

The Jordanian Ombudsman Annual Report

Table of Contents

| | |
|--|----|
| 1. A Word by the Ombudsman..... | 4 |
| 2. The Establishment and Organization of the Ombudsman Bureau..... | 6 |
| 3. Jurisdiction of the Ombudsman Bureau..... | 9 |
| 3.1 Functional Jurisdiction..... | 9 |
| 3.2 Personal Jurisdiction:..... | 10 |
| 3.3 Subject Matter Jurisdiction..... | 10 |
| 3.4 The Jurisdiction's Timeframe..... | 12 |
| 3.5 The Jurisdiction's Geographical Area:..... | 12 |
| 4. Complaints Filed at the Ombudsman Bureau..... | 12 |
| 4.1 Legal Basis for Receiving Complaints..... | 12 |
| 4.2 Analysis of Complaints Received by the Bureau during 2009 (Accepted and Rejected):..... | 14 |
| 4.2.1 Analysis of Complaints According to Complained Against Body..... | 14 |
| 4.2.2 In relation to the nature of the complements:..... | 19 |
| a) Gender..... | 20 |
| b) Nationality..... | 22 |
| c) Governorates and the Populations' Proportionality..... | 24 |
| 4.2.3 In relation to the Complaint's Subject Matter..... | 26 |
| 4.2.4 In Relation to Time Periods:..... | 43 |
| 4.3 A summary of the Decisions Issued by the Ombudsman Office:..... | 44 |
| 4.3.1 Settling and Solving Complaints:..... | 44 |
| 4.3.2 Examples of Rejected Complaints:..... | 45 |
| 5. The Public Administration's Cooperation and Responsiveness:..... | 48 |
| 6. Self- Initiatives..... | 50 |
| 6.1 The legal basis for self-initiatives:..... | 50 |
| 6.2 Initiatives, which were responded to by the Complained against Parties:..... | 51 |
| a) Initiatives that have a public nature:..... | 51 |
| 7. Key Recommendations Submitted by the Ombudsman Office to the Public Administration:..... | 55 |
| 7.1 The Recommendations' Legal Basis:..... | 55 |
| 7.2 The recommendations, which were accepted and implemented by the public administration:.. | 57 |
| 7.3 The Recommendations, which weren't accepted by the Public Administration:..... | 62 |

| | | |
|-----|---|----|
| 7.4 | Recommendations Related to Simplifying the Public Administration's Procedures:..... | 67 |
| 7.5 | General Principles Derived from Complaints Processing: | 72 |
| 8. | The Ombudsman Office Activities: | 74 |
| 8.1 | Awareness Meetings | 74 |
| 8.2 | Relations with Similar and Counterpart Institutions: | 75 |
| a) | National Institutions: | 75 |
| b) | Foreign Institutions | 76 |
| 8.3 | Other Activities:..... | 76 |

1. A Word by the Ombudsman

Injustice is a serious and grave epidemic that topples systems, violates laws., destroys the principles of values and morals, promotes corruption, hinders development, disrupts stability, generates worry, fear and frustration, kills the spirit of loyalty, excellence, creativity, citizenship and belonging. The philosophy of the Ombudsman Bureau aims to instil the principles of transparency, integrity, accountability and equal opportunity in public administration. It also aims to create a safe work environment that promotes the provision of timely and excellent service. Among its other aims is to contribute to promotion of confidence between beneficiaries and public administrations on one hand and the employee and his/her administration on the other. It aims to achieve this through receiving citizens' complaints related to decision, measures or inaction thereof on the part of public administration or any of its employees and the issuance of recommendations, suggestions and initiatives aimed at simplifying procedures as well as correcting and rectifying mistakes.

In response to the importance of affirming the principles of integrity and transparency in the relationship between citizens and the public administration, and to deepen the principle of justice realization and the right to complain culture, in early February of 2009 the Ombudsman Bureau started pursuant to Law No. 11 of 2008 to receive complaints from individuals and entities towards public administrations on one hand and investigation, verification and resolution of said complaints on the other.

Despite the newness of the Bureau and its limited human and financial capacities, the Bureau was able to complete its first annual report for the year 2009 which revealed that it dealt with a total of different 2716 complaints against public administrations. The Bureau was able to settle 264 complaints in an official or amicable way, 81% of 327 complaints revealed that an error was made by the public administration. A total of 177 complaints were provided with necessary guidance, while 63 recommendations were provided to administrations that committed administrative errors. Investigation revealed that 641 complaints there was no administrative error committed. As for the remaining complaints, some were rejected due to formality while 105 of them are still undergoing follow-up.

The Bureau placed high priority on group complaints, particularly that some affect thousands of individuals while others affect hundreds and tens of people. Complying with the role entrusted to it by law, and affirming the principle of transparency and determination of responsibilities, the Bureau was keen to submit its first annual report for the year 2009 that includes a detailed overview of complains handled by the Bureau and the response rate of each public administration to its recommendations as well as identifying the most complained against entities. In the event that the entity did not respond to by rectifying the situation, the prime minister is informed and their name is listed in the annual report that is submitted to the cabinet, House of Representatives and house of senates. The report also determines that governorates with the highest percent of complaints along with the most frequent type of complaint.

From the beginning, the Bureau held several introductory and awareness meetings with various public administrations, civil society entities and the general public. The aim of such meetings was to explain the mandate of the Bureau and work mechanisms as well as complaint processing procedures.

The work of the Bureau complements that of other entities such as the Anti-Corruption Commission and the National Centre for Human Rights, in securing high a larger space for achieving justice and the improvement of relations between the society and the administration.

The Bureau will continue to perform its role of liaising between the aggrieved and public administrations. It will do so within the context of an audit entity that provides guidance and helps correct mistakes, and

entity whose work complements that of other audit and monitoring agencies and that works in partnership with public administrations towards the attainment of the interest of the public, the country and individuals. The Bureau also works to contribute towards the establishment of effective mechanisms for safeguarding the basic rights and freedoms and promoting the rule of law and accountability to achieve justice and equality under the Hashemite leadership.

Abdel Ilah Al Kurdi

2. The Establishment and Organization of the Ombudsman Bureau

The Islamic culture knew several quasi judicial institutions, such as judicial panels and the *Hisba* (accountability) system in addition to the Muslim caliphates who reviewed and resolved disputes among their constituencies. The institutionalization of said process happened during caliphate Omar Bin Abed Al Aziz era, who named such institution as the Grievances Bureau.

In contemporary times, the Ombudsman Office phenomenon emerged in modern states since 1809 the first of which was in Sweden.

Since the days of late King Abdullah I – May God rest his soul- the Hashemites followed the path of alleviating any injustice facing its citizens, in addition to hearing their complaints and helping the victims of injustices, through the councils that used to be held for the sole purpose of hearing the citizens' complaints or through the personal sudden visits which aims at sensing the citizen's needs and sufferings in order to provide them with the needed relief. Since the establishment of the Hashemite Kingdom of Jordan the protection of the Jordanians rights constitutes a very high priority in its legal system, where article (6) of the constitutions states "The State shall ensure a state of tranquillity and equal opportunities for all its citizens". Article (17) of the constitution also states that "Jordanians are entitled to address the public authorities on any personal matters affecting them or on any matter relative to public affairs, in such a manner and under such conditions as may be prescribed by law".

The Jordanian National Covenant also states that "in order to strengthen the basic pillars of the legal state and in order to consolidate the democratic structure of the Jordanian state and society, the state should work to achieve a number of goals, one of them is "the establishment of an independent institution called the Ombudsman Office (Grievances Bureau) by the issuance of a special law. The Office shall be entrusted with administrative inspection and the monitoring of the administration performance in addition to the conduct of its officers. The Office shall submit its reports to the Parliament and the Council of Ministers according to the provision of the constitution and the applicable regulations and laws without any prejudice to the independence and jurisdiction of the Judiciary".

The successive governments sought to affirm the approach of dealing with injustices and the citizens' complaints and as empowerment to this approach the Administrative Monitoring and Inspection Bureau was established according to regulation number (55) of 1992, which stayed on effect until it was canceled by regulation number (34) of 2002. The cancellation happened for many reasons, the most important of which is, the lack of independence from the Executive. the lack of qualified human resources , the lack of appropriate funds in addition to the lack of cooperation between the various departments and directorates in the investigations conducted by the Bureau due to the lack of the needed legislative provisions which would grantee such cooperation.

In addition to the above a Grievances Department was established at the Prime Ministry on the 1st of June 1999 as one of the departments that reports to the Prime Minister according to the Prime Ministry Organizational Structure Regulation number (23) of 1999. This department was canceled on the 17th of January 2001 according to the Prime Ministry Organization Structure Regulation number (1) of 2001. Many reasons stood behind the cancellation of the department the most important of which are: the lack of clear delegation of powers, the lack of the needed

independence, the lack of a clear organizational structure and regulations in order to perform the duties and functions of the department, in addition to the lack of the qualified human resources.

In the reign of His Majesty King Abdullah II Ibn Al Husain - May God protect him - the government started to think in establishing of an institution which is independent from the Executive and the Judiciary at the same time. The aim of such institution is to deal with the imbalances' and complications of the public administration, which might not be responsive to the traditional forms of monitoring and control. These factors made the government think about the establishment of an Ombudsman Office, entrusted with following up the complaints submitted to it against the public administration, in order to strengthen and support the principles of justice, equality, transparency, and fairness, in addition to the institutionalization of the complaining and grieving process which should be done according to a clear jurisdiction, work procedures and also clear investigation methods and reports and decision issuance procedures. The new institution would also strengthen the communications with and between the various related public administration departments and institutions and support the enhancement process of the governmental services and the public sector performance. It would also enhance the chances the establishment of a dialogue with the administration and reaching acceptable and fair compromises between the administration and the citizens. The institution would also strengthen the rule of law culture and awareness related to the citizens' rights and the administration's duties and responsibilities.

In order to secure the successes of this new experience, it was of a great importance to benefit from the special experiences of certain states taking into consideration the Jordanian particularity. A temporary technical unit was established in order to follow up the establishment of the Ombudsman Office. Three workshops were held and attended by members of the Senate (the uber house of the parliament), senior state's officials, representative of the media and members of the civil society institutions. These workshops constituted the start of a comprehensive national dialogue in relation to the establishment of the Ombudsman Office. A regional conference was also held in Amman during 2004 to review and discuss all documents, information and recommendations the technical committee – established to develop the Ombudsman Bureau Draft Law – used in the course of its work.

His Majesty's speech from the Throne, which was delivered by His Majesty King Abdullah II ibn Al-Hussein before the fifteenth parliament on the 2nd of December 2007, expressed His Majesty's Royal desire concerning the importance of expediting the process of adopting the

Ombudsman Office draft law.

According to what was decided by the Parliament the Ombudsman Office Law number (11) of 2008 was enacted and the Office started functioning on the beginning of February 2009.

