

RASED for Parliamentary Monitoring Program

7th Weekly Report on the Performance of the 17th Jordanian Parliament during its 2nd Ordinary Session

December 20, 2014

- RASED calls on the Parliament to take real steps to reduce absences at its sittings in order to preserve the parliamentary quorum.
- The gas deal being deliberated in Parliament has attracted a great deal of attention from the media and the public.
- Committee members continue to be absent from sittings and have failed to keep each other accountable in maintaining committee quorums.
- There were two motions for votes of confidence in the cabinet and there were warnings of collective resignations.

In its 7th week, the Parliament engaged in a high-profile debate about a gas purchasing agreement that attracted a great deal of media attention. The proposed deal, an agreement between Jordan's National Electric Power Company (NEPCO) and an American company for gas from Israeli fields, was met by strong opposition by MPs. Those opposing the bill motioned for votes of confidence in the government through two memos. The first did not reach the required 10 MP signatures required by the Constitution, while the second motion was signed by 11 MPs. In addition, 18 MPs threatened to resign from their seats in the 17th Parliament if the government signed the agreement. Constitutional Article 72 states that "A member of Parliament may resign from their seat sending a written notice to the Speaker of the House, and the Speaker must announce this resignation and report on its acceptance or rejection." According to this article, the resignation is not considered valid until the Speaker accepts it.

For cases of resignation, Article 58/Alif/2 of the Election Law and Article 88 of the Constitution stipulate the procedures that should follow.

The Constitution in Article 88 states that “If a seat for one of the members of the Senate or the House of Representatives is left open by a death or resignation or other exceptional reasons, there may be a final judicial decision annulling the member’s mandate. The Government or the Independent Election Commission shall appoint a new member within 30 days of the vacancy opening or follow procedures of the election law, so that a new member may be sitting in the vacant seat less than 2 months after the vacancy opening, and may serve until the end of the session.

The legislature’s work in the 7th week was severely hampered due to the disruptions around the gas deal. The House was unable to finish debating the draft Income Tax Law, which had been scheduled for debate in 6 sessions since the beginning of the sessions, This raises questions about whether or not the Parliament’s legislative procedures provide an appropriate framework to allow the Parliament to finish its work in the allotted time frame. RASSED calls for the House of Representatives to reconsider the methods of its legislative work and to go back to the Internal Bylaws to see if there are easier and more efficient ways of completing its tasks.

During the week the parliament encountered a point where it did not have its legal quorum of members. To avoid embarrassment, the Speaker of the House quickly adjourned the session.

Although RASSED has called repeatedly for the House to take steps to limit the problem of absences and the loss of its quota in sittings, these calls and suggestions have not been heeded. The House hasn’t yet put forward any internal initiatives to end this problem or reduce it. There is an urgent necessity for the House to unite behind

action to reduce this dangerous phenomenon, and not to allow it to continue without deterrent. It has been proved through experiment that it is not sufficient for the House of Representatives to only publish the names of MPs taking excused and unexcused absences, because many MPs do not seem affected by the publishing of their names. This means it is necessary for the House to look for other mechanisms of deterrence. There is an opportunity for the House to take the initiative to end this problem by announcing its desire to amend the Internal Bylaws in this regard. However, publishing the names of the absentees from sessions still does have some positive effects and should be done strictly and consistently. RASED believes that ultimately, putting punishments on the MPs who miss sessions repeatedly without excuse is the best way to promote the House's interests. Accordingly, RASED calls on the House of Representatives to reconsider its established mechanism for reporting on absences. Authorization should be required for leaving sessions, and there should also be set breaks of 15 minutes during the sessions (as there have been previously) in order to maintain MPs' continued attendance during sessions.

Experience has proved the importance of reviewing the internal bylaws to specify clear mechanisms for dealing with unexcused absences. The bylaws do not note any ways for the Speaker of the House to fix this. It is hoped that the Code of Conduct can be adopted, which would include ways to limit this phenomenon, especially as the work on the code will begin next week.

The Committee on Internal Organization and Behavior met with members of the Permanent Office of the House and discussed with its members the Code of Conduct that the committee will discuss in separate meetings. And the committee called upon all the members of the House and the blocs to send any recommendations they have about the code.

