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National Report: The Hashemite Kingdom of Jordan

Dr. Isidro García Mingo¹

1. Country details.

The Hashemite Kingdom of Jordan has a total population of about 11,057,000². The vast majority of the population, about 90.3%, reside in urban areas³, concentrating in the western part of the country and in its capital, Amman, as the eastern part is predominantly desert. Despite regional conflicts, Jordan has maintained a stable environment, resulting in doubling its population over the past two decades. This has further strained the already limited natural resources of a country that imports most of its energy from abroad⁴, and has a considerable trade deficit⁵. Jordan hosts over three million international migrants, and the Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that there are about 757,805 registered refugees and asylum seekers, who arrived seeking shelter from conflicts in Syria (88.5%), Iraq (8.8%), Yemen (1.7%) or other countries⁶.

The latest United Nations Development Programme's Human Development Report 2021/2022 refers that Jordan has achieved a Human Development Index (HDI) of 0.720⁷. This places Jordan at the 102nd position out of 191 countries in this ranking.

Jordan's GDP per capita in 2021 was 4,103.3 USD (in current USD), according to the World Bank's data⁸ or 2,905 Jordanian Dinars (current prices) according to the Jordanian Department of Statistics. The IMF reports a GDP per capita in current prices of 4,930 USD in 2022⁹. Despite recent indications that Jordan's economy has begun to grow again after the impact of the COVID-19 pandemic, there are still some concerning trends. Inflation has risen and the unemployment rate remains high at approximately 24.1%, with particularly high rates among women (30.7%).

¹ Project coordinator of the project "Access to Justice and Legal Empowerment in Jordan: towards an effective and sustainable legal aid system", co-funded by the European Union and AECID, implemented in cooperation with the Spanish Bar Council, and the Ministry of Justice. Expert on access to justice and legal aid for the European programme "Support to the Rule of Law in Jordan". Senior consultant and co-founder of Artival Research & Evaluation. Member of the Madrid Bar Association.

² *Jordan in Figures 2021*, Department of Statistics, Issue 24, Jordan, 2022

³ *Ibid*

⁴ Data available at the World Bank website <https://www.worldbank.org/en/country/jordan/overview>

⁵ "Recent Monetary & Economic Developments in Jordan. Research Dept / Monthly Report" Central Bank of Jordan. February, 2021. Available at the Social Security Investment Fund of Jordan website <https://www.ssif.gov.jo/>

⁶ *Refugees and migrant health country profile: Jordan*, World Health Organization, 12 March 2023

⁷ This value results of combining life expectancy at birth, expected and mean years of schooling, and gross national income (GNI) per capita in 2017 purchasing power parities (PPP) USD

⁸ Data available at the World Bank website <https://www.worldbank.org/en/country/jordan/overview>

⁹ Data available at the IMF website <https://www.imf.org/en/Countries/JOR>

As a result, while the last official comprehensive study on poverty in Jordan issued by its national Department of Statistics showed that in 2010 the poverty ratio in Jordan was about 14.4%, it does not come as a surprise that more recent reports such as the *Jordan Household Expenditure and Income Survey 2017-2018*¹⁰, or the preliminary results of a new Department of Statistics' report on poverty rates expected to be finalized during the second quarter of 2023¹¹, suggest that poverty ratio might have increased.

These challenges, compounded with the refugee crisis, have contributed to make Jordan a net recipient of international support, receiving about 2,382 USD million as Net Official Development Assistance as average in 2020 and 2021, according to the Organization for Economic Co-operation and Development (OECD)¹².

The provision of public services in Jordan has been deeply impacted by this fact. When it comes to legal aid services, a number of local and international non-governmental organizations have been very active over the years in the legal protection of vulnerable people, refugees and host communities, heavily relying on international funding. This has caused relevant frictions with the Jordanian Bar Association¹³, institution that reported to have in 2020 around 14,028 registered lawyers, -out of which 10,117 were male and 3,912 were female-¹⁴.

The inherent lack of predictability of international aid funding, which depends on donors' own budgets and political and economic circumstances, and the consequent exposure of legal aid services by non-state providers to substantial periodic variations in scope and conditions, made increasingly evident the urgent need to improve the *public* system of legal aid, to ensure its quality and sustainability.

As a result of this, and in line with the country's national strategies including *Vision 2025* (2015) and the *Recommendations of the Royal Committee for Developing the Judiciary and Enhancing the Rule of Law* (2017) to strengthen Rule of Law in the Kingdom, Jordan is actively engaged in an ambitious process of reforming its public legal aid system. Furthermore, the new *Justice Sector Strategy 2022-2026* emphasizes access to justice as a core pillar and enhancing legal aid as one of its objectives, indicating Jordan's commitment to upholding its constitutional mandates that demand all Jordanians be treated equally under the law, without any form of discrimination¹⁵, and that "the courts shall be open to all"¹⁶.

2. Legal Aid Organisation / Authority:

2.1 Legal Aid authorities.

¹⁰ *Jordan Household Expenditure and Income Survey 2017-18: Completion Note* (English). Washington, D.C. : World Bank Group. <http://documents.worldbank.org/curated/en/469111551866278210/Jordan-Household-Expenditure-and-Income-Survey-2017-18-Completion-Note>

¹¹ As published in local media, "The results of the poverty line study are likely to be announced in the second half of this year", Al Mamlaka Tv, 7 Mar 2023. Available at <http://www.almamlakatv.com>

¹² Data available at OECD website, <https://www.oecd.org/countries/jordan/aid-at-a-glance.htm>

¹³ "The Jordan Bar Association denounces legal aid centres as 'harming the profession'." The Jordan Times, 8 Jun. 2017.

¹⁴ Jordan in Figures 2020, Department of Statistics, Issue 23, Jordan, 2021

¹⁵ *The Jordanian Constitution*, Official Gazette No 1093, 8 January 1952, article 6.1. Available at parliament.io

¹⁶ *Ibid*, art. 101.1

The authorities responsible for the delivery of legal aid in Jordan are the Judiciary and the Ministry of Justice, who shall coordinate with the Jordanian Bar Association in accordance with the legislation in force.

The Judiciary - The amendments to the Criminal Procedure Law No. 9 of 1961, introduced by the Law No. 32 of 2017 paved the way for significant improvements in the organization, procedures, and funding of legal aid in Jordan, as a basic element of the right to a fair trial. It also extended the authority to provide legal aid from the Judiciary to the Ministry of Justice in certain cases.

In accordance with its article 208, legal representation is mandatory for the most serious felonies, so a lawyer must be present for the defendant at every court session in cases that may result in the accused being sentenced to the death penalty, life imprisonment, or temporary imprisonment of ten years or more. In such cases, the Court's presiding judge or a judge delegated for this function, will ask the defendant if they have hired an attorney for their defence. If the defendant has not already appointed an attorney for their defence and is unable to afford one, the presiding judge or delegated judge will assign a lawyer for their defence. If the chosen by the defendant or appointed by the public prosecutor or the presiding judge is absent from one of the trial sessions the judge shall appoint another lawyer to represent the defendant to continue the trial procedures.

The Juvenile Law No. 32 of 2014, also grants judges the authority to appoint a lawyer in its article 21: "the court shall appoint a lawyer for the juvenile in criminal cases if he does not have a lawyer or is unable to appoint a lawyer (...)", specifying as well that "the lawyer representing the juvenile shall attend all stages of the investigation and trial".

When considering legal aid as a basic element of fair trial, it may be recalled as well that the Code of Judicial Conduct approved by the Judicial Council in March 2021¹⁷, specifies in its article 7 that "the judge shall provide litigants with equal opportunities to present their case and their defence (...)" and that "the judge shall observe fair trial standards (...)".

The Criminal Procedure Law extends mandatory legal representation also to the pretrial stage in front of the prosecutor¹⁸ for felonies whose "minimum penalty is ten years or more"¹⁹. It is important to notice that public prosecutors in Jordan are judges who perform the function of the Public Prosecution before the courts²⁰. A lawyer must be present with the defendant at every interrogation session, and it is the public prosecutor who "shall take the necessary measures to appoint a lawyer" if the defendant is unable to appoint one.

- *The Ministry of Justice* – The Ministry of Justice, in accordance with the Criminal Procedure Law, and the Legal Aid Bylaw n.119 of 2018, shall provide legal aid to defendants upon request in cases of felonies punishable by less than ten years of imprisonment. In these cases, according to the law, a request may be sent to the Ministry of Justice by any citizen or resident Jordan, any competent official authorities or concerned institutions, Prosecutors or Courts. The request will be decided by the Ministry of Justice and the legal aid will be delivered "in coordination with the Bar Association".

¹⁷ "Judiciary Launches Code of Conduct for Judges." Jordan News, April 17, 2021.

¹⁸ Criminal Procedure Law No. 9 of 1961, art. 63.2 bis.

¹⁹ Note that the legislator is more restrictive in article 63, as a "minimum" of ten years or more is specified in article 63, but not in article 208, No. 9 of 1961

²⁰ Jordanian Judicial Council's website at <https://www.jc.jo/en>

If the legal aid application is approved, the Minister of Justice has three options according to Article 6.C of the Legal Aid Bylaw: 1) to assign a lawyer from a list developed for this purpose in coordination with the Bar Association, and pay the expenses from the Legal Aid Fund; 2) to request from the Bar Association to fully provide legal aid to the applicant in accordance with the provisions of applicable legislation or 3) to assign a lawyer to provide legal aid from a list of volunteer lawyers developed by the Directorate of Legal Aid at the Ministry of Justice.

The legal Aid Bylaw of 2018 also specifies the authority of the Minister of Justice to add any other category of beneficiaries to the vulnerable groups prioritized by the regulation²¹, issue the necessary regulations to implement the provisions of this Bylaw²² or take the decision to approve or reject the legal aid application recommended by the Directorate of Legal Aid²³.

Foreseeing the difficulties or inconveniences of the Minister of Justice to conduct all these tasks himself, the Legal Aid Bylaw stipulated that the Minister could delegate any of these powers to the Secretary General of the Ministry, provided that the delegation is specific and in writing. Considering the expected expansion of legal aid services, the amendments to the Bylaw n.53 approved in 2022, extended further the delegation of authority, adding the phrase: “or any of its senior employees”²⁴.