The JOB Organizational Structure

The Jordanian Ombudsman Bureau (JOB) is headed by a President who shall have the degree and salary of an acting Minister. The JOB's President is appointed pursuant to a Council of Minister's decision, that is ratified by Royal Decree. The law stipulates a number of conditions related to the present appointed as president the most important of which are impartiality,

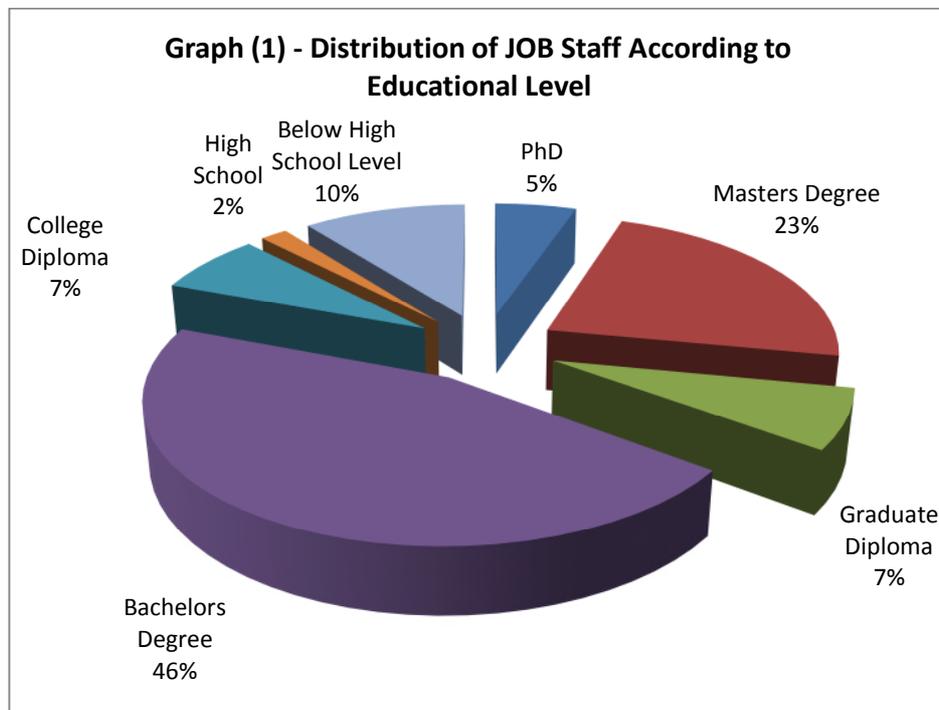
neutrality in addition to possessing long experience in the areas of public administration and law. The Bureau President shall also not be in a public administration position or on any elected council at the time of his/her appointment or and during the tenure his /she service. The President’s term shall be for four years renewable for one more term only. The President of the Bureau may not be sacked unless according to the conditions stated in article (11) of the Ombudsman Bureau’s Law, such as when he/she is convicted of the commission of a felony or a misdemeanor.

In performing his/her duties, the President of the Ombudsman Bureau is assisted by a number of staff members and advisors who distributed across various administrative and technical departments and units. The current number of JOB’s staff amounted to (57) staff members.

Table (1) shows the distribution of JOB staff according to educational qualifications.

Table (1) – Distribution of JOB Staff in 2009 According to Educational Level

| Educational Level | No. of Staff |
|--------------------------|---------------------|
| Doctorate Degree | 3 |
| Masters Degree | 13 |
| High Diploma | 4 |
| Bachelors Degree | 26 |
| College Degree | 4 |
| High School | 1 |
| < High School | 6 |
| Total | 57 |



Training

Aimed at upgrading and enhancing the qualifications of its human resources, the JOB facilitated the participation of its staff members in many local and international conferences and workshops based on their area of work and specialization. The number of out-of-country workshops and conferences attended by JOB staff amounted to (3) while the number of in-country ones was (4). The total number of training programs were held inside Jordan was (20) programs.

Table (2) below shows the distribution of JOB staff members according to the courses and programs they participated in.

Table (2) – Distribution of JOB Staff According to Training Courses, Programs, Workshop and Forums Held Inside and Outside Jordan During 2009

| Program | No. of Staff |
|--|---------------------|
| Training Courses and Programs (Outside Jordan) | 3 |
| Conferences, Forums and Workshops (Outside Jordan) | 9 |
| Training Courses and Programs (In-Country) | 33 |
| Conferences, Forums and Workshops (In-Country) | 12 |
| Total | 57 |

As part of JOB's diligent efforts to enhance on-job staff performance, a code of professional conduct and morals pertinent to public administration was distributed among all its employees. In addition, in October 2009 the JOB participated alongside the Ministry of Public Sector Development in officially launching the Professional Code of Conduct.

An awareness building workshop was held for the all staff members during which key issues related to the Professional Code of Conduct were discussed. It is worth mentioning that the JOB is a member of the Professional Code of Conduct Committee at the Ministry of Public Sector Development which is responsible for putting the Code into practice.

3. Jurisdiction of the Ombudsman Bureau

3.1 Functional Jurisdiction

- The Bureau assumes the following functions and responsibilities pursuant to article (12) of its law:
 - a) Revision of all complaints submitted to it pertinent to decisions, procedures, actions or lack of action thereof by the public administration or its officials. No complaint against the public administration shall be accepted by the Bureau if it can be legally challenged before any administrative or judicial body or if the subject of the complaint is still under review by any judicial body or a judicial judgment has been issued in its regard.

- b) Submission of recommendations related to administrative procedures simplification that enable citizens to benefit from services provided by public administration entities in an effective and easy manner, through the complaints submitted to it in relation to such services.

3.2 Personal Jurisdiction:

Article (14/a) of the Ombudsman Bureau Law states the following:

“Any person who is injured by any of the public administration’s decisions or procedures or actions or lack of action, he/she has the right to submit a complaint against the public administration before the Office according to the procedures and situations stated in this law”.

Accordingly the following categories of persons have the right to submit complaints:

- Any persons who is injured by the public administration actions regardless of his/her nationality.
- Any injured legal person (company, society or club...etc) by the public administration actions regardless of its nationality.
- Any group of persons who are bound together by title or interest to the damage resulted from the complaint against measure. The complaint in such case has to be signed by all of them or by their legal representative.

Against whom the complaint is submitted:

Article (12) of the Law stipulates that the actions which constitute the subject matter of any claim must be carried out by the public administration or one of its officials.

Article (2) of the law defined the public administration as “ministries, governmental departments, official public institutions, municipalities and regulatory commissions which oversee public utilities and its functions based on special laws”.

3.3 Subject Matter Jurisdiction

It is the actions which fall under the Ombudsman Office’s jurisdiction, which include:

Decisions:

It is the public administration’s expression of its binding will through the powers it has based on the applicable laws and regulations with the intent to amend or change a legal status as long as it is possible and legally permissible.

Procedures:

It includes the preliminary and subsequent procedures, which are the actions taken in order to realize the public administration’s goals without leaving a legal effect or amending a legal status, such as the internal procedures which includes the organizational procedures related to

organizing the public utilities. Such procedures ensure the good and regular operations of such utilities. It also includes the procedures taken by administrative managers in relation to their employees and staff members such as the decisions related to the distribution of work and showing them the best practices to be used in carrying out their duties.

Practices:

It is the physical actions taken by the administration which do not qualify to be considered as an administrative decision or procedure. Such as the scoring of the general high diploma exams' papers as it is stated in the Jordanian High Court of Justice decision number 94/1996.

Lack of Action related to any of the above mentioned:

Which means the declination of the public administration to issue any of the decisions or take any of the procedures or carry out any the practices whether it is compelled to do so by the provisions of the law or not, because the Ombudsman Office Law aims at the realization of justice and not only the application of the law.

Instances of non-admissibility of the complaints:

Complaints shall not be held non - admissible in the following instances:

First: If the complaint subject matter is still subject to challenge before any administrative or judicial body. The challenge according to the text shall be before an administrative or judicial body: Whether it is done before the administrative judiciary (The High Court of Justice) or before the regular courts (conciliation, first instance, appeal or Cassation courts), or before the special courts (Income Tax or Customs courts) or any other body which has a judicial nature according to the provisions of the applicable laws, or if the challenge is done before administrative bodies such as:

- The annual performance assessment reports according to the civil service regulation.
- Contesting the decisions of the assessment committee established according to the provisions of the Buildings and Lands Tax Law.
- Decisions issued by the universities councils.

Second: if the complaint's subject matter is under review by any judicial body:

If the complaint's subject matter is still under review by any judicial body, then the complaint shall be held as non- admissible. This limitation is only applicable to judicial bodies which mean that if the complaints subject matter is still being reviewed by an administrative body such as the disciplinary committees and boards the complaint can be accepted by the Ombudsman Office.

Third: if a judicial judgment was issued concerning the complaint's subject matter.

Fourth: if a year or more had elapsed since the incident which constitutes the complaint's subject matter had take place. (as it will be illustrated later).

Fifth: if the complaint is not signed or submitted using the complaints' form approved by the Ombudsman Office.

Sixth: if the complaint is submitted against a party which does not fall within the definition of the public administration.

Seventh: if the complainant was not affected or injured by the administration's actions , in such instances the President might study the subject matter of the complaint based on his/he right to initiate complaints.

3.4 The Jurisdiction's Timeframe

Article (16/b) of the Ombudsman Office Law number (11) of 2008 states "The complaint shall be held as non-admissible one year after the occurrence of the incident which constitutes the complaint's subject matter, if the President found that the incident is of a public nature he/she might decide to accept the complaint based on such grounds".

The one year period stated in article (16/b) of the law shall be calculated starting from the date when the incident took place and in cases where the complaint subject matter is a lack of action by the administration then the period shall be calculated from the date of the last lack of action (failure to act) by the administration. In such case the last lack of action shall be considered as the subject matter of the complaint.

3.5 The Jurisdiction's Geographic Area:

The law does not specify a geographical limit to the Bureau's jurisdiction, thus any person inflicted by the actions of the Jordanian public administration has the right to submit a claim, whether he/she was residing in or outside the Kingdom.

In this context, the Bureau had signed a memorandum of understanding with the Ministry of Foreign Affairs, which enables any person, regardless of his/her nationality, from submitting a complaint through the Hashemite Kingdom of Jordan's embassies.

4. Complaints Filed at the Ombudsman Bureau

4.1 Legal Basis for Receiving Complaints

The Bureau handles complaints and grievances submitted to it pursuant to article (14) of its law, which reads as follows:

- a) "Any person who has been injured by any of the public administration's decisions, actions, practices or lack of action thereof has the right to submit to the Bureau a complaint against the concerned public administration in accordance with the circumstances and procedures stated in this law.

- b) The Bureau initiates investigation in the complaints and grievances submitted to it through a form adopted for such purpose. The form contains a summary of complaint's facts and reasons and the party which filed it. If available, the complaint has to be accompanied by pertinent supporting documents and records. The form has to be signed by the complainant or his/her representative.
- c) The Bureau President issues the decision to accept or reject a complaint provided that, in both instances, it is reasoned".

Furthermore, article (12/a) of the Law states that the Bureau shall carry out the following functions and responsibilities:

"Any person who is injured by any of the public administration's decisions or procedures or actions or lack of action, he/she has the right to submit a complaint against the public administration before the Office according to the procedures and situations stated in this law. No complaint against the administration shall be accepted if it is still possible to legally challenge such action before any administrative or judicial body, or if its subject matter is being reviewed by a judicial body or if its subject matter was settled by a judicial judgment, which enhances the independence of the Judiciary and the respect of its judgments".

In order to limit the number of malicious complaints, the complaint has to be submitted using a form prepared for this purpose by the Bureau. The complaint form has to be signed and include the complainant's national number, personal information and supporting documents and records. As for complaints submitted against the private sector, the Bureau does not accept such complaints given that they fall outside its jurisdiction as defined by Law number (11) of 2008.

- The Bureau President's powers in relation to the admission of complaints:

Article (8) of the Bureau's law states that "The President shall exercise his/her powers and responsibilities in complete independence and adhere to nothing but the law. The President shall not receive any instructions or orders from any party or authority".

Furthermore, article (15/a) of the same law states that "in instances where a decision to accept the complaint has been issued, the President shall initiate all procedures and actions needed to solve it in an acceptable timeframe and by using the means he/she deems appropriate". While article (15/d) states that "if the party complained against did not respond to the president's memo within the specified period (not more than 15 days from the day the memo was delivered) or if it refused or declined to provide him/her with any of the documents or information he/she requested, the President has the right to address the Prime Minister for him/her to take appropriate actions".

