shall transfer the amount to the account of the Fund unless the donor or funder refuses this action;

Such transfer is in addition to any sanctions or other procedures stipulated in this law and the legislation in force.

E . A society shall deposit all its monies in banks operating in the Kingdom. A society's accounts do not enjoy financial secrecy in the face of any inquiry presented by the Relevant Minister or the Registrar regarding them and this is notwithstanding what is found in any other piece of legislation.

it is essential for the state to be aware of funds obtained from foreign financing. However, the principle should be prior notification rather than requiring approval, whether for local or foreign associations, with subsequent oversight to hold any party accountable if they violate governance and transparency standards.

The Associations Law also grants the relevant minister, according to **Article (19)**⁷, the authority to appoint an interim Board of Directors to manage the affairs of an association in certain cases, such as the association's inability to hold meetings or committing violations related to its bylaws. Although this provision may seem aimed at ensuring the continuity of the association's work according to its regulations, granting this authority to the minister without clear and specific standards for intervention paves the way for government interference in the internal affairs of associations.

Such a procedure may pose a threat to the independence of associations, as this authority could potentially be used to influence their decisions or alter their internal policies to align with government directions. Therefore, it is crucial to provide safeguards to prevent the misuse of this authority and to ensure that any intervention is specific, clear, and subject to precise conditions to maintain the independence of civil society and respect its role in society.

⁷ Article [19]: A. The Relevant Minister shall appoint an interim Board of Directors for a society which shall undertake the tasks of the Board of Directors and assume its place in any of the following cases and in which one member or more from the general assembly shall participate whenever this is possible:

1 . If it is not possible for the society's Board of Directors to hold meetings due to the loss of a quota of people because of resignation, death, or other similar circumstances.

2 . If a society violated any of the provisions of this law or the regulations issued thereto or violated the provisions of its bylaws and failed to eliminate the causes for such violation within two months from the date of written notice of such violation.

3 . If a society violated the provisions of paragraph (C) of Article 18 of this law.

4 . If a society accepts any support or funding from any source without disclosing this and recording it in its financial records and reports.

B .

1. The interim Board of Directors shall invite the General Assembly to convene within at most sixty days to elect a new Board of Directors in accordance with the provisions of this law and the regulations and provisions issued thereto.

2 . If the provisions of clause (1) of this paragraph cannot be applied, the term of the interim Board of Directors may be extended once for a similar period by decision of the Relevant Minister.

Among the provisions that raise concerns and restrict the work of civil society organizations is **Article 20(b) of the law**, which grants the Registry Management Council the authority to dissolve any association through a reasoned decision if any of the following conditions, deemed by the legislator as justifications for dissolution, are met:

1. If election of a Board of Directors for a society is not possible according to the provisions of its bylaws and the provisions of this law and the regulations and directives issued thereto and this after the Relevant Minister has proceeded through all the procedures contained in Article 19 of this law.
2. If a society retains or uses donations or funding from a non- Jordanian individual contrary to the provisions of paragraph (C) of Article 17 of this law.
3. If a society commits a second offense of a violation for which it had already received a warning in accordance with the provisions of clause (2) of paragraph (A) of Article 19 and it did not eliminate the violation within two months of the date of written notification of such violation.
4. If two -thirds of the General Assembly's members agree to dissolution in an extraordinary meeting in accordance with the bylaws of the society."

Unlike the previous cases, which clearly exclude the role of association members in its dissolution, this case allows the dissolution of the association based on the approval of two-thirds of the general assembly members during an extraordinary meeting. This approval is then formalized through a decision issued by the Registry Management Council.

In summary, the Jordanian legislator, in its regulation of the provisions for dissolving associations, has not aligned with relevant international standards. It granted the Registry Management Council the authority to dissolve associations based on a recommendation from the relevant minister, allowing for the possibility of dissolving associations through administrative decisions. Furthermore, dissolving associations by a decision issued by the Registry Management Council constitutes a clear violation of international standards, which emphasize that associations should only be dissolved either by a decision of their general assembly or through a judicial ruling.