- *The Jordanian Bar Association* - The Jordanian Bar Association, established in 1950, is a key institution in the public system of legal aid, as the Criminal Procedure Law and the Legal Aid Bylaw specify that legal aid shall be provided in coordination with the Bar.

Additionally, the President of the Bar Association is authorized, according to the provisions of the Jordanian Bar Association Law of 1972²⁵, to assign any lawyer to provide one free professional service to the Association once a year. This free service is limited to performing one of a list of activities which includes amongst them: “(...) 7. Defending the Association and any person appointed by the President of the Bar who is unable to pay any fees to the lawyer and to the President or his authorized representative to regulate an agreement between the appointed lawyer and the applicant for assistance to estimate fees in the event of winning the lawsuit”. The Jordanian Bar Association Law also states in its article 78 the subsequent development of a series of Bylaws, which includes a specific Bylaw on Legal Aid, that has not been developed until the moment, and that could further expand the role of the Jordanian Bar Association in the provision of legal aid within the public system.

Lastly, when analysing the legal aid authorities in Jordan, it is important to mention that the Anti-Human Trafficking Law No. 9 of the year 2009 states that “the competent *authorities* shall, wherever possible, guarantee the victim the following rights: (...) 3. Obtaining mandatory legal aid”²⁶. The *Jordanian National Referral Mechanism* for victims of human trafficking was adopted by the National Committee for Anti-Human Trafficking in January 2016, and in 2022, the *Standard Operating Procedures In Dealing with Human Trafficking Cases*²⁷ were adopted. When it comes to providing legal aid to victims, “the liaison officer of the shelter home shall provide legal advice and assistance, coordinating with the liaison officer of the Bar Association or civil society organizations and other relevant entities”.

²¹ Legal Aid Bylaw n.119 of 2018, art. 4.

²² *Ibid*, art. 11

²³ *Ibid*, art. 6

²⁴ *Ibid*, art. 6

²⁵ Jordanian Bar Association Law no. 11 of 1972, art. 100

²⁶ Anti-Human Trafficking Law No. 9 of the year 2009, art. 13/3/B

²⁷ *National Referral Mechanism Standard Operating Procedures In Dealing with Human Trafficking Cases*, UNODC, Jordan, 2022. Available at https://ahtnc.org.jo/sites/default/files/book_unodc_englisg_0.pdf

2.2 Delivery method

Legal aid services in Jordan are provided by licensed lawyers registered in the Jordanian Bar Association, who participate in the provision of State-funded legal aid on a case-by-case basis. As a result, Jordan's delivery system could be classified as *private lawyer scheme*. The system of delivery is undergoing a process of reform from an *ex officio* or panel scheme, where lawyers were only appointed by judges to act in individual cases, to a more complex system, introducing additional services provided by the Ministry of Justice, lawyers' registration in lists and assignment on rotation, automation and digitalization of procedures and other quality measures²⁸.

- *Procedure* - According to the legislation in force, lawyers are appointed directly by judges and prosecutors in "mandatory legal aid" cases, i.e cases involving juveniles or when the penalty may be particularly severe, of more than ten years of imprisonment, when the defendant does not have a lawyer or cannot afford one. In front of the prosecutor, the defendant has no less than 24 hours to appoint a lawyer or request one.

In cases of felonies that may carry a penalty of less than ten years of imprisonment, requests of legal aid may be submitted to the Ministry of Justice by "competent official authorities or any of the concerned institutions or any citizen or resident in the Kingdom who is unable to appoint a lawyer"²⁹. The legal aid request form is approved by the Minister of Justice and available at courts and public prosecution offices, as well as on the Ministry's website³⁰.

The procedure described in the Legal Aid Bylaw of 2018 establishes that once an application is submitted to the Ministry, it must be forwarded to the Directorate of Legal Aid within two working days. Additionally, since the year 2019, the Legal Aid Directorate took the initiative to actively distribute forms and collect legal aid requests from Correction and Rehabilitation Centres.

According to the Legal Aid Bylaw, the Directorate will then ensure that the application fulfils all necessary data and conditions and assess it to verify that the criteria and standards required for legal aid have been met and will make a recommendation to the Minister of Justice to either approve or reject the application within five days of the submission of the legal aid request. In order to gather the information necessary to verify the eligibility criteria, a MOU has been signed between the Ministry of Justice and Jordan's National Aid Fund³¹ allowing the Directorate of Legal Aid to consult the National Aid Fund's database.

The Minister of Justice will then take the decision to approve or reject the application within three working days of receiving the recommendation. If approved, a lawyer is assigned in coordination with the Bar Association, and the Directorate of Legal Aid prepares a file to follow up the case. If an application is rejected, the legal aid applicant may appeal to the Minister within two working days of

²⁸ UNODC. *Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes: Practical Guidance and Promising Practices*. Vienna, 2019, page 18

²⁹ Jordanian Criminal Procedures Law and its amendments No. 9 of 1961. Published on page 311 of the Official Gazette No. 1539 dated 16/03/1961. Article 208.4

³⁰ The legal aid request form has undergone a graphic design layout revision, which not only inspires trust in clients but also enhances the image of public services.

³¹ The National Aid Fund (NAF) was established in 1986 under the Law No. 36 of 1986 with the aim of securing protection and care for poor and needy families. It is managed by the Ministry of Social Development. Information available at: https://naf.gov.jo/En/Pages/About_the_Fund

being notified of the rejection. In cases where the application was referred to the Minister by the public prosecutor or the court, the Directorate will inform them of the Minister's decision.

Following the amendments introduced by the Bylaw n.53 of 2022 to Article 9 of the Legal aid Bylaw, the lawyer appointed from the lists continues to provide services until the final judicial decision. The procedure ends when the lawyer is paid for their services either at the conclusion of the case or, alternatively since the Legal Aid Bylaw was amended in 2022, at the end of the prosecutor's phase in certain cases.

- *A new scheme of specialized lists of lawyers assigned on rotation* – After the amendments to the Legal Aid Bylaw were introduced by the Bylaw n.53 of 2022, and following a period of analyses and institutional dialogue on how to improve further the coordination and the system of legal aid delivery, an agreement was reached on October 5th, 2022, between the Ministry of Justice, the Judicial Council, and the Jordanian Bar Association, to establish a "Mechanism of Lists of Lawyers to provide legal aid services in criminal cases"³². The agreement is built upon Article 6(c) of the Legal Aid Bylaw, which requires lawyers to be assigned "from a list developed for this purpose in coordination with the Bar Association".

The new scheme establishes three different rosters of lawyers to provide specialized legal services in: mandatory legal aid, optional legal aid, and juvenile cases, whose services are covered by the Legal Aid Fund of the Ministry of Justice.

Additionally, a fourth *pro-bono* list was set up in accordance with Article 6.C.3 of the Legal Aid Bylaw, which states that the Minister of Justice may "assign a lawyer to provide legal aid from the list of volunteer lawyers developed by the Directorate", a measure designed to supplement the services paid from the Legal Aid Fund, equipping the Ministry of Justice with an additional tool to respond to the demand of services.

These lists of lawyers are, as per the agreement, prepared by the Jordanian Bar Association and comprise of lawyers who voluntarily register in one or more of the lists, sorted by geographical location. The Bar Association guarantees that all registered lawyers in the lists possess the required professional competence. The lists are as per the agreement adopted either by the Judicial Council for the mandatory and juvenile lists, or by the Ministry of Justice for the optional legal aid list, according to their authority to assign cases. Once approved, the three lists prepared by the Jordanian Bar Association are sent electronically to the Ministry of Justice to be integrated into *Mizan*, the Ministry's electronic case management system. When lists are adopted and approved, Judges and prosecutors can assign lawyers from the mandatory or juveniles' legal aid lists, while officers from the Ministry of Justice, after approval of the legal aid request, can assign lawyers from the optional legal aid list. When a lawyer is assigned a case, they are notified by officials through a phone call and/or text message. The assignment is also notified to the Bar Association.

The agreement explicitly includes the principle of rotation in assigning lawyers. The incorporation of this principle was deemed essential to ensure the transparency and efficiency of the system, while providing equal opportunities to for participating lawyers. However, it is worth noting that while

³² The meeting, held at the Ministry of Justice, was chaired by His Excellency the Secretary General of the Ministry of Justice for Judicial Affairs and attended by the Secretary General for Administrative and Financial Affairs of the Ministry of Justice, the Secretary General of the Judicial Council, the President of the Jordanian Bar Association, the Directors for Legal Aid and IT, and representatives of the EU Programme "Support to Rule of Law in Jordan" as part of the implementation of the project "Access to Justice 0.0and Legal Empowerment in Jordan: Towards an Effective and Sustainable Legal Aid System.

officials from the Ministry of Justice shall always follow a consecutive order on rotation when assigning lawyers from the optional legal aid list, the rotation principle shall only be applied "whenever possible" when judges or prosecutors select lawyers from the mandatory legal aid list or legal aid for juveniles' list, keeping their capacity to directly assign cases to any registered lawyer. The general principle of rotation is also expected to be kept when lists are periodically updated, as they shall be reviewed in coordination between the signing institutions "without interfering in the rotating system".

Finally, the agreement stipulates that lawyers' performance will be evaluated at the end of each service they provide through a short questionnaire. This questionnaire will be made available to judges and prosecutors and will be sent to the Jordanian Bar Association for review, and if necessary, to take disciplinary measures.

- *Automation and digital transformation of legal aid procedures* – Concurrently with the institutional development of the mechanism to provide legal aid through lists of lawyers, the Ministry of Justice initiated the automation of legal aid administrative procedures in coordination with the Ministry of Digital Economy and Entrepreneurship (MoDEE), by developing with a local IT company a new legal aid module within the digital case management system, *Mizan*, which is used in courts and prosecutors' offices.