"All public administration personnel must facilitate the Bureau's mission and provide it with the requested information and documents, under the penalty of criminal or disciplinary liability". This provision supports the Bureau's powers and effectiveness.

4.2 Analysis of Complaints Received by the Bureau during 2009 (Accepted and Rejected):

Analysis of statistical data and information shows the number and types of grievances in relation to the complained against parties, place of residence of complainants, gender, nationality, the decisions to accept or reject the complaint, reasons behind complaints rejection in addition to other data that will appear in this report.

The number of complaints submitted to the Bureau against the various ministries, governmental and private bodies as of the end of 2009 amounted to (2716) complaints. The Bureau used the descriptive statistical analytical method to analyze collected data and information.

Following is the detailed analysis of said data:

4.2.1 Analysis of Complaints According to Complained Against Body

Analysis of statistics show that (64) main bodies were the subject of the majority of registered grievances. The Civil Service Bureau registered the highest number of complaints (214), of which (120) related to an inquiry or an objection against the competitive sorting of persons eligible for hiring, while (135) complaints related to employment requests or nomination for employment.

The Ministry of Education ranked second where the number of complaints received against it reached (254). A total of (129) complaints pertained to challenging an administrative decision and (71) related to employment or reemployment requests.

The Ministry of Finance (MOF) ranked this in relation to number of glistered complaints (193) complaints against it, followed by the Armed Forces (186) and the Ministry of Interior (154).

Table (3) shows the distribution of complaints received by the Bureau according to the complained against body and the nature of submitted complaint:

The rest of the complained against bodies and the number of the complaints received against each of them can be viewed in the tables attached to this report.

Table (3) - Distribution of Complaints Received during 2009 According to the Complained Against Body and Complaint Type

| Complained Against Body | Administrative Decision | Hiring / Rehiring Request | Job Adjustment | Service/ Service Improvement | Financial Exemption/ Assistance Request | Objection/ Inquiry Re Competitive | Judicial Judgment | Individuals or Private Entities | Maltreatment or Abuse of Power | Total |
|-------------------------|-------------------------|---------------------------|----------------|------------------------------|---|-----------------------------------|-------------------|---------------------------------|--------------------------------|------------|
| Civil Service Bureau | 24 | 135 | 31 | 1 | 1 | 120 | | | 2 | 314 |
| Ministry of Education | 129 | 71 | 41 | 2 | 4 | 1 | | | 6 | 254 |
| Ministry of Finance | 134 | 5 | 8 | 7 | 23 | 3 | 7 | 3 | 3 | 193 |
| Armed Forces | 137 | 15 | 2 | 1 | 13 | 8 | 4 | 2 | 4 | 186 |

| Complained Against Body | Administrative Decision | Hiring / Rehiring Request | Job Adjustment | Service/ Service Improvement | Financial Exemption/ Assistance Request | Objection/ Inquiry Re Competitive | Judicial Judgment | Individuals or Private Entities | Maltreatment or Abuse of Power | Total | |
|----------------------------------|-------------------------|---------------------------|----------------|------------------------------|---|-----------------------------------|-------------------|---------------------------------|--------------------------------|-----------|-------------|
| Ministry of Interior | 117 | 2 | 3 | 8 | 4 | 12 | | 1 | 1 | 6 | 154 |
| Ministry of Health | 101 | 8 | 16 | 4 | 3 | 3 | | | 4 | 4 | 143 |
| Ministry of Social Development | 55 | 11 | 8 | 2 | 10 | 46 | | | 1 | 1 | 134 |
| Judicial Council | 14 | 1 | 1 | 4 | 2 | 2 | | 80 | | 2 | 106 |
| Private Entities | 29 | 4 | 1 | 8 | 9 | 5 | | 2 | 43 | | 101 |
| Public Security Directorate | 57 | 5 | 1 | | 4 | 9 | | 10 | 2 | 9 | 97 |
| Ministry of Municipal Affairs | 39 | 4 | 3 | 37 | 1 | | | 1 | 1 | 4 | 90 |
| Greater Amman Municipality | 49 | 5 | 4 | 21 | 7 | 1 | | | | 1 | 88 |
| Ministry of Water and Irrigation | 37 | 6 | 2 | 17 | 9 | 3 | | 1 | 1 | 2 | 78 |
| Ministry of Labor | 61 | 2 | 2 | 1 | 4 | 1 | | | 1 | 2 | 74 |
| Other Entities | 387 | 62 | 64 | 54 | 45 | 34 | | 10 | 31 | 17 | 704 |
| Total | 1370 | 336 | 187 | 167 | 138 | 128 | 121 | 116 | 90 | 63 | 2716 |

Table (4) shows the distribution of measures taken in relation to the complained against bodies. It shows that of the total number of complaints (169) submitted against the Ministry of Education, (165) were rejected due for formality reasons and others (4) were rejected for formality reasons and for meeting the approval conditions but the complainant was given necessary guidance.

The rest of rejected complaints pertained to the following entities: the Armed Forces (126), Ministry of Finance (112), the Judicial Council (106), Ministry of Education (100), Ministry of Interior (79), Public Security Directorate (63), Ministry of Health (58) and the Ministry of Water and Irrigation (42).

Table (4) - Distribution of Complaints Received During 2009 According to Actions Taken and the Complained Against Body

| Complained Against Body | Und ergo | Rec onci | Rejected Complaints | Offi cial | Inve | Co mpl ain | Rec om men | Gra nd | Tota |
|-------------------------|----------|----------|---------------------|-----------|------|------------|------------|--------|------|
|-------------------------|----------|----------|---------------------|-----------|------|------------|------------|--------|------|

| | | | Rejected in Form | Guidance Provided | | | | | |
|----------------------------------|------------|------------|------------------|-------------------|------------|------------|------------|-----------|-------------|
| Civil Service Bureau | 2 | 1 | 165 | 4 | 6 | 129 | 5 | 2 | 314 |
| Ministry of Education | 3 | 1 | 98 | 2 | 38 | 83 | 19 | 10 | 254 |
| Ministry of Finance | 8 | 10 | 95 | 17 | 10 | 33 | 12 | 8 | 193 |
| Armed Forces | 11 | 4 | 119 | 7 | 1 | 31 | 13 | | 186 |
| Ministry of Interior | 9 | 17 | 43 | 36 | 5 | 31 | 13 | | 154 |
| Ministry of Health | 6 | 9 | 50 | 8 | 11 | 39 | 12 | 8 | 143 |
| Ministry of Social Development | 4 | 26 | 26 | 13 | 9 | 46 | 6 | 4 | 134 |
| Judicial Council | | | 89 | 8 | 2 | 7 | | | 106 |
| Private Entities | | 1 | 94 | 2 | 1 | 2 | | 1 | 101 |
| Public Security Directorate | 2 | 4 | 44 | 19 | 2 | 15 | 11 | | 97 |
| Ministry of Municipal Affairs | 13 | 4 | 32 | 6 | 7 | 18 | 8 | 2 | 90 |
| Greater Amman Municipality | 5 | 3 | 26 | 9 | 9 | 22 | 8 | 6 | 88 |
| Ministry of Water and Irrigation | 2 | 4 | 38 | 4 | 11 | 13 | 5 | 1 | 78 |
| Ministry of Labor | 5 | | 38 | 1 | 5 | 18 | 6 | 1 | 74 |
| Prime Ministry | 1 | 2 | 43 | 1 | | 10 | 2 | 1 | 60 |
| Other Entities | 34 | 22 | 300 | 40 | 39 | 144 | 46 | 19 | 644 |
| Total | 105 | 108 | 1300 | 177 | 156 | 641 | 166 | 63 | 2716 |

- **Analysis of Grievances According to the Main and Sub-entity Complained Against and Complaint Type**

Statistical analysis shows that complaints filed against administrative decisions were the highest (1370). Complaints filed against the Armed Forces amounted to (137), complaints filed against the Ministry of Finance were (134), while the Ministry of Education's share was (129), the Ministry of Interior's share was (117) and that of the Ministry of Health was (101).

Statistics also show that the most complained against party was the Civil Service Bureau with a total registered of complaints of (314), followed by the Ministry of Education ((245), the Ministry of Finance (193), the Armed Forces (186), the Ministry of Interior (154), the Ministry of Health (143) and finally the Ministry of Social Development (134).

By classifying complaints received according to complaint type, we find that (135) of complaints filed against the Civil Service Bureau related to hiring requests, (120) pertained to the competitive ranking of persons eligible for hiring by the Bureau, (31) related to requests concerning the amendment of employment status and finally (24) complaints related to administrative decisions taken by the Bureau.

With regard to the type of complaints submitted against the Ministry of Education, they were divided as follows: (129) complaints related to administrative decisions issued by the MOE, (71) complaints related to hiring requests, (41) related to requests concerning amendment of employment status and (6) complaints related to maltreatment by a public administration personnel. The types of complaints submitted against the Armed Forces were divided as follows : (137) complaints related to administrative decisions, (15) related to hiring requests, (13) related to financial exemption or compensation request and finally (8) pertained to requesting assistance.

Complaints filed against the Ministry of Finance (MOF) were categorized as follows: (134) complaints related to administrative decisions taken by the MOF, (23) complaints related to financial exemption requests or compensation requests and (5) complaints related to hiring requests.

As for the sub-entities of complained against parties, which are part of the various ministries and governmental institutions, we find that the largest number of complaints received were against the Hiring Affairs Directorate of the Civil Service Bureau with a total of (263) complaints, followed by the education directorates of the Ministry of Education with (254) complaints, the Financial and Administrative Affairs Directorate of the Ministry of Health with (142) complaints. Complaints against the private sector amounted to (111), followed by the Financial and Administrative Affairs Directorate of the Armed Forces (109), the courts and the Judicial Council (106), the Financial and Administrative Affairs Unit at the Greater Amman Municipality (88), the National Aid Fund at the Ministry of Social Development (74) and finally the Administrative and Financial Affairs Directorate at the Ministry of Interior (65).

The large number of complaints submitted against the Hiring Affairs Directorate of the Civil Service Bureau is due to the type and nature of complaints received, where complaints related to hiring request or not being nominated for hiring or the competitive sorting constitute the largest number of such complaints. Refer to table (5) for details.

The table shows that complaints related to hiring requests ranked second after complaints against administrative decisions with the total of (336) complaints constituting (12.4%) of total complaints received by the Bureau. Complaints pertaining to hiring requests were divided as follows: Civil Service Bureau with total of (130) complaints which constitutes (39%) of the hiring requests' complaints, the Ministry of Education with (71) complaints which constitute (21%) of such complaints, followed by the Armed Forces with (14) complaints constituting (4.2%), the Ministry of Social Development with (9) complaints constituting (2.7%) and finally the Ministry of Health with (8) complaints constituting (2.1%) of these complaints.

The employment status amendment requests reached the total of (187) complaints, which constitutes (6.9%) of the total complaints received by the Office. These complaints were divided as follows: (41) complaints which constitute (21.9%) of such type of claims were submitted against the Ministry of Education, followed by the Ministry of Health with (16) complaints, which constitute (8.6%), the Ministry of Social Development with (8) complaints, which constitute (4.3%) and finally Great Amman Miscibility with (4) complaints, which constitute (2.1%) ...etc.

Objections to the comparative sorting of persons' eligible for employment reached (121) complaints, which is (4.5%) of the total number of complaints received by the Office. All such complaints were submitted against the Civil Service Bureau except one complaint which was submitted against the Ministry of Education.