Regarding the restriction of the rights to freedom of expression and peaceful assembly, associations often face strict government oversight, which can lead to constraints on their activities or interventions that negatively impact their independence. Associations are unable to express their views on political activities, and the laws regulating their operations lack any provisions guaranteeing freedom of expression. While the Law on Associations references the term “political activities,” it does not define it, leaving its interpretation to the discretion of the relevant governmental authority, which adversely affects the freedom of expression of associations. As for the right to peaceful assembly, this right is granted solely to Jordanian citizens, excluding foreign residents in the country. Additionally, the Public Meetings Law requires notifying the governor 48 hours in advance of organizing demonstrations, effectively preventing spontaneous demonstrations that might occur as an immediate reaction to a particular event.

Challenges Faced by Associations in Dealing with Legal Procedures and Local Administration Systems for Associations

Since 2023, numerous decisions and measures have been issued concerning local and foreign associations registered in Jordan. These measures apply to all types of associations, whether local or foreign, except for certain entities such as United Nations bodies, entities established under special laws, for-profit companies, and entities registered under agreements with the Jordanian government.

As a result of these decisions and measures, local and foreign associations face multiple challenges in dealing with legal procedures and local administration systems. One of the most prominent challenges is the complexity and difficulty of complying with the changing legal requirements. Additionally, there is often a lack of clarity regarding some policies and procedures from the relevant authorities, which can lead to the rejection of applications.

In response, civil society organizations, represented by the Arab Renaissance for Democracy and Development (ARDD), have been actively addressing various issues affecting civil society to strengthen the work of the National Alliance of NGOs (JONAF) and its affiliated associations. Consequently, ARDD has monitored the most significant updates, particularly regarding the legal status of associations, in light of these recent decisions that impact local and foreign associations registered with the Registry of Associations in Jordan.

Key Challenges Include:⁸

1. Legislation and Legal Regulations: Current laws may be unclear or complex, leading to difficulties in registration and organization.
 - The “Takamul” platform was launched by the Registry of Associations in mid-2023 as part of a digital transformation effort to connect associations and related institutions. The platform provides many services to associations, such as updating data, submitting annual and financial reports, requesting approvals for activities and implemented projects, among other requirements and services. Associations must register on the platform, upload information, and submit reports. Those facing issues are required to contact the Register of Associations Department by visiting the department at the Ministry of Social Development headquarters. Despite the importance of electronic integration, this approach faces numerous challenges.
 - At the beginning of January 2024, a decision was issued to amend the national identification number for associations, changing it from 10 digits to 13 digits. This decision necessitates visiting official authorities, such as the Income and Sales Tax Department, updating official records with banks, the Greater Amman Municipality, and the Social Security Corporation. However, several challenges have arisen, including the fact that the system used by the Social Security Corporation does not allow for the entry of more than 9 digits. Subsequently, in early May 2024, another decision was issued by the Prime Minister’s Office to update the national identification number for associations once again, reverting it to 9 digits instead of 10. This decision requires associations to repeat all previous procedures, including updating their information and records with official entities such as the Social Security Corporation. This results in additional time and effort to complete the procedures, avoid fines, and comply with the relevant regulations and laws.
 - The invoicing system issued by the Income and Sales Tax Department also represents a challenge for associations, as the system requires individuals to issue official invoices for any service provided in exchange for payment or for selling a product. A deadline for registration has been set, and failure to comply will result in fines. Although local and foreign organizations registered in Jordan

⁸ ARDD-JONAF Report on the New Legal Requirements for Regulating the Work of Local and Foreign Associations in Jordan: <https://ardd-jo.org/wp-content/uploads/2024/07/ARDD-JONAF-Report-on-the-New-Legal-Requirements-for-Regulating-the-Work-of-Local-and-International-Associations-in-Jordan-June-2024-1.pdf>

are non-profit and do not sell services or goods, they are still required to register. There is no distinction between them and profit-oriented entities subject to registration, complicating the registration process for these associations.