Once the agreement on the lists of lawyers was finally adopted, procedures were corrected accordingly, and a connection between the IT systems of the Jordanian Bar Association and the Ministry of Justice was established. Furthermore, a direct connection was set up with MoDEE's National Unified Registry, a combined database that provides an extended set of information beyond that contained in the National Aid Fund's database, which was being used until the moment by the Directorate of Legal Aid³³.

The new legal aid module developed in *Mizan*, includes the management of the lists of lawyers and case assignment, the electronic management of the legal aid files, an electronic evaluation questionnaire for lawyers' performance at the end of the services provided, which is sent to the Bar, as well as an online payment service for lawyers' fees.

In December 2022, the Jordanian Bar Association launched a call to register lawyers on the four different lists, and in January 2023, the lists were sent to the Ministry for adoption. On March 21st, 2023, a formal public launch event was held in Amman to introduce the new automatized legal system based on lists of lawyers assigned on rotation, as reported in national media³⁴. On April 1, 2023, the new legal aid module with the lists of lawyers was installed in courts and prosecutors' offices all over the Kingdom.

2.3 Number of lawyers participating in the legal aid system.

The implementation of rotating lists of lawyers at the end of 2022 and its subsequent automation, has not only boosted the participation of lawyers and optimized their organization but has also

³³ The National Unified Registry (NUR) is a combined database under MoDEE that was created to specifically target social assistance. It was set combining various datasets that were previously stored separately by different entities. These datasets include taxation and payroll data, databases from various government agencies, information on formal private sector workers, pensioners, military personnel, beneficiaries of the National Aid Fund (NAF), as well as data from property and vehicle registration and the civil registry.

³⁴ "Ministry of Justice launches digital legal aid system" Jordan News. 22 March 2023. <https://www.jordannews.jo/Section-109/News/Ministry-of-Justice-launches-digital-legal-aid-system-27673>

enabled authorities to gather accurate and high-quality data on the number of available lawyers, categorizing them by governorate and specialization. Additionally, it provides a means of determining the number of participating lawyers through the use of a consistent statistical measurement criterion.

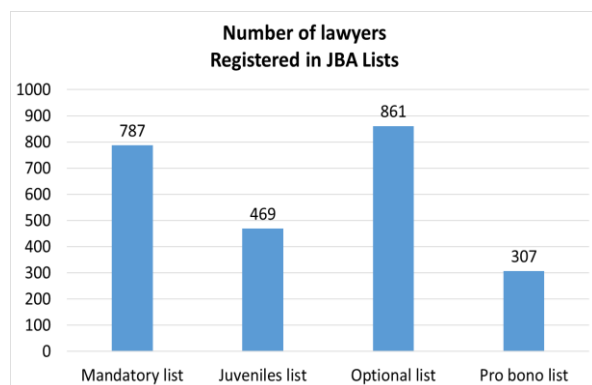
In the year 2020, the statistical data from the Ministry of Justice³⁵ showed that 204 lawyers engaged in front of the Prosecutor, during the pretrial phase, and 325 in Courts (529 in total). However, these numbers do not show the *net* number of lawyers, since some lawyers may have been involved in both instances, and some lawyers' names might or not be duplicated.

In 2021, 456 lawyers participated in the public system, including Prosecutor's and Court's phases, a figure obtained after removing duplicates. In the year 2022, this number increased up to 474 lawyers engaged in the system, after removing duplication, (164 lawyers at the Prosecutor's phase, and 230 in Courts' phase).

These data displayed the count of lawyers who took part in the system and received compensation from the Legal Aid Fund. However, information regarding the actual number of lawyers who were willing and able to offer legal aid was not available. Consequently, it was necessary to operate on the presumption that all the lawyers registered at the Bar were available as a collective unit.

Following the signature of the agreement on establishing the mechanism of lists of lawyers, the Jordanian Bar Association launched at the beginning of December 2022 a public call for lawyers to voluntarily register online, in one or more of the lists of lawyers agreed upon with the Ministry of Justice and the Judicial Council. As mentioned, to the three main lists of lawyers whose services are covered from the existing Legal Aid Fund, a fourth *pro-bono* list of lawyers, was added.

When registering in the system, lawyers specified their geographic location as well as their availability to work outside of regular office hours, on weekends, or on holidays. Additionally, as part of the automatization process, a direct online link was established between the databases of Ministry of Justice and the Jordanian Bar Association to ensure the lists are regularly updated.



In January 2023, the lists of lawyers were formally sent to the Ministry of Jordan for the final approval of the Judicial Council -Juveniles and Mandatory Legal Aid lists- and the Ministry of Justice – Optional legal aid list-, as authorities responsible for assigning cases, and to be uploaded on the Ministry of Justice's case management system, to be available in Courts and Prosecutors offices all over Jordan.

In total, 2,424 lawyers voluntarily registered in the lists: 861 lawyers registered in the Optional Legal Aid List for felonies that carry a penalty of less than 10 years of imprisonment, 787 lawyers registered in the Mandatory List for the most serious crimes, 469 voluntarily registered in the Juveniles List, and 307 lawyers registered in the Pro-bono list.

³⁵ All data in this section has been obtained from primary sources and has already been formally reported to measure indicators of the European project 'Access to Justice and Legal Empowerment in Jordan', co-funded by the EU and AECID, and implemented in cooperation with the Ministry of Justice

Since the agreed mechanism allows lawyers to register in one or more of the lists, the total number of lawyers includes duplicates. Also, these numbers may differ from the final number of available lawyers, as lists are expected to be regularly updated and need approval from the Ministry and Judicial Council. Nevertheless, it provides a dimension of the number lawyers ready to participate in the system, which reaches at least twice the number of lawyers currently participating in the system.

Retrieving the actual number of lawyers offering legal assistance since 2023 will be a simple task, since the system is now fully digitalized.

2.4 Amounts and payment method to lawyers for their services.

The determination of the wages due to lawyers assigned to provide legal aid is regulated by Bylaw n.119 of 2018. This regulation provides in its article 8 that for mandatory cases, i.e., cases that may carry a penalty of ten or more years of imprisonment, the lawyer assigned to provide legal aid is paid a fee of 30 Jordanian Dinars for each session they attend, from the Legal Aid Fund managed by the Ministry of Justice, provided that the total amount for the complete case does not exceed 1,300 Jordanian Dinars. This compensation applies whether the lawyer is appearing before the Prosecutor or the Court. However, for the optional legal aid cases, that is, for felonies that carry a penalty of less than ten years, the lawyer assigned is paid a fee of 25 Jordanian Dinars for each session, also from the Legal Aid Fund, with a maximum of 1,000 Jordanian Dinars per case.

The Legal Aid Bylaw does not explicitly mention the fees that lawyers should receive for handling cases of juveniles because this is governed by a distinct law that regulates legal aid for juveniles, and the Bylaw is only issued in accordance with the Criminal Procedures Law. However, it is a usual practice and advised to pay lawyers 30 Jordanian Dinars per session when representing juveniles, as legal aid for juveniles is compulsory.

The amendments introduced by the Bylaw n. 53 in October 2022, replaced the previous requirement that payments to lawyers were dependent on a final judicial decision for the case. The new provision ensures that lawyers who are appointed to provide legal aid before the Public Prosecution departments will receive their due wages in the following cases: i) when a decision is issued prohibiting the trial of the defendant, ii) a case is dismissed, iii) or a new lawyer is appointed to follow the case at the court.

It should be noted that the right of a lawyer to receive their fees may be forfeited if they fail to attend two or more court sessions without a valid excuse that is deemed acceptable by the court³⁶.

In terms of how lawyers are paid, after the completion of judicial proceedings or at the end of the prosecutor's phase in the aforementioned situations, the lawyer provides the competent liaison officer at the court with documentation that includes the number of sessions and authorization validated by the judge or prosecutor. Before the introduction of the automated legal aid system, the lawyer was required to personally deliver the necessary documents to the Ministry of Justice to receive payment. However, the new automated system has made this process much easier. The liaison officer then enters all necessary information into the system, including the lawyer's bank IBAN if they are a first-time participant in the system, and the Directorate of Legal Aid at the Ministry of Justice can immediately access the data. This allows for a prompt review of the file, confirmation that the lawyer did not miss two or more court sessions, and approval of the payment.

³⁶ Legal Aid Bylaw n.119 of 2018, art 8

Subsequently, the Financial Department of the Ministry of Justice reviews, authorizes, and processes the payment, which is then transferred to the lawyer's bank account.

3. Budget and Spend

3.1 The Legal Aid Fund.

The Legal Aid Fund -or Legal Aid Before the Courts Fund- was effectively established in 2019, under the supervision of the Ministry of Justice. It is a fund from which legal aid fees due under the Criminal Procedures Law and the regulations and instructions issued pursuant to it will be paid³⁷. In accordance with the provisions of the Law, the Legal Aid Bylaw n.119 of 2018 was issued to regulate legal aid and “(...) the manner of supervising the legal aid fund”³⁸.

The Legal Aid Bylaw provides that the Legal Aid Fund serves the purpose of paying the expenses of the legal aid applications approved by the Ministry³⁹, and assigned lawyers will be paid from the Legal Aid Fund⁴⁰. Since the Juveniles Law establishes that lawyer's fees shall be paid from the state treasury in accordance with the Code of Criminal Procedure⁴¹, and the Bylaw refers to public prosecutors and regular courts, these costs are also covered by the Legal Aid Fund. However, the Legal Aid Fund does not cover the mandatory legal aid provided in non-regular courts.

The Ministry of Justice supervises the expenditures of the Legal Aid Fund in the Central Bank of Jordan.

The Legal Aid Bylaw requires the Director of the Legal Aid at the Ministry of Justice to prepare a quarterly report for the Minister of Justice “on the progress of work in the Directorate and the legal aid and service provided by the lawyers”⁴². It is also the task of the Director of Legal Aid to check if a lawyer failed to provide legal aid in accordance with the provisions of the Law and this Bylaw, not to be paid from the Legal Aid Fund”. Also, in addition to managing the optional legal aid files, the Director of Legal Aid authorizes the payment of lawyers from the Legal Aid Fund, before these are processed by the Financial Directorate of the Ministry of Justice.