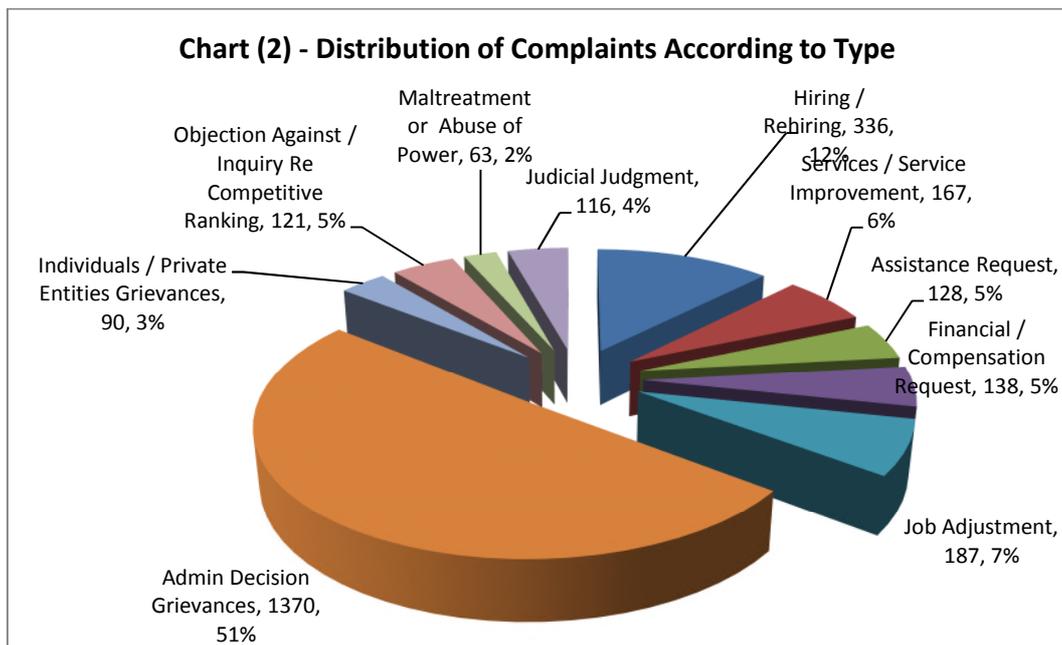
The reason behind the large number of complaints against the Civil Service Bureau is that it is the only body responsible for appointments at the public administration based on the calculation of competitiveness points. We found after investigating most of these complaints that the majority of them do not constitute a complaint, because the Civil Service Bureau procedures and actions are in accordance with the law and the procedures followed in hiring and appointment.

Table (5) – Distribution of Complaints Received During 2009 According to Complained Against Sub-Entity and Type of Complain

| Complained Against Sub-Entity | Hiring / Rehiring Request | Service/Service Improvement | Assistance Request | Financial Exemption/ | Job Adjustment | Administrative Decision | Individuals or Private Entities | Objection/ Inquiry Re Competitive | Maltreatment or Abuse of Power | Judicial Judgment | Total |
|---|---------------------------|-----------------------------|--------------------|----------------------|----------------|-------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------|------------|
| Employment Affairs Directorate/ Civil Service Bureau | 130 | 1 | | | 2 | 8 | | 120 | 2 | | 263 |
| Ministry of Education Directorates | 71 | 2 | | 4 | 41 | 129 | | 1 | 6 | | 254 |
| Ministry of Health Directorates and Departments | 8 | 4 | 3 | 2 | 16 | 101 | 4 | | 4 | | 142 |
| Finance and Administrative Affairs / Private Sector | 5 | 9 | 6 | 10 | 3 | 32 | 44 | | | 2 | 111 |
| Individuals' Affairs / Armed Forces | 14 | 1 | 4 | 6 | 1 | 76 | 2 | | 1 | 4 | 109 |
| Courts / Judicial Council | 1 | 4 | 2 | 2 | 1 | 14 | | | 2 | 80 | 106 |
| Various Municipalities / Decentralization | 4 | 37 | | 1 | 3 | 39 | 1 | | 4 | 1 | 90 |
| Finance and Administrative Affairs / Greater Amman Municipality | 5 | 12 | 1 | 7 | 4 | 49 | | | 1 | | 88 |
| National Aid Fund / Ministry of Social Development | 2 | 1 | 36 | 6 | | 29 | | | | | 74 |
| Finance Department / Armed Forces | | | 2 | 6 | 1 | 57 | | | 2 | | 68 |
| Finance and Administrative Affairs / Ministry of Interior | 2 | 1 | 10 | 4 | 3 | 42 | 1 | | 1 | 1 | 65 |
| Lands and Survey Department / Ministry of Finance | | 6 | 1 | 3 | 3 | 39 | 3 | | 3 | 4 | 62 |

| Complained Against Sub-Entity | Hiring / Rehiring Request | Service/ Service Improvement | Assistance Request | Financial Exemption/ | Job Adjustment | Administrative Decision | Individuals or Private Entities | Objection/ Inquiry Re Competitive | Maltreatment or Abuse of Power | Judicial Judgment | Total |
|--|---------------------------|------------------------------|--------------------|----------------------|----------------|-------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------|-------------|
| Administrative Affairs / Ministry of Social Development | 9 | 1 | 10 | 4 | 8 | 26 | 1 | | 1 | | 60 |
| Ministry of Social Development / Public Security Directorate | 5 | | 9 | | 1 | 31 | 2 | | 4 | 1 | 53 |
| Other Sub-Entities | 80 | 79 | 44 | 83 | 100 | 698 | 32 | | 32 | 23 | 1171 |
| Total | 336 | 167 | 128 | 138 | 187 | 1370 | 90 | | 63 | 116 | 2716 |

The following chart shows the types of complaints which were limited to ten main types, while the complaints against administrative decisions are divided into twenty types which cover most complaint types which are related to such decisions. Complaints against administrative decisions constitute the largest number of complaints (51%).



4.2.2 In relation to the nature of the complements:

- Gender.
- Nationality
- Governorates and Population Percent

a) Gender

The results show that the majority of complainants 2151 (79%) were filed by males compared to 565 (21%) complaints filed by females.

When analyzing the distribution of complaints according to gender, we should take into account the size of the female workforce in public sector entities compared to males. The Department of Statistics figures for the year 2008 show that males constitute (77.4%) of the public sector workforce compared to (22.6%) females, a male-female ratio of 3.42 to 1. When applying the aforementioned ratio, distribution of complaints according to the gender would be (68.52%) males and (32.47%) females.

Complaints submitted by males were distributed as follows: (177) complaints against the Ministry of Finance, (176) complaints against the Ministry of Education, (165) complaints against the Armed Forces, (148) against the Civil Service Bureau, and (124) complaints against the Ministry of Interior.

As for complaints submitted by females, they were distributed as follows: (166) complaints against the Civil Service Bureau, (78) complaints against the Ministry of Education, (44) against the Ministry of Social Development, (29) against the Ministry of Interior, (21) complaints against the Armed Forces, (16) against both the Public Security Directorate and the Ministry of Finance. See table (6) for detailed breakdown.

Table (6) - Distribution of Complaints Received During 2009 According to Complained Against Party and Complainant Gender

| Complained Against Body | Male | Female | Total No. of Complaints | | Percent of Complaints Filed by Females |
|----------------------------------|------|--------|-------------------------|---------|--|
| | | | No. of Complaints | Percent | |
| Civil Service Bureau | 148 | 166 | 314 | 11.56 | 52.87 |
| Ministry of Education | 176 | 78 | 254 | 9.35 | 30.71 |
| Ministry of Finance | 177 | 16 | 193 | 7.11 | 8.29 |
| Armed Forces | 165 | 21 | 186 | 6.85 | 11.29 |
| Ministry of Interior | 125 | 29 | 154 | 5.67 | 18.83 |
| Ministry of Health | 117 | 26 | 143 | 5.27 | 18.18 |
| Ministry of Social Development | 90 | 44 | 134 | 4.93 | 32.84 |
| Judicial Council | 95 | 11 | 106 | 3.9 | 10.38 |
| Private Entities | 88 | 13 | 101 | 3.72 | 12.87 |
| Public Security Directorate | 81 | 16 | 97 | 3.57 | 16.49 |
| Ministry of Municipal Affairs | 77 | 13 | 90 | 3.31 | 14.44 |
| Greater Amman Municipality | 80 | 8 | 88 | 3.24 | 9.09 |
| Ministry of Water and Irrigation | 73 | 5 | 78 | 2.87 | 6.41 |
| Ministry of Labor | 65 | 9 | 74 | 2.72 | 12.16 |

| Complained Against Body | Male | Female | Total No. of Complaints | | Percent of Complaints Filed by Females |
|-------------------------|-------------|------------|-------------------------|------------|--|
| | | | No. of Complaints | Percent | |
| Other Entities | 594 | 110 | 704 | 25.92 | 15.63 |
| Total | 2151 | 565 | 2716 | 100 | 20.8 |

As for the nature of the female complaints, which reached that total of (565) complaints, they were distributed as follows: (201) complaints were submitted against administrative decisions, (161) complaints related to hiring requests, (70) complaints related to the inquiry about the hiring competitive sorting , (32) complaints related to requesting assistance , (31) complaints related to amending the employment status of a public official, (20) complaints related to financial exemption request, (18) complaints related to a request of services, (17) complaints related to the ill treatment by a public official, (10) complaints related to judicial judgments, (5) complaints against private persons. See table number (7) below.

Table (7) – Number and Percentage Distribution of Complaints Filed by Females During 2009 According to Complaint

| Complaint Type | No. of Complaints Filed by Females | Total Number of Complaints | % of Total Complaints | % of Complaints Filed by Females |
|--|------------------------------------|----------------------------|-----------------------|----------------------------------|
| Administrative Decision | 201 | 1370 | 50.44 | 35.58 |
| Hiring / Rehiring Request | 161 | 336 | 12.37 | 28.5 |
| Job Adjustment | 31 | 187 | 6.89 | 5.49 |
| Service / Service Improvement | 18 | 167 | 6.15 | 3.19 |
| Financial Exemption/ Assistance Request | 20 | 138 | 5.08 | 3.54 |
| Inquiry / Objection Re Competitive Ranking | 70 | 121 | 4.46 | 12.39 |
| Judicial Decision | 10 | 116 | 4.27 | 1.77 |
| Individuals / Private Sector Entities | 5 | 90 | 3.31 | 0.88 |
| Maltreatment or Abuse of Power | 17 | 63 | 2.32 | 3.01 |
| Total | 565 | 2716 | 100 | 100 |

In relation to the procedures and actions taken regarding the females' complaints , (226) complaints were rejected on grounds related to formalities , while (180) complaints were rejected after investigating them and making sure that there are no mistakes in the adopted administrative procedures or actions. (47) Complaints of the total number of the females' complaints were solved through official channels, while advise was given to the complainants in (36) complaints and (21) complaints were settled through friendly means (agreement between the two parties). (26) Complaints of the females' complaints were

kept, while the office issued a recommendation to the complained against party in order to adhere to the applicable laws, regulations and directives in (14) of such complaints. The rest of the complaints which are (15) complaints are still being followed up by the Office.

As to the procedures and actions taken in relation to the complaints submitted by males: (1074) complaints were rejected on grounds related to formalities which constitute (82.61%) of the complaints that were rejected on such grounds. This is a high percentage of rejected complaints for such reason is due to the fact that a large number of complainants submit their complaints without paying due attention to the conditions related to the acceptance of the complaint , in addition to its proportionality with the number of males' complaints. The rejected males' complaints constitute (49.93%) of all males' complaints, compared to (565) rejected females' complaints out of the total number of complaints submitted by females. (226) of the rejected females' complaints were rejected on grounds related to formalities, which constitute (40%) of the rejected complaints. See table number (8) for 2009.