The 7th Week also saw the 5 parliamentary blocs combining to form a broader parliamentary coalition aiming to strengthen the MPs' work in the coming period to consolidate the positions of multiple MPs on diverse issues.

Parliamentary committees continued to hold their meetings during the 7th week, and the continued absence of members in some cases led to the lack of a proper quorum.

In the absence of quorums, some council chairs decided as an alternative to have only listening sessions. One of these was the Committee on Public Services and Freedoms, which heard the opinions of experts in various issues.

The Finance Committee announced the suspension of its meetings with the government but listened to financial experts about the General State Budget for 2015 and the Budget for Government Agencies, meaning there will be a delay in approving the budget.

During the week, the Legal Committee approved a draft law to ratify an international treaty on Suppression of Acts of Nuclear Terrorism for 2014, and the Committee on Education and Development decided on a draft law on the Jordanian Arabic Language Center for 2014, and the Committee on Labor, Development, and Population decided on a draft amended law for Development and Employment for 2014.

A joint meeting between the Legal Committee and the Economic and Investment Committee resulted in agreement to form a special committee for studying any circumstances or suspicions of corruption connected with the agreements between the government and companies exploring for oil in Jordan. They agreed to form a committee consisting of MPs Mohammed al Kharabsheh, Abd al Khalil Al Zeyoot, Mohammed al Suleimeen, Basil Malkawi, Jamal Qamwa. The committee was tasked with investigating agreements concluded with the companies Global Petroleum and Sonoran Universe.

The joint parliamentary committee between Legal Committee and the Economic and Investment Committee also decided to agree on the formation of a committee to discuss shared legislation between them. They agreed on MP Mustafa Amawi as Chair and MP Moataz Abu Rumman rapporteur. This specialized committee will discuss several laws: the Temporary Law on Electronic Transactions No. 85 for 2001, the Temporary Credit Information Law No. 82 for 2003, the Temporary Credit Information Law No. 15 for 2010, and the draft law on Electronic Transactions for 2013. MP Khair Abu Sa'eleek was elected chair and MP Mufleh al Khazaleh was chosen as rapporteur for the special committee to discuss amendments to the Customs Law for 2014.

The Administrative Committee began discussing the draft law for amendments to the Law on the Military Pension. The Public Services and Transportation Committee had a discussion on the Temporary Law No. 33 for 2010 on General Transportation for Passengers in response to the call of concerned stakeholders.

The Committee on National direction and Media discussed its agenda for the second ordinary session, and it discussed the legislation before it, including the draft amendments to the Press and Publications Law for 2014, and the draft National Records Law for 2014, and the draft amendments to the Law on the Right to Information (2012), in conjunction with the legal committee, and the Temporary Law No. 71 for 2002 on Audio-Visual Media. The committee elected MP Haeel Da'an Da'jah as rapporteur.

The Committee on Transparency and Integrity discussed the details of suggested portfolios to be discussed during the coming period, and it decided to hear the Minister of Interior regarding the issue of guarantees for Syrian Refugees and their exits from the camp; and the Governor of the Central Bank on the subject of transfers and licensing of banks and evaluation of ratings; the Mayor of Amman on the issue of licensing and services provided for safety and traffic; an invitation to the presidents

of public universities to study their financial positions and the failure of some of them.

The Committee on Rural Areas and Badia devoted its meeting to researching the topics related to the badia and the problems it suffers from, including the problem of stone quarries. The Economics and Investment committee met with members of the Capital Market Association to discuss the role the association plays. The committee also discussed the dispute between oil and oil derivative transportation companies from Aqaba to the refinery stations in Jordan.

The Committee on Health and the Environment met a delegation of doctors from Palestine, as the Committee on Palestine visited the Palestinian legislature and sat together with some of their members. The committee released a statement condemning Israel's killing of Palestinian martyr Minister Ziad Abu Ein.

On the agenda of the 7th week, there was no inclusion of the Executive Office's decision related to the membership of permanent committees that had members resigning. The Committee on National Direction, which had six deputies resign from membership was especially affected by this. The office had been dealing with these resignations in order to accept them and choose replacement MPs for them, however the House did not note this procedure during this time.

The 7th week of the session saw some more MPs offer their resignations from Parliamentary Blocs. MP Said al Balawi offered his resignation from the Nahda bloc, and Al Watan bloc saw the resignation of MP Khaloud al Khatatbe.