Finally, the Legal Aid Bylaw additionally requires in its Article 7 that “the provisions of the applicable Finance Bylaw shall apply to all disbursement procedures from the Fund”.

3.2 Budget and spend

The Criminal Procedures Law outlines the various sources that make up the financial resources of the Legal Aid fund, which are as follows: i) the allocations allocated for legal aid within the annual budget of the Ministry of Justice; ii) a percentage of the fees collected for cases, requests, judicial and executive procedures under the court fees system or any other legislation; iii) any contribution made by the Bar Association; and iv) grants, subsidies, and donations, subject to approval by the Council of Ministers, if their source is external⁴³. The Legal Aid Bylaw additionally specifies that the

³⁷ Criminal Procedures Law, art. 208.5

³⁸ Ibid Article 208.7

³⁹ Legal Aid Bylaw n.119 of 2018, art. 6

⁴⁰ *Ibid*, art. 8

⁴¹ Juvenile Law No. 32 of 2014, art.21.

⁴² Legal Aid Bylaw n.119 of 2018, art.9

⁴³ Criminal Procedures Law, art 208.6,

percentage referred by the Law is “3% of the fees of claims, applications, judicial and executive proceedings collected under the Court Fees Bylaw or any other legislation shall be deducted for the Fund.

Beneficiaries of legal aid are not required to pay any contribution for the services they receive under the Legal Aid Fund's coverage, nor are they expected to reimburse any compensation, partial or total, in the event of a change in their economic situation over time.

According to the account statements from the Central Bank of Jordan⁴⁴, the amount transferred by the General Budget to Legal Aid Fund in 2022 was 450,000 Jordanian Dinars (JOD). 395,000 JOD were transferred in 2021, 800,000 JOD were transferred in 2020 and 250,000 JOD were transferred in 2019, resulting in a total of 1,895,000 transferred in the last 4 years, since the establishment of the Legal Aid Fund. No other sources of funding described in the Criminal Procedures Law such as direct contributions or grants were reported to have fed the Legal Aid Fund. It is, however, crucial to note that Jordan has received substantive additional budget and technical international support for the development of its legal aid system. Although this support was not intended to directly compensate lawyers’ services, it enhanced the overall system's efficiency and sustainability.

The expenditures from the Legal Aid Fund, as reported from the Central Bank of Jordan was in 2019 104,830 JOD, while 114,105 JOD for the year 2020, and 149,630 JOD in 2021, and 206,875 JOD in 2022, which makes a total of 575,440 JOD spent in lawyers’ services since the establishment of the Fund. The steady increase in legal aid expenditures reflects the increase in the number of legal aid cases.

As the Legal Aid Fund serves basically to compensate lawyers for providing legal aid services, the overall cost of the legal aid system is higher. This is because the costs of wages for the Ministry of Justice's liaison officers, who dedicate a portion of their time to support legal aid, maintaining the legal aid directorate's infrastructure and personnel, and other expenses, must be taken into account. Moreover, the costs of further enhancing the system, which have been mostly covered by international assistance funds in the recent years, are not factored in.

The nature of the Legal Aid Fund allows any unspent funds to be carried over into the following years. The amount remaining in 2019 was 145,170 JOD, in 2020 it was 685,895 JOD, in 2021 it was 243,370 JOD, and in 2022 it was 243,125 JOD. The balance at the end of 2020, as per the book account statement once the bank charges are removed, amounts to a total of 1,319,530 JOD. As the annual expenses were lower than the transferred amounts, the surplus allows room for planning the scope and sustainability of future legal aid service expansion, while also enabling the inclusion of alternative sources of funding beyond the state budget.

Legal Aid in Jordan is therefore demand led, as mandatory legal aid is required to be provided by law’s mandate in any case, even before the reforms- but the budget of the Legal Aid Fund is limited and finite, conditioned by its sources of funding. Therefore, every extension in the scope of legal aid services that might lead to an increase in the number of cases, and in the overall cost for the Legal Aid Fund in any way, requires careful planning from the Jordanian authorities, particularly from the Ministry of Justice as authority in charge of administering the Fund.

⁴⁴ All data in this section has been formally reported to measure indicators of the European project 'Access to Justice and Legal Empowerment in Jordan', co-funded by the EU and AECID, and implemented in cooperation with the Ministry of Justice

Substantive studies and detailed budget impact assessments are required to be conducted prior every reform of the legal aid system ensuring that an offered service can be effectively provided to be approved by the Ministry of Justice and the Prime Ministry of Jordan. Therefore, it is crucial for the Jordanian government to have quality data collection and analyses tools, methodologies, and procedures in place to gradually improve the system.

4. Scope, Eligibility and Caseload:

4.1 Scope and Eligibility

Jordan provides state-funded legal representation to any person in the kingdom without discrimination by nationality, who is accused of committing a felony and is unable to afford it, in front of Prosecutors and Courts. Once the competent authority grants legal aid services, there is no expectation of reimbursing any costs, even if the economic circumstances of the accused change at a later time.

- *Scope and limitations by area of law* – State-funded legal aid is limited to criminal proceedings. However, Jordan has foreseen a mechanism to provide legal aid in other cases through Article 100 of the Bar Association Law, which grants the President of the Bar the authority to provide legal aid, whether it is criminal or not. Therefore, for non-criminal cases, vulnerable groups may refer to the Jordanian Bar Association or to civil society organizations that provide legal aid, although the specific criteria to obtain it are not regulated.
- *Scope and limitations by type of crime and eligibility criteria* - Legal aid is specifically provided for felonies, as described in the Penal Code, therefore excluding misdemeanours and contraventions⁴⁵. Legal aid provided to those accused of the most serious felonies that may result in ten years or more of imprisonment, life sentence or the death penalty, and to juveniles accused of any felony, is known as 'mandatory legal aid', since legal representation is obligatory in all such cases, and if the accused cannot afford a lawyer, one will be appointed to them, in accordance to the Criminal Procedure Code.

Additionally, the Ministry of Justice provides legal aid upon request for individuals who are accused of committing a felony that may lead to a penalty of less than ten years, which is known as 'optional legal aid'. The eligibility criteria for receiving optional legal aid are established in article 3 of the Legal Aid Bylaw. The recent amendments introduced by Bylaw n.53 of 2022 have significantly lowered the requirements for defendants to qualify improving access to legal aid.

In accordance with the Criminal Procedures Law⁴⁶, the competent official authorities or any of the concerned institutions “or any citizen or resident in the Kingdom who is unable to appoint a lawyer may submit a request to the Minister of Justice to provide him with legal aid”, extending legal aid to residents of all nationalities without discrimination.

⁴⁵ The Penal Code No. 16 of 1960, amended in 2017 and 2022, describes the penalties in Articles 17-22. Misdemeanours are punishable by imprisonment for a period between 1 week to 3 years, or a fine between 5 and 200 Jordanian Dinars and contravention, as punishable by imprisonment for a duration ranging from 24 hours to 1 week, or a fine between 5 and 30 Jordanian Dinars.

⁴⁶ Criminal Procedures Law, art 208.4

The eligibility criteria to access optional legal aid explicitly require that the type of crime be a felony and that the monthly gross income of the legal aid applicant does not exceed 400 Jordanian Dinars. Prior to the approved amendments, this limit was applied in reference to the household income, rather than the individual's income. The change introduced by Bylaw n.53 of 2022 substantially increases the number of people in the kingdom who could potentially apply for legal aid.

Also, optional legal aid may be granted to applicants who do not possess immovable assets aside from their place of residence, or movable assets aside from the mentioned monthly income. Notwithstanding this, the Legal Aid Bylaw states that the Minister of Justice may, in special and justified circumstances, approve the provision of legal aid to a person possessing movable or immovable assets.

- *Legal aid services also for repeat offenders* -The recent amendment to the legal Aid Bylaw also removed the limitation that optional legal aid applicants cannot have a criminal record due to a final court ruling in a felony or misdemeanour. As of October 2022, Jordan provides legal aid to repeat offenders who comply with the other required eligibility criteria, thus reinforcing the presumption of innocence and trial guarantees.
- *Scope and limitations of services at different stages of the criminal justice procedure* - Legal aid covered by the Legal Aid Fund is available in Courts and in front of Prosecutors at the investigation phase. Early access to legal aid is not available for persons suspected or arrested in respect of a criminal offence in police stations. Also, it is not available in administrative procedures described in the Prevention of Crimes Law of 1954.

The Juvenile Law provides that the lawyer “representing the juvenile shall attend all stages of the investigation and trial”⁴⁷. The police stage and misdemeanour proceedings are excluded. However, according to Article 22 of the same law, a juvenile cannot be prosecuted unless one of their parents, guardian, custodian, or caretaker is present along with the probation officer and the juvenile’s lawyer, which was interpreted by the Court of Cassation ruling number 3107/2021 to be applicable in all stages of the justice proceedings, including the police stage.

The Child Rights Law No. 17 of 2022 was recently approved and came into effect in January 2023. According to article 24 of the law, children have the right to legal aid in accordance with critical legislation, which includes "legal advice and legal analysis before security centres, public prosecution departments, and courts, including those that review judgments." However, the specific administrative procedures and funds required to operationalize this mandate and extend legal aid to security centres have not yet been established.

- *Scope and limitations of services by type of courts*- The Constitution of Jordan states that the courts shall be divided into three categories: Civil Courts (Regular Courts), Religious Courts and Special Courts⁴⁸. The Legal Aid Bylaw No. 119 of 2018, defines legal aid as “legal representation before Public Prosecution Departments, Regular Courts and the Grand Felonies Court”⁴⁹. In the case of juvenile cases, the Juvenile Law established Juvenile Courts

⁴⁷ Juvenile Law No. 32 of 2014, art. 21

⁴⁸ Jordanian Constitution, art. 99,

⁴⁹ Legal Aid is not defined by the Code of Criminal Procedure nor by the Juvenile Law.

to handle misdemeanour and felony cases involving children in conflict with the law. These courts are statutory courts and fall under the scope of the Legal Aid Bylaw.