Table (8) - Distribution of Complaints Received During 2009 According to Measures Taken and Gender of Complainant

| Measure Taken | Male | Female | Total No. | % of Measures Taken for Females Filed Complaints |
|--|-------------|---------------|------------------|---|
| Rejected in Form | 1074 | 226 | 1300 | 17.38 |
| Investigation Revealed that Administrative Procedure Taken Were Correct | 461 | 180 | 641 | 28.08 |
| Guidance Was Provided | 141 | 36 | 177 | 20.34 |
| Complain Procedures Were Not Completed | 140 | 26 | 166 | 15.66 |
| Officially Resolved | 109 | 47 | 156 | 30.13 |
| Resolved Amicably | 87 | 21 | 108 | 19.44 |
| Undergoing Official Follow-up | 90 | 15 | 105 | 14.29 |
| Recommendation Submitted to Complained Against Party Due to Incorrect Administrative Procedure | 49 | 14 | 63 | 22.22 |
| Total | 2151 | 565 | 2716 | 20.8 |

b) Nationality

According to article (14/a) of the Ombudsman Bureau's Law, any person who is injured by any of the public administration's decisions , actions , or lack of action , he/she has the right to submit a complaint against the public administration before the Office according to the procedures stated in this law.

Accordingly, any person irrespective of nationality, has the right to submit a complaint against the public prosecution and the Ombudsman Office is obliged to accept such complaint if it meets all the requirements stated in the Office's law and regulations.

The complaints were divided according to the nationality of the complainant as follows: (2674) complaints were submitted by Jordanians, which constitute (97%) of the total number of all complaints, while (69) complaints were submitted by non Jordanians, which constitute (3%) of the total number of all complaints. The complaints submitted by non Jordanians were divided as follows: (57) complaints were submitted by Palestinian nationals, which constitute around (2%), of all complaints submitted by non Jordanians, in addition to (5) complaints which were submitted by Egyptian nationals and (2) complaints were submitted by Syrian nationals and one complaint by each of the following nationalities: Filipino, European, Iraqi and other nationalities. See table number (9).

Table (9) - Distribution of Complaints Received During 2009 According Complainants' Nationality and the Month the Complaint was Filed In

| Month | Jordanian | Palestinian | Egyptian | Syrian | Iraqi | From Gulf Countries | Philippine | European | Others | Total |
|--------------|-------------|-------------|----------|----------|----------|---------------------|------------|----------|----------|-------------|
| February | 715 | 1 | | | | | | | | 716 |
| March | 484 | 3 | | | | | | | | 488 |
| April | 281 | 11 | | | | | | | | 292 |
| May | 169 | 11 | | 1 | | 1 | 1 | | 1 | 184 |
| June | 140 | 4 | | | | | | | | 144 |
| July | 128 | 6 | | | 1 | | | | | 135 |
| August | 136 | 5 | | | | | | | | 141 |
| September | 132 | 1 | | | | | | | | 133 |
| October | 184 | 5 | 3 | | | | | | | 192 |
| November | 114 | 2 | 1 | 1 | | | | | | 118 |
| December | 164 | 8 | 1 | | | | | | | 173 |
| Total | 2647 | 57 | 5 | 2 | 1 | 1 | 1 | 1 | 1 | 2716 |

Table (10) shows that the percent of complaints filed by females reached (32%) of the total number of complaints filed by foreign nationals.

Table (10) – Distribution of Complaints Received During 2009 According to Nationality and Gender of Complainant

| Nationality of Complainant | Male | Female | Total |
|----------------------------|-------------|------------|-------------|
| Jordanian | 2104 | 543 | 2647 |
| Palestinian | 40 | 17 | 57 |
| Egyptian | 2 | 3 | 5 |
| Syrian | 2 | | 2 |
| Iraqi | | 1 | 1 |
| From Gulf Countries | 1 | | 1 |
| Philippine | 1 | | 1 |
| European | 1 | | 1 |
| Others | | 1 | 1 |
| Total | 2151 | 565 | 2716 |

Complaints submitted by non Jordanians were divided on a number of subjects the most important of which were complaints submitted against an administrative decision. The number of such complaints reached (61) complaints, which represents (88.4%) of the total number of the foreign nationals complaints. (see table number (11)).

Table (11) - Distribution of Complaints Received During 2009 According to the complaint type and complainant Nationality

| Nationality of Complainant | | | | | | | | | | | Total |
|----------------------------|---------------------------|------------------------------|--------------------|----------------------|----------------|-------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------|-------------|
| | Hiring / Rehiring Request | Service/ Service Improvement | Assistance Request | Financial Exemption/ | Job Adjustment | Administrative Decision | Individuals or Private Entities | Objection/ Inquiry Re Competitive | Maltreatment or Abuse of Power | Judicial Judgment | |
| Jordanian | 336 | 166 | 127 | 135 | 187 | 1309 | 89 | 121 | 62 | 115 | 2647 |
| Palestinian | | 1 | 1 | 3 | | 50 | 1 | | 1 | | 57 |
| Egyptian | | | | | | 5 | | | | | 5 |
| Syrian | | | | | | 2 | | | | | 2 |
| Iraqi | | | | | | 1 | | | | | 1 |
| From Gulf Countries | | | | | | 1 | | | | | 1 |
| Philippine | | | | | | 1 | | | | | 1 |
| European | | | | | | | | | | | 1 |
| Others | | | | | | 1 | | | | | 1 |
| Total | 336 | 167 | 128 | 138 | 187 | 1370 | 90 | 121 | 63 | 116 | 2716 |

c) Governorates and the Populations' Proportionality

The complaints received by the Office from the various Kingdoms' governorates targeted the various ministries, governmental and nongovernmental institutions in addition to private bodies. These complaints were submitted to the Office through the use of fax, email, post and by visiting the Office's headquarters.

When we compare the numbers of complaints, we find that the Capital Governorate came first with a total number of (816) complaints, which constitute (30%) of the total number of submitted complaints. The second place was taken by Irbid Governorate with a total number of (705) complaints, which constitute (26%) of the total complaints, while Karak governorate came third, with a total number of (250) complaints, which constitute (9.2%) of the total number of complaints. (231) complaints were received from Zarqa governorate, which constitute (8.5%) of the received complaints. The fifth place was taken by Balqa governorate with a total number of (146) complaints, which constitute (5.4%) of the all received complaints. Both Madaba and Tafilah governorates were the least to submit complaints to the Office with a number of complaints that reached (62) from Madaba and (54) from Tafilah as illustrated in table number (12). Most of the received complaints came from both Amman and Irbid, where they constitute (56%) of the total number or received complaints.

Table (12) – Number and Percentage Distribution of Complaints Received During 2009 According to governorate and gender

| Governorate | No. of Complaints | |
|-------------|-------------------|-------------|
| | Number | Percent (%) |

| | Male | Female | Total | Male | Female | Total |
|--------------|-------------|---------------|--------------|-------------|---------------|--------------|
| Amman | 643 | 173 | 816 | 23.67 | 6.37 | 30 |
| Irbid | 586 | 119 | 705 | 21.58 | 4.38 | 26 |
| Karak | 170 | 80 | 250 | 6.26 | 2.95 | 9.2 |
| Zarqa | 184 | 47 | 231 | 6.77 | 1.73 | 8.5 |
| Balqaa | 123 | 23 | 146 | 4.53 | 0.85 | 5.4 |
| Ajloun | 85 | 31 | 116 | 3.13 | 1.14 | 4.3 |
| Mafrq | 86 | 23 | 109 | 3.17 | 0.85 | 4 |
| Jerash | 70 | 21 | 91 | 2.58 | 0.77 | 3.4 |
| Ma'an | 65 | 4 | 69 | 2.39 | 0.15 | 2.5 |
| Aqaba | 53 | 14 | 67 | 1.95 | 0.52 | 2.5 |
| Madaba | 46 | 16 | 62 | 1.69 | 0.59 | 2.3 |
| Tafilah | 40 | 14 | 54 | 1.47 | 0.52 | 2 |
| Total | 2151 | 565 | 2716 | 79.2 | 20.8 | 100 |

It is possible to show the disparity in complaints' numbers between the various governorates in light of a certain period in table number (12) below, which illustrates the change in the received number of complaints from each governorate according to each month.

Table (13) - Distribution of Complaints Received During 2009 According to Month and Governorate

| Governorate | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|
| Amman | 219 | 95 | 77 | 63 | 41 | 47 | 50 | 47 | 83 | 40 | 54 | 816 |
| Irbid | 164 | 160 | 95 | 45 | 46 | 27 | 41 | 34 | 25 | 26 | 42 | 705 |
| Karak | 81 | 54 | 31 | 8 | 13 | 12 | 7 | 6 | 16 | 11 | 11 | 250 |
| Zarqa | 52 | 39 | 21 | 22 | 12 | 15 | 8 | 12 | 19 | 12 | 19 | 231 |
| Balqaa | 29 | 30 | 12 | 8 | 3 | 14 | 10 | 7 | 10 | 5 | 18 | 146 |
| Ajloun | 37 | 20 | 14 | 8 | 3 | 5 | 7 | 7 | 9 | 2 | 4 | 116 |
| Mafrq | 32 | 26 | 8 | 10 | 5 | 1 | 7 | 3 | 3 | 7 | 7 | 109 |
| Jerash | 31 | 10 | 11 | 2 | 8 | 4 | 3 | 6 | 7 | 3 | 6 | 91 |
| Ma'an | 14 | 14 | 10 | 7 | 3 | 2 | 3 | 5 | 5 | 2 | 4 | 69 |
| Aqaba | 17 | 19 | 1 | 4 | 6 | 2 | 4 | 3 | 7 | 4 | | 67 |
| Madaba | 16 | 12 | 6 | 4 | 1 | 4 | 1 | 3 | 7 | 4 | 4 | 62 |
| Tafilah | 24 | 9 | 6 | 3 | 3 | 2 | | | 1 | 2 | 4 | 54 |
| Total | 716 | 488 | 292 | 184 | 144 | 135 | 141 | 133 | 192 | 118 | 173 | 2716 |

Table (14) - Percentage Distribution of Complaints Received During 2009 According to Governorate and the Respective Number of Population

| Governorate | Ratio of Percent of Complaints to Number of Population |
|--------------------|---|
| Amman | 0.107 |
| Irbid | 0.84 |
| Karak | 0.066 |
| Zarqa | 0.065 |
| Balqaa | 0.061 |
| Ajloun | 0.051 |
| Mafrq | 0.051 |
| Jerash | 0.041 |
| Ma'an | 0.039 |

| Governorate | Ratio of Percent of Complaints to Number of Population |
|--------------|--|
| Aqaba | 0.036 |
| Madaba | 0.035 |
| Tafilah | 0.026 |
| Total | 0.045 Percent of complaints to total population |

Table (15) - Number and Percentage Distribution of Complaints Received During 2009 According to Each Governorate's Population Size and Gender of Complainant

| Governorate | No. of Population | | | | No. of Complaints | | | % of Complaints for Every 10,000 Citizens | | |
|--------------|-------------------|----------------|----------------|------------|-------------------|------------|-------------|---|----------|----------|
| | Male | Female | Total | % | Male | Female | Total | Male | Female | Total |
| Amman | 1190400 | 1125200 | 2315600 | 38.7 | 643 | 173 | 816 | 5 | 2 | 4 |
| Irbid | 545000 | 519400 | 1064400 | 17.8 | 586 | 119 | 705 | 11 | 2 | 7 |
| Karak | 118100 | 115100 | 233200 | 3.9 | 170 | 80 | 250 | 14 | 7 | 11 |
| Zarqa | 460900 | 430100 | 891000 | 14.9 | 184 | 47 | 231 | 4 | 1 | 3 |
| Balqaa | 208000 | 192600 | 400600 | 6.7 | 123 | 23 | 146 | 6 | 1 | 4 |
| Ajloun | 70000 | 67500 | 137500 | 2.3 | 85 | 31 | 116 | 12 | 5 | 8 |
| Mafrq | 145600 | 135500 | 281100 | 4.7 | 86 | 23 | 109 | 6 | 2 | 4 |
| Jerash | 92300 | 87100 | 179400 | 3 | 70 | 21 | 91 | 8 | 2 | 5 |
| Ma'an | 59600 | 54100 | 113700 | 1.9 | 65 | 4 | 69 | 11 | 1 | 6 |
| Aqaba | 72500 | 57800 | 130300 | 2.2 | 53 | 14 | 67 | 7 | 2 | 5 |
| Madaba | 77000 | 72500 | 149500 | 2.5 | 46 | 16 | 62 | 6 | 2 | 4 |
| Tafilah | 42600 | 41100 | 83700 | 1.4 | 40 | 14 | 54 | 9 | 3 | 6 |
| Total | 3082000 | 2898000 | 5980000 | 100 | 2151 | 565 | 2716 | 7 | 2 | 5 |

Table's Analysis:

Due to the extreme variations in population density across the Kingdom's governorates, the number of submitted complaints from each governorate shall have no significance unless it is tied to the population number of each governorate.