2. Restricting civil society's access to information: The Access to Information Law stipulates that applicants must have a legitimate interest to request information. However, it does not define what constitutes "legitimate," nor does it establish boundaries for the principle of legitimacy. This conflicts with United Nations principles, which state that all information held by public bodies should be accessible to the public, except in very limited cases. If the entity addressed fails to respond to an information request within the designated timeframe, the request is considered rejected. This constitutes a violation as it allows the entity to avoid providing reasons for rejecting the request. Moreover, the right to access information is granted only to Jordanians, excluding foreigners. While the law sets a 30-day deadline for responses—aligned with international standards—practical realities may necessitate obtaining information in a shorter timeframe.

Conclusion and Recommendations:

Jordan Associations' Law No. (51) of 2008 and its amendments impose restrictions on the freedom of associations and civil society organizations, limiting their ability to operate independently and effectively. These restrictions include defining the permitted activities, such as those deemed political or those that may conflict with government interests. Additionally, the registration process poses challenges, requiring associations to follow complex procedures for establishment and continuation, which restricts their flexibility in operation.

Moreover, restrictions on accessing foreign funding hinder associations from receiving financial support that might be crucial for their sustainability and expansion of their work. Alongside these challenges, **the law includes provisions that conflict with individuals' rights to establish, dissolve, and conduct the activities of civil society organizations. These challenges are summarized as follows:**

1. The Associations Law contradicts the Jordanian Constitution, which guarantees the right to establish civil society organizations under Article (16). However, it should be noted that the Constitution grants this right exclusively to Jordanians.
2. The Associations Law ties the acquisition of legal personality by associations to the approval of the Registry Board, whose composition is predominantly government-based. Without this approval, an association cannot commence its activities, constituting a clear violation of international standards, which require associations to acquire legal personality without prior administrative consent.
3. The dissolution of associations through a decision issued by the Registry Board constitutes a clear violation of international standards, which emphasize that associations should only be dissolved through a decision by their general assembly or a judicial ruling.
4. Article (19/A) of the Associations Law grants the relevant minister the authority to appoint an interim Board of Directors for the association to replace its existing one. This provision potentially allows the government to take control of the association. The law further permits the relevant minister to take such action without the obligation to issue a warning or notice to the association.

5. Article (3/A/1) of the Associations Law prohibits associations from engaging in political activities that fall under the scope of political parties. This restriction violates international standards, which advocate for enabling associations to undertake various activities, whether political or non-political.
6. The law ties associations' access to foreign funding to the approval of the Council of Ministers. This provision contravenes international standards, which stipulate that associations must be empowered to obtain funding from any source without restrictions that could impede their ability to secure such funding.

Accordingly, we recommend the following actions:

1. Amending Article (3/A/1) of the Associations Law by removing the phrase "or to achieve any political goals that enter into the scope of the work and activities of political parties in accordance with the legislation in force" The article would then read as follows: "The word " society" shall signify any legal person composed of a group of persons no less than seven and which is registered according to the provisions of this law to provide services or to undertake activities on a voluntary basis without aiming to derive or distribute profit, to realize any benefit for any of its members or for any specific person" This amendment aims to enable associations to engage in all activities, whether political or non-political, in alignment with relevant international standards.
2. Granting associations the freedom to establish and amend their bylaws in a manner they deem appropriate, and considering any amendments to their bylaws effective upon approval by the general assembly of the association. If the administration objects to such amendments, it should resort to the judiciary.
3. Simplifying registration procedures by enabling associations to acquire legal personality upon notifying the Board of Directors of the Register allowing them to begin their activities immediately upon such notification. The administration would retain the right to resort to the judiciary if it deems the establishment of a specific association to be in violation of the law.
- 4.

5. Abolishing Article (19) of the Associations Law, which grants the relevant minister the authority to appoint an interim Board of Directors under certain conditions outlined in the law. Instead, such matters should be referred to the judiciary in cases where these conditions are met.
6. Amend Article (17/C/1) of the Associations Law, which stipulates that associations must obtain approval from the Council of Ministers for foreign funding, to instead require only notifying the Council of Ministers about the source of the funding, provided that associations disclose the amounts received, their sources, and how the funds are used, with proper documentation in the annual report.
7. Revising the provisions regarding the dissolution of associations so that dissolution is limited to a decision by the general assembly or a judicial ruling.