However, this definition is given only for the purposes of determining the scope of coverage under the Bylaw's provisions. Therefore, it is important to note that legal aid is also offered by the State in front of the State Security Court⁵⁰, for most serious crimes in accordance with the Criminal Procedure Code, even though if these cases are not financed by the Legal Aid Fund managed by the Ministry of Justice, which does not cover religious courts, such as Shari'a courts, or special courts.

Furthermore, the Legal Aid Bylaw does not explicitly mention the Cassation Court. This is because under the Bylaw, lawyers' fees are paid per session from the Legal Aid Fund, but since the Cassation Court only considers appeals based on documentation review, there are no sessions held for which lawyers can be paid from the Fund. However, Article 9 of the Bylaw, as amended by the Bylaw n. 53 of 2022, states the appointed lawyer "shall continue to provide legal aid until the final judicial decision", which includes the eventual final decision by the Cassation Court.

- *Scope and limitations of services to parties in a legal proceeding* – Legal aid funded by the Legal Aid Fund is provided only to defendants in criminal cases, and does not extend to other parties such as victims.

The Legal Aid Bylaw introduces a system of priorities for providing legal aid to applicants, giving preference to: a) particularly vulnerable groups, namely juveniles, elderly individuals, women, persons with disabilities, and any other category determined by the Minister; b) accused individuals facing more severe sentences; and c) legal aid applicants who are members of the most numerous families.

However, even though the Legal aid fund only covers costs for defendants, it is worth mentioning that on January 12th, 2023, a key Memorandum of Understanding was signed between the Ministry of Justice and the Jordanian Bar Association to extend also legal aid *pro-bono* to victims of human trafficking. The MOU specifies that legal aid will include consultation, and representation in front of the courts.

- *Scope and limitations of the kind of services provided* – The provision of legal aid covered by the Legal Aid Fund is limited specifically to legal representation. It does not include legal advice or consultation, legal education or other legal assistance services. The Instructions for the Organization of Legal Aid Provided by the Ministry of Justice⁵¹ mentions "legal consultation and legal representation in cases permitted by the law", but this wider definition is limited in practice by the more restrictive concept of legal aid found in the Legal Aid Bylaw.

However, the Instructions mandate the Legal Aid Directorate to provide information regarding legal aid⁵². Therefore, while the Legal Aid Fund only covers the payment of

⁵⁰ The State Security Court is responsible for cases related to state security, as well as drug-related offenses and other types of cases. The court has jurisdiction over both military personnel and civilians. Regarding Article 21 of the Military Criminal Procedures Law n.31 of 2002 states that military personnel shall be exempted from judicial fees and expense.

⁵¹ Instruction No. 1 for the year 2016 on the organization of legal aid provided by the Ministry of Justice was published in the Official Gazette (5387) on March 16, 2016

⁵² *Ibid*, Article 4.

lawyers' fees, Ministry of Justice officers in courts and prosecutors' offices may provide administrative information and guidance about legal aid services available to citizens. Also, through its Media and Communication Unit, the Ministry of Justice implements legal aid education initiatives.

Additionally to legal aid services as such, the Criminal Procedure Law states, in line with international standards⁵³, that if a defendant -or a witness- does not speak Arabic language, the presiding judge shall appoint an interpreter⁵⁴, if the person accused -or the witness- were "deaf and mute and does not know how to write", a specialized interpreter shall be appointed⁵⁵, and if the person does know how to write, they will be assisted by the court's clerk⁵⁶.

The Ministry of Justice has made available experts contacts to courts through the *Mizan* system. However, if the accused is finally found guilty, the court may order the person convicted to pay the court's fees and all costs resulting from such trial, in addition to all or part of expenses incurred by the witnesses⁵⁷.

Finally, as mentioned before, even though not covered by the Legal Aid Fund, the Memorandum of Understanding signed in January between the Ministry of Justice and the Jordanian Bar Association foresees the provision of legal aid consultation or advice *pro-bono*, and not only representation, for victims of human trafficking.

4.3 Legal aid caseload⁵⁸

The Ministry of Justice continuously monitors the progress in the number of legal aid cases covered by the Legal Aid Fund, provided in Public Prosecution Departments, Regular Courts, and the Grand Felonies Court⁵⁹. Since the legal aid bylaw came into force in 2018 and the establishment of the Legal Aid Fund, the number of mandatory legal aid cases, legal aid provided to juveniles, and optional legal aid cases have been tracked, and the tools to measure these cases have been progressively improved over time.

Until 2023, data on mandatory legal aid and juvenile cases have been extracted directly from the *Mizan* system, while information about optional cases was tracked by the Directorate of Legal Aid of the Ministry of Justice. The automation of legal aid procedures implemented in 2023 unifies these data sources and provides a dashboard to follow up on all cases in real-time, making data readily accessible and more accurate.

According to the available data, regarding legal aid provided in regular courts from the Legal Aid Fund there has been a consistent increase in the number of legal aid cases over the years. In 2019,

⁵³ United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, 2012. Guideline 3 f)

⁵⁴ Criminal Procedure Code, art. 227

⁵⁵ Ibid, art. 230

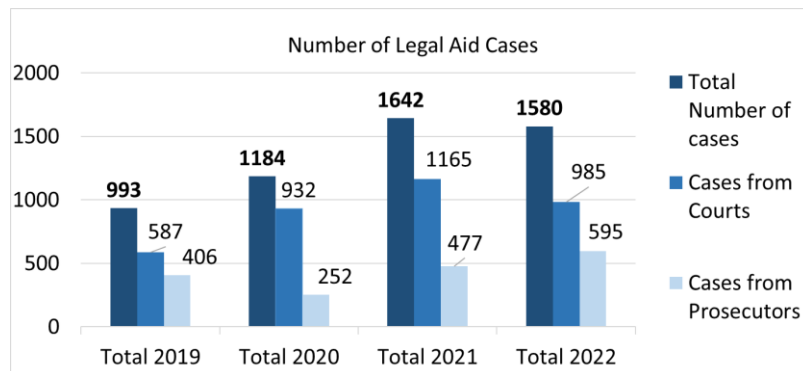
⁵⁶ Ibid, art. 231

⁵⁷ Ibid. art. 239

⁵⁸ All data in this section has been obtained from primary sources and has already been formally reported to measure indicators of the European project 'Access to Justice and Legal Empowerment in Jordan', co-funded by the EU and AECID, and implemented in cooperation with the Ministry of Justice.

⁵⁹ The figures described under this section do not include the additional mandatory legal aid provided at the State Security Court.

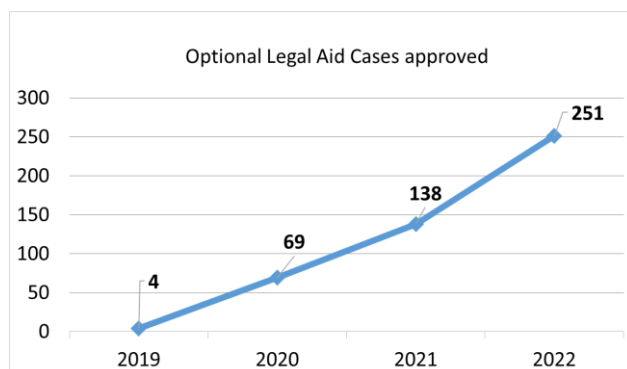
the Ministry of Justice recorded a total of 993 legal aid cases, comprising 989 mandatory cases and 4 optional cases. Out of these, 587 cases were handled by the courts while 406 cases were handled by Public Prosecutors' offices.



In 2020, the number of legal aid cases rose to 1,184, including mandatory cases and 69 cases optional legal aid cases. Of these, 932 cases were handled by the courts, while 252 were managed by Public Prosecutors' offices nationwide.

In 2021, the Ministry of Justice reported a total of 1,642 legal aid cases, including both mandatory and optional legal aid cases. It is worth noting that the number of legal aid cases provided in cases carrying a penalty of less than ten years doubled, with an increase of 100%, which equates to 138 cases. Of these, 1,165 cases were managed by courts through the *Mizan* system, and 477 cases were reported by Public Prosecutors' offices throughout the country.

In 2022, the Ministry of Justice reported a total of 1,580 cases, with 985 cases recorded in courts and 595 cases in front of the prosecutors. The number of optional legal aid cases continued to rise, reaching 215 cases.



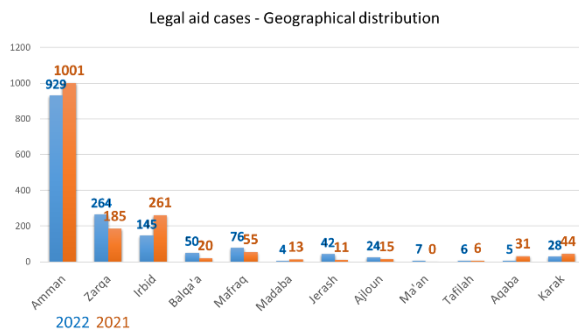
The number of optional legal aid applications saw a rise after the Ministry of Justice launched an initiative to collect requests from prisons (CRCs). In 2019, there were 87 requests of optional legal aid, which increased to 1,119 in 2020, 1,541 in 2021, and 957 in 2022. However, despite the growth in requests, the approval ratio remained low until 2022.

The implementation of the new Bylaw n.53 in October 2022 brought a significant improvement as the monthly rate of approval of optional legal aid requests surged immediately from an average of 11.45% to 64.83% per month. This indicates that the yearly number of optional legal aid cases is expected to rise significantly from 2023.

Data has been additionally disaggregated by gender, nationality, geographical location and type of courts, which is particularly relevant to follow up on legal aid provided to juveniles.

Over the years, the proportion of female beneficiaries receiving legal aid has stayed relatively consistent, ranging between 3% and 5% compared to males. These figures also align with the proportion of juvenile females benefiting from legal aid, which was 5.11% in 2022

Legal aid is available to all individuals in the kingdom without any discrimination, but data has also been collected regarding nationality. In 2020, 11% of beneficiaries were foreigners, it dropped to 3.5% in 2021, but increased again to 13% in 2022. The highest number of foreign beneficiaries registered over the years were Syrian, Palestinian, and Egyptian.