The table shows that the governorate with the largest number of complaints taking into consideration the governorate's population size is Karak governorate followed by Ajlun and Irbid. The table also shows that the governorate with the least number of complaints is Zarqa governorate.

4.2.3 In relation to the Complaint's Subject Matter

In relation to the complaints' content, they are divided into several subject matters, where (1370) complaints were submitted against administrative decisions, (236) complaints were related a hiring or rehiring request and (187) complaints were related to employment status amendment. (166) Complaints were related to services request or services improvement request, while (138) complaints were related to a financial exemption or compensation request.

The large increase in the number of complaints related to the hiring affairs at the Civil Service Bureau is due to the nature of the complaints related to this issue which include the hiring requests , failure to nominate for hiring and the competitiveness sorting .

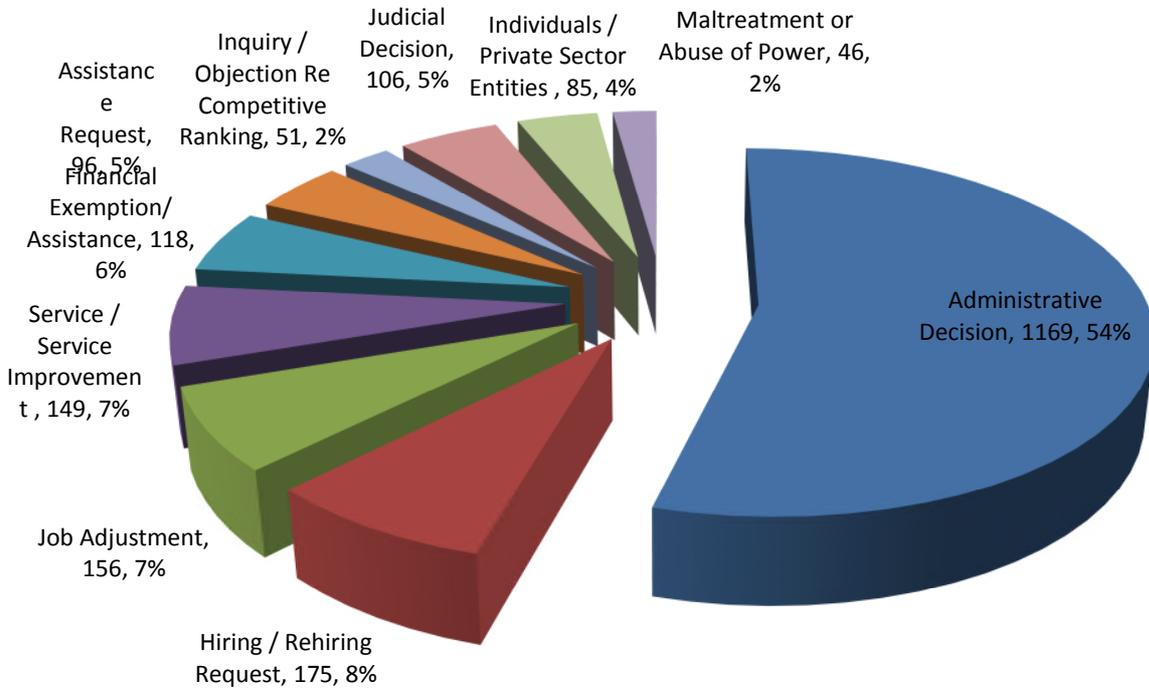
Table (16) - Distribution of Complaints Received During 2009 According to Complaint Type, Complainant's Gender and Percentage Ratio of Total Complaints

| Complaint Type | Male | Female | Total | Percent |
|---|-------------|---------------|--------------|----------------|
| Administrative Decision | 1169 | 201 | 1370 | 50.4 |
| Hiring / Rehiring Request | 175 | 161 | 336 | 12.4 |
| Job Adjustment | 156 | 31 | 187 | 6.9 |
| Service / Service Improvement | 149 | 18 | 167 | 6 |
| Financial Exemption/ Assistance | 118 | 20 | 138 | 5.1 |
| Assistance Request | 96 | 32 | 128 | 4.7 |
| Inquiry / Objection Re Competitive Ranking | 51 | 70 | 121 | 4.5 |
| Judicial Decision | 106 | 10 | 116 | 4.3 |
| Individuals / Private Sector Entities | 85 | 5 | 90 | 3.4 |
| Maltreatment or Abuse of Power | 46 | 17 | 63 | 2.3 |
| Total | 2151 | 565 | 2716 | 100 |

Nearly (50%) of the received complaints were related to administrative decisions, while the rest of the complaints were related to other issues as illustrated in table number (16).

The males' complaints, which reached (2151) complaints were much more in number than the females' complaints. (54%) of the males' complaints were related to administrative decisions , while (8%) were related to hiring requests as illustrated in the following diagram , which shows the various types of the complaints submitted by males.

Chart (3) - Distribution of Complaints Filed by Males According to Complaint Type



A total of (128) complaints were received related to assistance requests, in addition (121) complaints related to the competitiveness sorting by the Civil Service Bureau , (116) complaints against judicial judgments , (91) complaints against individual persons and private parties and finally (63) complaints related to the ill treatment by a public official.

- Complaints against Administrative Decisions

By reviewing the various types of the received complaints, we find that complaints against the administrative decisions which were issued by the complained against parties reached (1370) complaints, where (708) of which were rejected. The rejected complaints constitute (52%) of the total number stated above according to table number (17).

These complaints include the complaints against decisions of arbitrary termination of employment or the transfer from employment post or getting a citizenship or an identification card, in addition to complaints against the decisions related to getting a retirement allowance or national assistance or objecting against financial fines or objecting against the medical committees' decisions or complaining against decisions related to the lack of services or the requesting the enhancement of such services . The complained against administrative decisions also include the academic decisions , the results of interviews and exams or financial decisions

related to the reduction of financial claims. It also include the objections against the decisions related to administrative penalties imposed on public officials.

Table (17) - Distribution of Complaints Received During 2009 According to Type of Administrative Decision Being Appealed

| Type of Administrative Decision Appealed | Undergoing Official Follow-up | Reconciled | Rejected in Form | Guidance Provided | Officially Resolved | Investigation Revealed that Administrative Procedure Taken Were Correct | Complain Procedures Were Not Completed | Recommendation Submitted to Complainer Against Party Due to Incorrect Administrative Procedure | Grand Total |
|---|-------------------------------|------------|------------------|-------------------|---------------------|---|--|--|-------------|
| Request for improvement / enforcement of instructions or decisions | 25 | 26 | 105 | 33 | 19 | 85 | 34 | 6 | 333 |
| Employment termination / dismissal | 1 | 4 | 125 | 2 | | 33 | 8 | 2 | 175 |
| Objections re monetary value/ bonus/ raise/ per diem/ bills/ fees | 7 | 1 | 76 | 11 | 9 | 35 | 9 | 9 | 157 |
| Request for retirement salary, increase in retirement salary or a financial aid | 2 | 5 | 75 | 3 | 3 | 16 | 6 | 1 | 111 |
| Denial of job promotion / employment | | 1 | 36 | 2 | 2 | 18 | 1 | 2 | 62 |
| Request to obtain a passport/ID /citizenship/ residency | 3 | | 7 | 31 | 2 | 15 | 4 | | 62 |
| Arbitrary transfer | 1 | 3 | 23 | | 7 | 14 | 8 | 4 | 60 |
| Licensing request denial (commerce, residence or transport) | 3 | 1 | 23 | 4 | 7 | 13 | 7 | 2 | 60 |
| Security decisions/ house arrest/ detention/ deportation/ seizure of property | 3 | 3 | 19 | 2 | 4 | 13 | 4 | | 48 |
| Exclusion from royal endowment | 4 | | 14 | 6 | 1 | 16 | 4 | 2 | 47 |
| Objections on central committees' decisions | 2 | 1 | 12 | 2 | 2 | 13 | 3 | | 36 |
| Issuance of notice, warning or penalty | 1 | 1 | 11 | | 2 | 5 | 4 | | 28 |
| Salary deduction or withholding | 1 | | 12 | 1 | | 10 | 2 | | 28 |
| Transfer request | | 1 | 6 | 1 | 4 | 6 | 5 | | 27 |
| Denial of scholarships/ | 1 | | 6 | 1 | 2 | 13 | 2 | | 27 |

| Type of Administrative Decision Appealed | Undergoing Official Follow-up | Reconciled | Rejected in Form | Guidance Provided | Officially Resolved | Investigation Revealed that Administrative Procedure Taken Were Correct | Complain Procedures Were Not Completed | Recommendation Submitted to Complain Against Party Due to Incorrect Administrative Procedure | Grand Total |
|---|-------------------------------|------------|------------------|-------------------|---------------------|---|--|--|-------------|
| courses/ lectures or extra official work | | | | | | | | | |
| Denial of health insurance | | | 6 | 3 | 1 | 14 | 1 | | 25 |
| Land or housing authorization request | 3 | 1 | 14 | 1 | 2 | 3 | 1 | | 25 |
| Objections to the decisions of medical committees or disapproval of medical reports | | 2 | 15 | 2 | | 1 | 2 | | 22 |
| Denial of certificate equivalence or bridging | | 1 | 7 | 2 | 2 | 6 | 2 | | 20 |
| Denial of fuel support | | 3 | 4 | 5 | 3 | | 2 | | 17 |
| Total | 58 | 54 | | 112 | 72 | 329 | 109 | 40 | 1370 |

The complaints submitted against the administrative decisions were also classified into twenty different types in order to include all the complaints which fall under the administrative decisions complaints according to table (17), which includes (1370) wrongly taken administrative decisions from the viewpoint of complainants.

