



Ministry of Environment 

Access to Information law & application mechanisms in Jordan

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The Right to Access Information in the National Laws -1

Constitutional Regulation of the Right to Access Information:

Chapter Two (Articles 5–23) of the Constitution organizes the rights, duties and freedoms of Jordanians. In particular, Article 15 is dedicated to the right of opinion and freedom:

- i. The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his/her opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law.
- ii. Freedom of the press and publications shall be ensured within the limits of the law.

The Right to Access Information in the National Laws -2

- iii. Newspapers shall not be suspended from publication nor shall their permits be revoked except in accordance with the provisions of the law.
- iv. In the event of the declaration of martial law or a state of emergency, a limited censorship on newspapers, publications, books and broadcasts in matters affecting public safety and national defense may be imposed by law.
- v. Control of the resources of newspaper shall be regulated by law.

• Furthermore, Article 17 of the Constitution provides that:

“Jordanians are entitled to address the public authorities on any personal matters affecting them, or on any matter relative to public affairs, in such a manner and under such conditions as may be prescribed by the Law”.||

Guarantee of Access to Information Law -1

In view of the fact that the provisions of the Press and Publications Law were not sufficient to guarantee exercise of the right to access information, the Government tabled a Jordanian draft —Law on Guarantee of Access to Information|| in late 2005.

On the 15th of May 2007, the —Law on Guarantee of Access to Information|| No. 47 (2007) was promulgated. Article 7 of the Law states that, —Every Jordanian has to right to obtain the information he/she requires in accordance with the provisions of this Law, if he/she has a lawful interest or a legitimate reason therefor.

Article 8 obligates officials —to facilitate access to information and guarantee the disclosure thereof without delay and in the manner stipulated in the present Law.||

Practices enhancing the provisions of the law

- Raising public awareness of the legal criteria of the right to access information.
- The **Information Council**, however, has drawn up an ambitious plan to raise the citizens' awareness of this right.
- Access to information has also been the subject of several studies and research projects by some researchers.

Implementation of legal criteria in actual practice -1

The Law has organized how a citizen can obtain information. It requests citizens to submit an application to get information to the competent department, which the Law defines as: a ministry, department, commission, any official public institution, or a company that manages a public utility.

The application, to be submitted in accordance with a form approved by the Information Commissioner, should include the following:

- ❖ Name of the applicant
- ❖ Place of his/her residence and work
- ❖ The subject of the information the applicant wants to obtain, expressed precisely and clearly
- ❖ Any other statements decided by the Information Council.

Implementation of legal criteria in actual practice -2

The person in charge at the Department should respond to or reject the application within 30 days from the day following the day on which the application is submitted.

In case the application has been rejected, the Jordanian legislator specifies as a condition that the response should be substantiated and should give the reasons for the rejection. Abstention from responding within the specified period of time is to be considered as rejection.

In order to facilitate access of citizens to information, the Law obligates all official department in the Kingdom to organize and index the information and documents in its possession and to classify the information and documents it deems confidential and protected by virtue of valid legislation.

Means for controlling official institutions to guarantee citizens' access to information

- In case the competent department refuses to supply a citizen with the information he/she wants, or abstains from providing him/her with required information, the citizen is entitled to submit a complaint against the respective official to the Information Council.
- The Council should issue its decision on the complaint within 30 days from the date on which it was received. Otherwise, the complaint shall be deemed rejected.
- The tasks and authorities of the Information Council include the following:
 - Guaranteeing that the requested information is supplied to the information-seekers within the confines of this Law.
 - examining complaints submitted by information-seekers.
 - and settling these complaints in accordance with instructions to be issued by the Council for this purpose.

Engagement of the public

- As a general rule, official institutions and local government bodies do attend public hearings before adopting important decisions at the local and national levels.
- For instant, the Ministry of Environment within the Environmental Impact Assessment EIA regulation addresses the issue of public hearing as one of the main component of the EIA processes for all projects that required a comprehensive EIA.