When it comes to the geographical distribution of cases, in 2019, the cases in Jordan were geographically disaggregated into three areas: the north, centre, and south. Since then, the cases have been disaggregated by governorates, which provides a closer insight into the caseload developments while maintaining the ability to compare with each previous year. Most of the cases are consistently registered in the central region of Jordan, which does not come as surprise considering that distribution of general

population, and that the Grand Felonies Court is also located in Amman. This is also partially explained by a recent increase of juvenile legal aid cases in courts and prosecutors' offices in other central regions, such as in Zarqa governorate.

It is important to note that over the years, there has been a continuous increase in both the total number of legal aid cases offered to juveniles and their proportional weight in relation to the overall number of legal aid cases. In 2020, out of a total of 1184 legal aid cases, 301 of them were for juveniles, accounting for 25% of the total cases. In 2021, the percentage of legal aid cases for juveniles increased to 36%, with a total of 595 cases out of 1642 legal aid cases.

In 2022, there was a significant rise in the legal aid cases provided to juveniles 822 out of 1580 cases, which amounts to 52% of the total cases, were juvenile legal aid cases.

With regards to the distribution of legal aid cases for juveniles across different regions, in 2022 most cases were reported in central Jordan. Out of the total of 822 cases, 52.68% of them, which translates to 433 cases, were registered in Amman, followed by Zarqa with 24.33% (200 cases), Balqa'a with 4.50% (37 cases), and Madaba with only 0.36% (3 cases). In total, the central region accounted for 81.87% of all the legal aid cases for juveniles in the Kingdom, -with 14.6% in the northern region and 3.77% in the south-.

5 Quality Assurance of legal aid services

5.1 Quality measures in the legislation

The legislation in force provides some measures to oversee the quality of legal aid services provided, which has been complimented with additional *ad hoc* measures to gradually improve the quality of legal aid services.

In particular, the Legal Aid Bylaw specifies in its article 9, four measures: a) the Directorate of Legal Aid registers all cases to which legal aid provided, and keeps track of the names of lawyers appointed courts and numbers of cases; b) the Director of the Legal Aid Directorate creates a report every quarter for the Minister of Justice, detailing the progress of the Directorate's work and the legal assistance and services that have been provided; c) the Minister notifies the Bar Association of the names of lawyers who failed to provide legal aid as assigned to them, to take the required disciplinary measures against them in accordance with the provisions of the Bar Association Law and, d) it is also foreseen that a lawyer who fails to provide legal aid shall not be reassigned to subsequent requests.

Regarding the mentioned disciplinary measures of the Jordan Bar Association Law n.11 of 1972, article 63 states that any lawyer who fails to fulfil their professional responsibilities as stated in the law, bylaws issued under it, or in the code of conduct of the profession issued by the Bar Association, will face disciplinary measures, ranging from a notification to a reprimand, suspension from practice for a period not exceeding five years, up to disbarment. The Jordan Bar Association's "Code of Professional Ethics and Rule of Conduct" was approved in June 1979, and it is available online to all lawyers⁶⁰. The Law also regulates the formation of a Disciplinary Committee, whose decisions might also be appealed to the Bar Council⁶¹. From the organizational point of view, the Jordanian Bar Association additionally has formed a Complaints section⁶².

5.2 Specialized services through a scheme of lists of lawyers, requirements, and assignment on rotation

Jordan is currently upgrading its model of service delivery with more quality measures in place, aiming at an improved, more coordinated, legal aid model.⁶³

The agreement reached among the Ministry of Justice, the Judicial Council, and the Jordanian Bar Association effectively to establish a scheme of lists of lawyers assigned on rotation provides specialized services for the most serious crimes, less serious felonies, and juveniles. This mechanism opens the door to gradually expanding services through additional specific lists of lawyers who are experts in a particular matter, procedure or particular vulnerable group. Furthermore, the organization of lists of lawyers allows to organize trainings and other capacity building activities targeting lawyers by geographical area and specialty.

The agreement did not finally include particular initial requirements for lawyers to join the lists, other than being practising lawyers registered in the Jordanian Bar Association, to ensure having enough lawyers ready to provide services all over the kingdom. However, the agreement specifically contains the commitment of the Jordanian Bar Association "to guarantee the professional competence of lawyers registered on the lists". An additional filter was set in place as the Ministry of Justice and the Judicial Council shall adopt the lists elaborated by the Jordanian Bar.

5.3 Monitoring of lawyers' performance.

The aforementioned agreement by which different lists of legal aid lawyers were created, states that the service shall be continuously evaluated, and reports shall be periodically produced and made electronically available on the quality of the service provided. The criteria to measure the quality in the lists of lawyers agreement include: i) monitoring unjustified frequent absences, ii) late attendance by the appointed lawyer from the duty shift list without any justification, iii) that the assigned lawyer provides the service themselves, and iv) other criteria to be agreed upon later between the institutions to evaluate the quality of service. Additionally, the agreement foresees that

⁶⁰ The Jordan Bar Association's Code of Conduct is available at their website [0065a1bf-1fc4-4b12-bfd3-b50470172197.pdf \(jba.org.jo\)](https://www.jba.org.jo/AboutJBACContent/JBASection.aspx)

⁶¹ Jordanian Bar Association Law of 1972, art. 65

⁶² <https://www.jba.org.jo/AboutJBACContent/JBASection.aspx>

⁶³ According to the Global Report on Legal Aid "(...) more coordinated judicare programmes have an administrative or oversight body. In such systems, lawyers are often assigned on rotation, must meet minimum qualification standards and are provided with a greater degree of supervision, training and support". UNODC, *Global Study on Legal Aid. Global Report*, October 2016, P. 44.

the report may include the results of the analysis of random sampling by the Bar Association of legal aid cases.

This procedure for evaluating services was reflected in the development of the automated system to provide legal aid implemented in the Ministry of Justice's, *Mizan* system. As part of the module's development, a dashboard was created, so competent authorities can monitor the development of the indicators of legal aid provision in real-time.

Moreover, the module's last screen included a quick questionnaire for judges and prosecutors to rate the lawyer's performance in three degrees, from weak to excellent, on the following: i) respecting the time and punctuality in attending court sessions according to the set appointments; ii) commitment shown to laws and knowledge of their application and attention of the assigned lawyer in their duties; iii) the lawyer's knowledge of court procedures and commitment to provide defensive evidence and pleadings; iv) not postponing sessions for the same reasons and delaying in legal representation in cases to have the biggest number of sessions possible; and v) the lawyer's communication with all parties of the case.

The results of this questionnaire, which was approved by the three parties, are sent to the Jordan Bar Association, the institution responsible for taking appropriate disciplinary measures, ensuring the quality of services provided by the lawyer while safeguarding at the same time the lawyer's independence.

5.4 Legal Aid Needs Assessment studies and users' satisfaction questionnaires

A *National Survey on Access to Justice and Legal Aid Needs* was launched at the beginning of 2023, targeting 10,000 families -Jordanian and not Jordanian- from all over the country, following an agreement between the Ministry of Justice and the national Department of Statistics signed in November 2022, to analyse general citizens' and specific target groups' access to justice and legal needs all over Jordan, and implement knowledge-based public policies to improve legal aid services in the Kingdom.

A Committee for a National Survey on Access to Justice and Legal Aid Needs was formed to develop an action plan and the questionnaire, under the chairmanship of the Secretary General for Administrative and Financial and Affairs of the Ministry of Justice, and included the Director of Legal Aid, the Director of Planning and Institutional Development, the Head of Statistics Department and representatives from the Judicial Council, the National Center of Human Rights and the Department of Statistics, as institution in charge of conducting the study. International technical assistance was also engaged to support the Committee., and the final version was agreed upon and signed in December 2022.

The only previous national survey on the matter conducted by the Jordanian Department of Statistics, also targeting 10,000 families, was organized with the local organization Justice Center of Legal Aid (JCLA) and published back in 2012⁶⁴. Other surveys were conducted since then by other civil society organizations. Adaleh Center for Human Rights studied Syrian refugees' legal needs, over

⁶⁴ As stated in JCLA's website at <https://www.jcla-org.com/en/legal-aid-jordan>

a sample of 240 Syrian refugees in Mafraq governorate⁶⁵ and HiiL conducted a survey on both refugees and host communities' legal needs in collaboration with local NGO ARDD over a sample of 6,001 respondents from all over Jordan.

Additionally, the Ministry of Justice has developed an internal *Legal aid system users' satisfaction survey* targeting four groups of users: beneficiaries of legal aid system, lawyers, judges and prosecutors and officers working in the system. International technical assistance was engaged to support the development of the survey in close cooperation with the Section of Statistics of the Ministry of Justice, and a final version of the questionnaire and methodology was adopted at the beginning of 2023 by the Ministry.

5.5 Increase of capacities to enhance the system and to deliver services in accordance to international standards.

A number of additional measures have been taken to enhance the national capacities and institutions with the aim of developing Jordan's legal aid system and to improve the quality of the services:

- *Training of relevant stakeholders and operators* - To ensure the effective implementation of the legal aid system, specialized trainings have been organized. The Ministry of Justice, has organized trainings for legal aid liaison officers and IT quality assurance officers working in Courts and Prosecutors' offices all over Jordan. The Judicial Council in partnership with the Ministry of Justice has trained eleven judges as trainers for peer training. Subsequently, judges and prosecutors from across the Kingdom were trained on the updated normative framework and provided specific recommendations.
- *Study visits* - Study visits have been organized for judges, officials from the Ministry of Justice and lawyers to exchange experiences on different legal aid systems, (Madrid, Spain in September 2021 and Tunis, Tunisia in March, 2022), to improve Jordan's institutional delivery.
- *Other capacity building initiatives.* Guidelines and manuals have been developed for Judges, Prosecutors and for Ministry of Justice's legal aid liaison officers in Courts and Prosecutors' offices, to provide guidance in the implementation of the legislation in force and for the use of the legal aid module in the IT system.