Most of these complaints were submitted against decisions related to services' requests or the enhancement of such services. This type of complaints reached total (333) complaints, which is (12.3%) of all complaints related to administrative decisions, followed by complaints against administrative decisions related to the termination of employment, which reached (175) complaints, in addition to (157) complaints related to decisions of financial nature such as bonuses and allowances decisions. There were also (111) complaints against decisions related to priority of getting a retirement allowance or the increase of such allowance as shown in the following table number (18):

Table (18) – Number and Percentage Distribution of Complaints Received During 2009 According to the Type of Administrative Decision Being Appealed

| Type of Administrative Decision Appealed | No. of Complaints | % |
|---|-------------------|-------|
| Request for improvement / enforcement of instructions or decisions | 333 | 12.26 |
| Employment termination / dismissal | 175 | 6.44 |
| Objections re monetary value/ bonus/ raise/ per diem/ bills/ fees | 157 | 5.78 |
| Request for retirement salary, increase in retirement salary or a financial aid | 111 | 4.09 |

| | | |
|---|-------------|--------------|
| Denial of job promotion / employment | 62 | 2.28 |
| Request to obtain a passport/ID /citizenship/ residency | 62 | 2.28 |
| Arbitrary transfer | 60 | 2.21 |
| Licensing request denial (commerce, residence or transport) | 60 | 2.21 |
| Security decisions/ house arrest/ detention/ deportation/ seizure of property | 48 | 1.77 |
| Exclusion from royal endowment | 47 | 1.73 |
| Objections on central committees' decisions | 36 | 1.33 |
| Issuance of notice, warning or penalty | 28 | 1.03 |
| Salary deduction or withholding | 28 | 1.03 |
| Transfer request | 27 | 0.99 |
| Denial of scholarships/ courses/ lectures or extra official work | 27 | 0.99 |
| Denial of health insurance | 25 | 0.92 |
| Land or housing authorization request | 25 | 0.92 |
| Objections to the decisions of medical committees or disapproval of medical reports | 22 | 0.81 |
| Denial of certificate equivalence or bridging | 20 | 0.74 |
| Denial of fuel support | 17 | 0.63 |
| Total No. of Complaints Pertaining to Administrative Decisions | 1370 | 50.44 |
| Other Complaints | 1346 | 49.56 |
| Total | 2716 | 100 |

Table (19) shows the distribution of complaints according to the nature of the administrative decision , which reached the total of (1370) complaints, (708) complaints of which were rejected , that is (51.68%) of such complaints. The rejected complaints were distributed as follows: (94) related complaints were related to the Armed Forces , (75) complaints were related to the Ministry of Finance , (65) complaints were related to the Ministry of Interior , (51) complaints were related to the Ministry of Education, (39) complaints were related to the Ministry of Health and (36) complaints were related to the Ministry of Labor .etc, according to what is illustrated in table number (19).

Table (19) – Distribution of Rejected Complaints Filed in 2009 According to Complained Against Entity and Type of Administrative Decision

| Complained Against Entity | Rejected in Form | Guidance Provided | Total Administrative Decision Rejected | Total No. of Complaints Related to Administrative Decision | Total No. of Complaints Received | % of Rejected Complaints: Total No. of Complaints Related to Administrative Decision | % of Rejected Complaints: of Total No. of Complaints Related to Administrative Decision |
|-----------------------------|------------------|-------------------|--|--|----------------------------------|--|---|
| Armed Forces | 89 | 5 | 94 | 137 | 186 | 6.9 | 68.6 |
| Ministry of Finance | 66 | 9 | 75 | 134 | 193 | 5.5 | 56 |
| Ministry of Education | 50 | 1 | 51 | 129 | 254 | 3.7 | 39.5 |
| Ministry of Interior | 32 | 33 | 65 | 117 | 154 | 4.7 | 55.6 |
| Ministry of Health | 32 | 7 | 39 | 101 | 143 | 2.8 | 38.6 |
| Ministry of Labor | 35 | 1 | 36 | 61 | 74 | 2.6 | 59 |
| Public Security Directorate | 23 | 12 | 35 | 57 | 97 | 2.6 | 61.4 |
| Private Sector Entities | 25 | 1 | 26 | 55 | 134 | 1.9 | 47.3 |
| Ministry of Municipal | 18 | 3 | 21 | 49 | 88 | 1.5 | 42.9 |

| Complained Against Entity | Rejected in Form | Guidance Provided | Total Administrative Decision Rejected | Total No. of Complaints Related to Administrative Decision | Total No. of Complaints Received | % of Rejected Complaints: Total No. of Complaints Related to Administrative Decision | % of Rejected Complaints: Total No. of Complaints Related to Administrative Decision |
|----------------------------------|------------------|-------------------|--|--|----------------------------------|--|--|
| Affairs | | | | | | | |
| Ministry of Water and Irrigation | 17 | 3 | 20 | 39 | 90 | 1.5 | 51.3 |
| Prime Ministry | 19 | | 19 | 38 | 46 | 1.4 | 50 |
| Ministry of Higher Education | 15 | 3 | 18 | 37 | 78 | 1.3 | 48.6 |
| Ministry of Transport | 14 | 1 | 15 | 33 | 60 | 1.1 | 45.5 |
| Greater Amman Municipality | 11 | 4 | 15 | 29 | 101 | 1.1 | 51.7 |
| Other Entities | 150 | 29 | 179 | 354 | 1018 | 13.1 | 50.6 |
| Total | 596 | 112 | 708 | 1370 | 276 | 51.7 | 51.7 |

a) The Complaints according to the Hiring Requests :

Table (20) shows the distribution of the complaints which are related to the hiring request, which reached (136) complaints, (136) complaints of which were rejected. The rejected complaints are distributed as follows: (37) of the rejected complaints were submitted against the Civil Service Bureau, (27) complaints were against the Ministry of Education, (9) complaints were against the Armed Forces, (7) complaints were against the Social Development Ministry, (3) complains were against the Ministry of Health and finally (1) complaint was against the Ministry of Trade and Industry.

Table (20) – Distribution of Rejected Complaints Received During 2009 Related to Employment or Re-employment Requests

| Complained Against Body | Rejected Complaints Related to Employment Requests | | Total Complaints | Total Rejected Complaints Related to Employment Requests | % of Rejected Complaints of Total Employment Requests Complaints |
|----------------------------------|--|-------------------|------------------|--|--|
| | Rejected in Form | Guidance Provided | | | |
| Civil Service Bureau | 34 | 3 | 135 | 37 | 27.41 |
| Ministry of Education | 26 | 1 | 71 | 27 | 38.03 |
| Armed Forces | 9 | | 15 | 9 | 60 |
| Ministry of Social Development | 7 | | 11 | 7 | 63.64 |
| Ministry of Industry and Trade | 1 | | 8 | 1 | 12.5 |
| Ministry of Health | 3 | | 8 | 3 | 37.5 |
| Balqaa Applied University | 1 | | 7 | 1 | 14.29 |
| Ministry of Water and Irrigation | 5 | | 6 | 5 | 83.33 |
| Ministry of Finance | 5 | | 5 | 5 | 100 |

| | | | | | |
|---------------------------------------|------------|----------|------------|------------|--------------|
| Ministry of Awqaf and Islamic Affairs | 2 | | 5 | 2 | 40 |
| Public Security Directorate | 4 | | 5 | 4 | 80 |
| Greater Amman Municipality | 5 | | 5 | 5 | 100 |
| Ministry of Municipal Affairs | | | 4 | | 0 |
| Private Entities | 4 | | 4 | 4 | 100 |
| Other Entities | 26 | | 47 | 26 | 55.32 |
| Total | 132 | 4 | 336 | 136 | 40.48 |

4.2.3.1 The Accepted Complaints

a) The complaints that were Officially Settled after Conducting an Investigation:

The Ombudsman Bureau was able to settle (264) complaints during said period, (156) of which were settled through the official channels. These complaints were distributed as follows: (38) complaints were settled with the Ministry of Education , the most important of which was complaint number (41/2009) . The subject of this complaint is the request sent by the Ministry of Education to the Civil Service Bureau asking it to stop receiving any hiring applications from graduates who hold a bachelor degree as an English Language Class Teacher. The number of these graduates reached (2214) graduate. The reasons behind such request are the fact that the graduates did not finish the Ministry's requirements in relation to the number of English language courses credit hours. As a result of the Ombudsman Office pursuance of the matter with the Ministry for more than one year, the Ministry thankfully requested from the Civil Service Bureau to accept such applications which solved the problem. In relation to the Ministry of Finance, the number of complaints that were settled in favor of the complainant reached (10) complaints, the most important of which was complaint number (1739/2009) which was submitted on the 14th of June 2009. The subject of this complaint is the fact that the complainant was ordered to perform financial duties despite the fact that he does not hold any specialized academic degree to do so. The complaint was solved by removing the complainant and transferring him to a post which matches his area of specialization.

In relation to the Greater Amman Municipality, (9) complaints were settled with the Municipality during the same period, including complaint number (534/2009) submitted on the 22nd of February, 2009. The complaint was related to an administrative decision which halted the renewal of a house maintenance workshop's license. The license was renewed after the interference of the Ombudsman Office and contacting the Amman Great Municipality.

b) Complaints Settled Amicably

The number of complaints that were solved amicably reached (108) complaints. (26) of these complaints were related to the Ministry of Social Development and were all related to the National Assistance Fund. (17) Complaints were settled in the same way in cooperation with the Ministry of Interior. One of such complaints was related to the administrative detention of the daughter of the complainant, who was released after the interference of the Ombudsman Office.

Table (21) - Distribution of Measures Taken in Relation to Complaints Submitted During 2009

| Measures Taken | Total |
|--|--------------|
| Rejected in Form | 1300 |
| Investigation Revealed that Administrative Procedure Taken Were Correct | 641 |
| Guidance Provided | 177 |
| Complain Procedures Were Not Completed | 166 |
| Officially Resolved | 156 |
| Resolved Amicably | 108 |
| Undergoing Official Follow-up | 105 |
| Recommendation Submitted to Complained Against Party Due to Incorrect Administrative Procedure | 63 |
| Total | 2716 |

c) Complaints which required the Ombudsman Office to Send a Special Report to the Prime Minister

Customs Department/Ministry of Finance:

The complaint was submitted by a citizen against the Customs' Department claiming that despite the fact that he is a disabled person (physical disparity) the Customs Department did not approve his request to get a custom's exemption for his car.

The Ombudsman Bureau reviewed and investigated the citizen's complaint, where it found that there is a committee, which is established according to article (1) of Communication number (125) of 2005, issued by the General Director of the Customs' Department in according to an understanding with the Ministry of Social Development. This Communication was issued based on article (158) of the Customs Law No. (20) of 1998 and its amendments. The committee is the body that recommends to the Department's General Director in order to exempt the disabled person from his/her car's customs. Article (2) of the above mentioned communication defined the types of disabilities which qualify the person to get a custom's exemption. Despite the fact that the complainant suffers from a physical disability, his/her disability does not qualify him for a customs' exemption because it does not fall within the types of disabilities stated in the above mentioned article (2) of the Communication. After also reviewing the Disabled Persons Rights Law number (21) of 2007, which gives a broader definition of the disabled person and thus covers the disability status of the complainant and it also gives the disabled persons many rights according to article (4) of the law which include, the customs, taxes, fees and revenue stamp exemption of one mean of transportation only for one time and only for the disabled person personal use. This law was not implemented since its issuance in 2007, because the regulation needed to define the basis and conditions which govern the giving of such exemptions was not issued and it is still not issued till now. On the 10th of May 2009, the Ombudsman Office sent an official letter to the High Council of Disabled Persons' Affairs in order to inquire about the reasons behind not issuing this regulation. The Council replied by stating that they are on the verge of issuing this regulation according to articles (4 and 19) of the Disabled Person's Rights Law number (21) of 2007 and a committee was established for this purpose , which is composed of members who represent many related parties. The Council also stated that the adoption of the regulation in its final version was delayed because it is related to many other issues which fall

under the powers of other parties such as the Ministry of Finance and the Customs' Department. Both the Customs' Department and the Ministry of Finance think that this regulation will cause great financial burdens on the state's budget. Based on the above and based on the fact that the Disabled Persons' Right Law , which gives the complainant the right to get an exemption from all customs , taxes , fees and revenues tamps for his personal car , and according to the Ombudsman Office's Law, a special report was sent to His Excellency the Prime Minister through letter number (2/c/09/1175) , which was sent on the 24th of August 2009. The sent report recommended that the Prime Minister gives his orders to the related parties and bodies in order to expedite the issuance process of the before mentioned regulation, which would ensure the disabled persons' legal rights.