In the framework of the technical assistance provided through international cooperation, the Arabic-edition of the "*Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes: Practical Guidance and Promising Practices*"⁶⁶ has been produced, so it may be available not just to the Jordanian authorities, but to the whole Arabic-speaking world.

6 Public Legal Education: Initiatives to increase public awareness of the availability of publicly funded legal aid and how to access it.

⁶⁵ Adaleh Centar for Human Rights, *Refugees' legal needs and access to justice in Jordan*, Amman, Jordan, 2019. Available at [Refugees' legal needs and access to justice in Jordan by AECID PUBLICACIONES - Issuu](#)

⁶⁶ UNODC, *Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes: Practical Guidance and Promising Practices*, Vienna, 2019.

In the last two years, various initiatives have been implemented to raise public awareness of public legal aid services, with different approaches: launching the messages top-down, with campaigns from the Ministry of Justice, and bottom-up, engaging civil society. Also, in addition to campaigns aimed at the general public through mass media, more targeted outreach initiatives have been tried, including a campaign in Courts and Prosecutors offices implemented by the Ministry of Justice. These initiatives were implemented in the framework of the project co-funded by AECID and the European Union:

- *A national campaign on legal aid implemented by the Ministry of Justice* – The campaign was implemented between October 21, 2021, and December 31, 2021, building on a previous similar national campaign implemented in 2020. The campaign was carried out in line with the Ministry of Justice’s Communication and Media Unit's annual plan. All visual content materials were designed internally by the Unit’s staff, which included the design of all media publications, editing press releases, and the distribution through the official site of the Jordanian e-Government platform *My Government at my service*⁶⁷, and the Ministry’s internal mail. The campaign included republishing three previously produced videos on YouTube and other social media, the broadcast of one TV spot on the national television Roya TV, -30 times-. Also, a radio advertisement was aired 40 times over a period of three months on Radio Watir. The campaign generated 39 publications on social media, Facebook, Instagram, and Twitter, reaching nearly 100.000 impressions. The Ministry of Justice estimates that the campaign activities reached over two million people, even though figures obtained from radio and television are approximations.
- *Legal aid campaign in Courts and Prosecutors’ offices*- An additional campaign on legal aid was designed with the aim of more accurately targeting beneficiaries or potential beneficiaries of public legal aid rather than general population. Preparations started in September, 2022, and the campaign, developed by the Media and Communication- Unit in coordination with the Legal Aid Directorate envisaged the purchase and installation of 35 TV screens and acrylic boards (sign holders) with posters in Courts and Prosecutor’s offices all over Jordan, to disseminate the procedure to apply for legal aid. Brochures and newly designed legal aid request forms were designed and printed to be distributed. Finally, also signs were produced to indicating where the Legal Aid Liaison Officers were to be found in Courts.
- *Outreach campaigns on Access to Justice with civil society* – During 2022, the NGO Dignity, in close coordination with the Ministry of Justice, launched three outreach campaigns at the national level to raise awareness on topics related to access to justice: juveniles’ fair trials guarantees, rights of peoples with disabilities, and the legal aid system. As part of the campaigns Dignity developed a manual and carried out training of trainers (ToT) sessions for young paralegal “ambassadors”, who subsequently carried out forty-eight awareness sessions on legal topics over a period of three months (July-September) with members of their communities, reaching vulnerable groups in all governorates of Jordan. Dignity reported that this was complemented with three media campaigns, one of them on legal aid, building up on the two national campaigns that the Ministry of Justice launched in 2020 and 2021, promoting the public system of legal aid. Each of these campaigns lasted for two weeks. For each campaign, including the one on legal aid, one video was developed and broadcasted thirty times on national TV -Roya TV-, reaching an estimated of 112,500 viewers

⁶⁷ The portal’s online address is: <https://portal.jordan.gov.jo/wps/portal?lang=ar#/>

for each video. Three radio spots were produced, -each one was broadcasted a hundred times-, and a radio show was created, which consisted of a trailer and six episodes, and were broadcasted in podcast platforms and two radio stations: Radio Al Balad and Sowt Al Karak Radio, reaching a total estimated audience of 17.000 people⁶⁸. Finally, the campaign included twenty-three social media posts, which reached a total combined amount of 3.8M views.

7 Alternative Sources of Legal Aid services:

In cases where legal aid is not provided by the State, vulnerable people may submit a direct request to the Jordanian Bar Association based on the aforementioned article 100 of the Jordanian bar Association Law, which grants the President of the Bar the authority to assign lawyers to provide services once a year as regulated in article 6 of the Bas Association law.

Additionally, vulnerable groups in Jordan may also access legal aid provided by specialized national civil society and international organizations. While legal aid in the public legal aid system is currently limited to providing representation in criminal cases, most of the legal aid provided by non-governmental organizations is in the form of legal advice or counselling, rather than legal representation. The majority of cases that these organizations deal with are labour, administrative and civil cases to the most vulnerable groups that could not afford a private lawyer. Therefore, in practical terms, there is complementarity between the legal aid provided by the public system through the Jordanian Bar Association and the alternative sources of legal aid. Additionally, the role of civil society organizations is particularly relevant in providing awareness-raising and legal education as well.

The Justice Centre for Legal Aid (JCLA) reported in 2022 to have provided legal aid to 9,055 beneficiaries through their legal clinics located in all governorates of Jordan. The organization, founded in 2008, delivers a wide of legal aid services in civil, Sh'aria, administrative and criminal areas, including: legal counselling, in person or over the phone, problem analysis, mediation, guided legal representation, legal representation and assistance in police stations 527 beneficiaries (5.8% of the total number) received legal representation that year. Additionally, JCLA provided 527 awareness sessions in person to 12,708 direct beneficiaries.

The same year, the ICLA (Information, Counselling and Legal Assistance) program of the Norwegian Refugee Council offered legal counselling to 4,331 unique beneficiaries, and legal assistance to 1,669 beneficiaries, which includes mediation, accompaniment legal representation. When it comes to in-court legal representation, 558 cases were registered at court in 2022, in both Shari'a and Magistrate courts, and related to Legal and Civil Documentation only. Additionally, NRC provided legal information and awareness services to 35,390 beneficiaries through various outreach modalities

In 2022, the local organization Tamkeen provided specialized legal aid to 680 beneficiaries to Jordanian workers, and migrants, refugees, and victims of human trafficking, of nineteen different nationalities, focusing on defending workers' rights. This figure includes legal advice, mediation and representation, but not legal education or awareness sessions.

⁶⁸“This is my right’ a podcast to navigate Jordan’s legal system”, Jordan News, 14 Nov 2022.

Available at <https://www.jordannews.jo/Section-106/Features/This-is-my-right-a-podcast-to-navigate-Jordan-s-legal-system-24502>

Also in 2022, UNHCR, the United Nations High Commissioner for Refugees, reported the provision of legal aid directly and in partnership with the organization Arab Renaissance for Democracy and Development (ARDD), to 70,707 beneficiaries all over the Kingdom, including clients living in refugee camps. This figure comprises beneficiaries of legal advice and consultations, mediation, legal representation, and legal awareness. However, the largest proportion of registered cases were for legal counselling, advice, and mediation. Out of the total number, only 1,164 beneficiaries received legal awareness sessions, whereas a small fraction of the total, -only 664 beneficiaries (0.9% of the total)-, were reported as legal representation cases. ARDD reported to have provided additional legal aid services other than those provided to the ones offered in cooperation with UNCHR, but disaggregated data is available⁶⁹.

There are other organizations active in Jordan providing legal aid, but not legal representation, which offer instead legal advice, legal information and awareness, and refer legal representation cases to either the JBA or specialized legal aid NGOs.

Jordanian Women's Union, a local organization first established in 1945, runs a Hot Line Program since 1996 that provides protection, psychological, social, and legal guidance, for women who are victims of gender-based violence. Women can call the hotline number to seek help, and the social workers who receive the call refer them to the relevant specialists. Also, other international NGOs, such as the International Rescue Committee⁷⁰, or Danish Refugee Council may offer legal advice in Jordan and refer cases, but they do not provide legal representation services themselves.

Other local and international organizations, while not providing legal aid directly, are engaged in the improvement of the system or in raising public awareness on the legal aid services available to vulnerable groups. The NGO Dignity launched national campaigns on access to justice and legal aid in coordination with the Ministry of Justice⁷¹ and Terre des Hommes (TdH), organization that promotes access to justice for children in contact with the justice system, and collaborates with national authorities to ensure that they receive appropriate treatment and their rights are respected⁷², produced in 2022 a "Guideline on access to legal aid for children in contact with the law in Jordan"⁷³.

Finally, it is worth noting that there are no specific regulations in force nor any ad-hoc comprehensive mechanism of oversight of all legal aid providers, in line with international standards⁷⁴, to ensure criteria for the accreditation of legal aid providers, applicable professional codes of conduct or complaint mechanisms. Furthermore, there is no common framework for measuring, benchmarking, or reporting legal aid services provided in the Kingdom.

8 Holistic legal services:

The public system of legal aid does not cover non-legal services, and there is no formal comprehensive referral mechanisms in place to ensure beneficiaries of legal aid are provided with other sorts of protection, whether access to health, education, psychosocial support or others, with any public or private entities.

⁶⁹ ARDD's website is: <https://www.ardd-jo.org/News-Room/2022-a-year-of-partnerships-and-achievements-on-the-road>

⁷⁰ IRC's website is: <https://www.rescue.org/uk/country/jordan>

⁷¹ A detailed account of Dignity's outreach initiatives are found in section 6.

⁷² Terre des Hommes website is: <https://www.tdh.ch/en>

⁷³ Available at <https://www.tdh.ch/en/media-library/documents/guideline-access-legal-aid-children-contact-law-jordan>

⁷⁴ Guideline 15 of the *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, 2012.

Nevertheless, there is some national experience that should be highlighted. Jordan's "National Referral Mechanism and Standard Operating Procedures in Dealing with Human Trafficking Cases" offers a noteworthy example in providing comprehensive protection services, in this case for victims of human trafficking. The mechanism provides a one-stop-shop approach to protecting victims and involves the collaboration of different institutions to provide integral services, such as healthcare, shelter, and legal aid. Therefore, provision of legal aid is considered an essential component of victim protection, even though the providers have not still undergone specialized training nor is this type of legal aid covered by the Legal Aid Fund.

9 Strategic alignment with Sustainable Development Goal 16: Peace, justice, and strong institutions

Jordan is actively working towards aligning its strategies with United Nations' Sustainable Development Goal 16, and more specifically towards achieving target 16.3, "Promote the rule of law at the national and international levels and ensure equal access to justice for all".

In line with the national strategy Vision 2025 and the Recommendations of the Royal Committee for Developing the Judiciary and Enhancing the Rule of Law of February 2017, the National Plan for Human Rights (2016-2025) identifies the creation of programs and units for legal aid as a key activity falling under the objective of enhancing means of access to justice, specifically as part of the Fourth Goal, which aims to enhance guarantees for fair trial, of its First Pillar, Civil and Political Rights⁷⁵.

Furthermore, the Jordan Justice Sector Strategy 2022-2026, which was formally presented in Amman on August 23, 2022, highlights the growing importance of access to justice and legal aid in the institutional agenda, as one of the justice sector's five strategic pillars is now Access to Justice. The three action lines under this pillar are Legal Aid, Awareness Rising, and Community Sanctions⁷⁶.

On January 12, 2023, the Minister of Justice approved the formation of a National Committee to develop and adopt a new Legal Aid Strategy and Action Plan, aligned with the *Justice Sector Strategy*. The Committee is chaired by the Secretary General of Judicial Affairs at the Ministry of Justice, and the other members include: the Secretary General of the Ministry of Justice for Administrative and Financial Affairs, the Secretary General of the Judicial Council, the Vice-President of the Jordan Bar Association, a Representative of the National Centre for Human Rights, the Directors of Legal Aid, Planning and Institutional Development and Legal Affairs of the Ministry of Justice, and the Head of Monitoring and Evaluation of the Legal Aid Directorate who also serves as the Committee Secretary. The committee receives technical support from international experts provided by the Spanish Bar Council.

10 Conclusions

Jordan is undergoing a process of modernization and improvement of its public legal aid system in line with its national strategies to strengthen the rule of law. The *Justice Sector Strategy 2022-2026* sets legal aid as one of its main objectives under its core pillar of access to justice. Furthermore, the Minister of Justice has formed an interinstitutional Committee to develop and adopt a new Strategy on Legal Aid.

⁷⁵ Available at Jordan Ministry of Interior website: <https://bit.ly/3mfqotT>

⁷⁶ Available at the Ministry of Justice website: <https://bit.ly/3zF6ewz>

Since the Legal Aid Bylaw n.119 was adopted in 2018 and a Legal Aid Fund was established in 2019, several interrelated key initiatives and policies have been implemented to improve the legal aid system in line with international standards:

1) As recommended by Guideline n.18 of the *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, technical assistance based on needs and priorities identified by Jordan has been delivered in the framework of bilateral and multilateral cooperation, to enhance the national capacities and institutions for the development of the legal aid system. The European project “Access to Justice and Legal Empowerment in Jordan” co-funded by the European Union and the Spanish Cooperation has provided continuous comprehensive technical support.

2) The Legal Aid Bylaw was amended based on legal and technical analyses and assessments, and primary data collection. Furthermore, budget impact analyses were carried out in line with the standards to make “adequate and specific budget provisions for legal aid services”⁷⁷ and ensure that the Legal aid Fund will be able to cover the costs of an expansion of services and an expected increase in the number of cases.

Amendments introduced by Bylaw No. 53 of 2022 have widened the scope of people who can apply for legal aid by reducing the financial requirements and allowing repeat offenders to apply for optional legal aid, which is also a significant advancement in terms of fair trial guarantees. The amendments also mandate that the legal aid lawyer carry the case through to the final judgment, enhancing the quality of services, but lawyers can receive payment at the end of the prosecutors' stage if they do not continue. Lastly, the amendments broaden the delegation of authorities, enabling the streamlining of administrative procedures and faster approval of requests.

3) An agreement between the Ministry of Justice, the Judicial Council and the Jordanian Bar Association has been reached to establish a scheme of lists of duty lawyers assigned on rotation to provide specialized services. The mechanism allows the prompt provision of specialized legal aid services and the implementation of further quality measures such as fine-tuned quality evaluation of services or targeted training of lawyers in particular topics and by geographical location.

4) The automation and digital transformation of legal aid procedures has been implemented by the Ministry of Justice in coordination with the Ministry of Digital Economy and Entrepreneurship and the Jordanian Bar Association, by developing a new legal aid module within the digital case management system, *Mizan*. The legal aid module includes the digital management of the lists of lawyers, the electronic management of the legal aid file, an evaluation questionnaire for lawyers' performance and an online payment service for lawyers' fees. The new computerised system has been installed in courts and prosecutors' offices all over the Kingdom.

5) Following the recommendations set in Guideline 17 of the United Nations Principles and Guidelines, on Research and Data, a *National Survey on Legal Aid Needs* has been launched by the Ministry of Justice in partnership with Jordan's Department of Statistics, and a users' satisfaction survey has been developed by the Ministry of Justice to be periodically implemented, in order “to conduct regular research and collection of data disaggregated by the gender, age, socioeconomic status and geographical distribution of legal aid”. Additionally, more accurate primary data collection

⁷⁷ *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, 2012. Guideline 12 Funding the nationwide legal aid system

on legal aid provided has been ensured through the automation of legal aid procedures as a module of the MoJ's *Mizan* digital case management system.

6) Trainings on legal aid and other capacity-building activities were organized for judges, prosecutors, lawyers, and civil servants, to ensure “that professionals working for the national legal aid system possess qualifications and training appropriate for the services they provide”, as recommended by the mentioned international standards⁷⁸. Manuals and guidelines for Ministry of Justice's officials at courts, for Judges and Prosecutors have been developed and an Arabic edition *Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes: Practical Guidance and Promising Practices* has been produced for reference.

7) Finally, to ensure the public availability of information on the right to legal aid and what such aid consists of, in line with Principle 8 and as recommended by Guideline 2 on the Right to be Informed on Legal Aid, the Ministry of Justice launched informative national campaigns on legal aid – also in cooperation with civil society to have complementary approaches- through social and mass media. In addition, a specific campaign was launched targeting beneficiaries in courts and prosecutors' offices, which involved the installation of TV screens and posters and distribution of informative brochures.

As a result of these policies, the number of legal aid cases covered by the state's Legal Aid Fund has steadily increased in the last years, particularly juvenile cases, but also optional legal aid cases. This positive tendency has further consolidated as the eligibility criteria for optional legal aid were amended in 2022, and the ratio of approval of optional legal aid cases increased from an average of 11.54% to an average of 64.83% monthly.

Even more importantly, Jordan is currently better equipped to face the increasing number of cases. Jordan's legal aid model is transitioning to a more advanced and coordinated system of legal aid delivery, as an automatized and digitalized scheme of lists of lawyers assigned on rotation has been set and made available to provide specialized services in courts and prosecutor's offices throughout the Kingdom.

However, there is still ample room for improvement, and different challenges lay ahead in the progressive establishment of a comprehensive system of public legal aid in Jordan. The legal aid system has various limitations in its scope, which have been discussed.

Nevertheless, each of these limitations presents an opportunity for future expansion of services. Potential directions for expansion include: a) offering legal aid not only to defendants but also to other parties in criminal proceedings, such as victims or witnesses; b) providing legal counseling and legal assistance, as well as legal representation; c) providing early access to legal aid in police stations for juveniles or for all defendants; d) extending mandatory legal aid to less severe felonies by lowering the 10 year of imprisonment threshold; and e) expanding legal aid to other branches of law, such as administrative or civil cases.

Each of the potential directions that future expansion of services may take poses unique economic and social challenges for the Jordanian system. However, regardless of the chosen direction, improvement of services will require thoughtful analysis, accurate and quality data collection,

⁷⁸ *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, 2012. Guideline 13 Human Resources.

extensive policy dialogue among all relevant stakeholders, institutional capacity building, updating administrative procedures, and a review of the current rather dispersed regulatory framework.

Secondly, considering that resources are limited, special attention should be paid in ensuring the sustainability of the system. To achieve this, it is essential to continuously collect accurate data for evaluating the budgetary impact of interventions and for prioritization of needs, as well as ensuring institutional coordination and procedures to enhance efficiency. Other measures to consider include exploring additional potential partnership opportunities with legal aid service providers, and activating all possible funding options outlined by the Criminal Procedures Law to support the Legal Aid Fund.

Finally, it will be necessary to monitor the impact of the measures introduced to guarantee the quality of services provided and accordingly progressively improve them. In this regard, it is critical to advance in the regulation and oversight of legal aid providers in line with international standards⁷⁹, “to monitor the efficient and effective delivery of legal aid in accordance with international human rights standards”⁸⁰, while ensuring, at the same time, the independence and protection of legal aid providers⁸¹.

Guaranteeing that legal aid providers operate with the highest standards of professionalism and accountability require taking regulatory and technical measures to advance in setting criteria for accreditation of legal aid providers and establishing an oversight mechanism to ensure that all providers adhere to certain standards of quality and applicable codes of conduct. These measures need to be balanced with protecting the independence of legal aid providers, and with ensuring that sufficient legal aid is readily available throughout the country for vulnerable groups.

In this regard, it is necessary to develop a standardized reporting framework or mechanism for all legal aid providers, including those serving vulnerable groups outside of the public system, so accurate data is available to policy makers on the scope and quality of legal aid effectively provided in the country, including number and type of cases, to monitor the advancement of access to justice in the Kingdom and design and implement public policies to better meet the needs of the community.

⁷⁹ *Ibid*, Guideline 15

⁸⁰ *Ibid*, Guideline 17 c)

⁸¹ *Ibid*, Principle 2. Responsibilities of the State, and Principle 12. Independence and protection of legal aid providers