The Ministry of Water and Irrigation:

A complaint was submitted against the Ministry of Water, where the complainant alleged that the Ministry retracted its previous decision and decided to deprive her from her pension for a six month period. After studying and investigating the complaint according to the provisions of article (15/c) of the Ombudsman Office Law, it became clear that there were amendments in relation to the retirement periods and after implementing such amendments for a period of time they were revoked, which created several injustices for many persons, who found themselves outside the scope of implementation of the old regulation or the amended one. Thus, and because reading the situation needs a decision to be issued by the Council of Ministers and according to the Ombudsman Office Law a report was prepared and sent to the Prime Ministry requesting it to review the situation of those officials who retired during the implementation of the amended regulation , which was revoked later. The report was sent through letter number (1/2/118) on the 31st of May 2009. The Prime Ministry did not respond to the report without giving any reasons.

The Public Transportation Regulatory Commission and Great Amman Municipality:

This complaint was submitted by a group of citizens against the Public Transportation Regulatory Commission and Great Amman Municipality complaining from no renewing their contracts and to be treated as other companies and also requesting that they get an exemption from all the amounts (investment fees, delay fines and stamps' fees fines) . The Office investigated the complaint and corresponded with both Amman Great Municipality and the Public Transportation Regulatory Commission according to article (15) of its law. The Office also held several meetings related officials at both bodies and they both did not cooperate in a responsive way in order to solve the problem of this investment companies. The investigation revealed that there is a case of injustice and inequality. The injustice was evident in the previous Public Transportation Agency action of seizure of the complainants' vehicles unlawfully and preventing them from using their vehicles, or using other companies' vehicles on the transportation lines which they have royalty rights over , while they still have to pay the royalty's fees. The inequality in the is case is evident in the fact that the Public Transportation Regulatory Commission renewed the investment contracts of other similar companies without a financial charge and did not renew the complainants contract. Furthermore , Great Amman Municipality paid financial subsidies to other transportation lines operators inside great Amman area , while

the complainants had to pay huge sums in money in exchange of operating similar transportation lines. Based on the above mentioned facts the Ombudsman Office sent a special report to H.E the Prime Minister through letter number (1237/c/09/970) which included the outcome of the investigation in the complaint and requesting the reconsideration of the exempting the complainants from fines and royalties they had to pay in addition to renewing their investment contracts the same way as the other similar companies. The Prime Ministry responded by rejecting the special report's findings without giving any reasons.

The Ministry of Tourism:

This complaint was submitted against the Ministry of Tourism by citizen complaining that he was wrongly not included in the raises to be given to persons who retired before the 15th of March 2009 according to the Council of Ministers decree. After the legal study of the complaint and based on the Office's law provisions a special report was sent to the Prime Ministry through letter number (1588/c/9/2075) on the 5th of August 2009, requesting that public officials who were forced to retire before the 16th of March 2009 be included in the raises given to such persons according to the Council of Ministers decision number (648). The Prime Ministry apologized for not being able to implement the recommendations stated in the Office's special report by sending a letter to the Office (number 210/10/60/19045) on the 16th of September 2009.

d) The Most Important Complaints , which has Public Nature :

Table number (22) shows the distribution of individual and group complaints. The table shows that the biggest number of group complaints is those related to administrative decisions, followed by services' requests complaints in addition to (5) complaints related to the amendment of employment status and (2) complaints related to financial exemption or compensation request and the ill-treatment by a public official.

Table (22) - Distribution of Individual and Group Complaints Submitted During 2009 According to Complaint Type

| Complaint Type | Individual Complaints | Group Complaints | Total |
|--|------------------------------|-------------------------|--------------|
| Administrative Decision | 1350 | 20 | 1370 |
| Hiring / Rehiring Request | 335 | 1 | 336 |
| Job Adjustment | 182 | 5 | 187 |
| Service / Service Improvement | 159 | 8 | 167 |
| Financial Exemption/ Assistance | 136 | 2 | 138 |
| Assistance Request | 128 | | 128 |
| Inquiry / Objection Re Competitive Ranking | 121 | | 121 |
| Judicial Decision | 116 | | 116 |
| Individuals / Private Sector Entities | 88 | 2 | 90 |
| Maltreatment or Abuse of Power | 61 | 2 | 63 |
| Total | 2676 | 40 | 2716 |

Table number (23) shows the distribution of group complaints. It is clear that the party with the most number of group complaints submitted against is the Ministry of Education, followed by

the Armed Forces, the Ministry of Water with (3) complaints against each and (2) complains against each of the following: the Ministry of Health, the Ministry of Municipalities, the Prime Ministry, Great Amman Municipality and finally the Civil Service Bureau.

Table (23) shows - Distribution of Individual and Group Complaints Submitted During 2009 According to Complained Against Party

| Complained Against Body | Individual Complaints | Group Complaints | Total |
|----------------------------------|-----------------------|------------------|-------------|
| Civil Service Bureau | 312 | 2 | 314 |
| Ministry of Education | 247 | 7 | 254 |
| Ministry of Finance | 192 | 1 | 193 |
| Armed Forces | 183 | 3 | 186 |
| Ministry of Interior | 153 | 1 | 154 |
| Ministry of Health | 141 | 2 | 143 |
| Ministry of Social Development | 133 | 1 | 134 |
| Judicial Council | 105 | 1 | 106 |
| Private Entities | 101 | | 101 |
| Public Security Directorate | 96 | 1 | 97 |
| Ministry of Municipal Affairs | 88 | 2 | 90 |
| Greater Amman Municipality | 86 | 2 | 88 |
| Ministry of Water and Irrigation | 75 | 3 | 78 |
| Ministry of Labor | 73 | 1 | 74 |
| Other Entities | 691 | 13 | 704 |
| Total | 2676 | 40 | 2716 |
| Percent | 98.53 | 1.47 | 100 |

After reviewing and investigating the submitted group complaints, several actions were taken by the Office in relation to them , where it rejected (13) complaints after investigating them due to the lack of any mistakes in the administrative procedures taken by the public administration . The Office also rejected (11) complaints due to reasons related with formalities. (6) Complaints were solved through official means and in one complaint the Office gave directions and advice to the complainant, while one complaint was kept because there were no mistakes done by the administration and not following up the complaint's procedures. Five recommendations were given to the related complained against parties due to the fact that there are administrative mistakes.

Table (24) – Distribution of Individual and Group Complaints Submitted During 2009 According Measures Taken

| Measures Taken | Individual Complaints | Group Complaints | Total |
|---|-----------------------|------------------|-------|
| Rejected in Form | 1289 | 11 | 1300 |
| Investigation Revealed that Administrative Procedure Taken Were Correct | 628 | 13 | 641 |
| Guidance Provided | 176 | 1 | 177 |
| Complain Procedures Were Not Completed | 165 | 1 | 166 |

| | | | |
|--|-------------|-----------|-------------|
| Officially Resolved | 150 | 6 | 156 |
| Resolved Amicably | 105 | 3 | 108 |
| Undergoing Official Follow-up | 105 | | 105 |
| Recommendation Submitted to Complained Against Party Due to Incorrect Administrative Procedure | 58 | 5 | 63 |
| Total | 2676 | 40 | 2716 |

e) Complaints Examples :

1. Complaints , which have a public nature :

• The Rusaifah Industrial Zone Case:

The Municipality of Rusaifah had leased several land lots to a group of (42) craftsmen, who in their turn build on them. After several years of settling their and developing the surrounding environment and its prosperity, they were surprised that the leasing contracts they had signed with the Municipality are not valid and contradict the provisions of the State's Property Management Law, because the leased land lots, where the buildings were erected are the property of the state's treasury and was not delegated to the Municipality in order for it to lease it for the complainants. Such situation constituted a real threat to the craftsmen and other persons who work for them of losing their source of living and to their stability (later a land lot was allocated to the Municipality, even though it insisted on the invalidation of the contracts and the eviction of the craftsmen).

The complainants roamed the related governmental departments and bodies for years in order to find a solution for this serious problem they are faced with, even the local and electronic media highlighted their suffering to no avail. They submitted their complaint to the Ombudsman Office, which started to contact and communicate with all the related state's institutions and agencies. Through this the Office was able to converge the views of both the Municipality and the complainants and was able to exclude the probability of closing the craftsmen's shops as a first step for evicting them, in addition to excluding the new leasing terms which were considered very harsh to the complainants compared with the terms of the old leasing contracts. The Office worked constantly according to the available legal mechanisms in order to provide the complainants with the equality and justice they deserve and not to deprive them from their social and economical security . These efforts resulted in the Municipality consent to issue new leasing contracts with concessional terms to the complainants, which contributed to them staying at their same workplaces.

• The Health and Environmental Problem Facing the Residents of Al Samakiah:

A group of Al Samakiah residents in Al Karak governorate submitted a complaint to the Ombudsman Office, complaining from the existence of not licensed several hogs' farms in the town and from the fact that these farms constitute health nuisance and produce strong foul odors. They also stated in their complaint that they submitted many complaints and claims since many years to all the related institutions and agencies but to no avail. Thus the Ombudsman Office was their last resort and they submitted this complaint on the 5th of June 2009. The Office urgently

contacted and corresponded with the related parties including the Ministry of Health, the Ministry of Interior, the Ministry of Environment and Al Karak governor .It became also evident to the Office that there were several closure orders against these farms in the past, but they were never enforced and had become forgotten.

The office wrote to and followed up with the competent authorities, which are responsible for executing the closure orders such as the Ministry of Environment and the Director of Environmental Affairs in La Karak, which led to the establishment of a committee headed by the governor which executed the eviction and closure orders against the hogs' farms.

To view all details related to complaints full details, please refer to the recommendations section of the report.

- **A Complaint by an English Language Class' Teacher:**

The Ombudsman Bureau received many complaints related to the fact that the Ministry stopped requesting the hiring of class teachers/ English language from the Civil Service Bureau, in order to be appointed as teachers at the Ministry of Education schools. This decision by the Ministry of Education affected a total of (2214) English language graduates, thus the Bureau started to work dealing with this issue by coordinating with the following parties:

- The Ministry of Education.
- The Ministry of Higher Education and Scientific Research.
- The Civil Service Bureau.

A joint committee was established in order to study the issue, where it reached number of recommendations that would solve the problem of the related graduates. In order to follow up on the implementation of these recommendations, the Ombudsman Office established a special follow up committee , which continued to work with the Ministry of Education for more than a week , until the Ministry wrote to the Civil Service Bureau requesting that the English class teacher graduates be considered for hiring as teachers at the Ministry's schools.

The Office communicated with the complainants informing them of the solution reached, which constitute a just settlement for their complaint.

- **A Complaint Submitted by the Transportation Cars Owners (the northern region)**

The complaint which was submitted focused on the issue of the failure to permanently assign the transportation cars to the transportation lines which they already serve (not being able to get permanent permits) , in addition to the discrimination between the cars' owners in relation to the distribution of transportation lines, which generate high income.

The cars' owners suffered from such problems for many years, where it contributed in a negative way to their economical and social stability and it also constituted a threat to their only source of income. They all had to live under the threat of revoking their temporary permits through the issuance of administrative decisions, which can be issued any time by any of the Transportation

Regulatory Commission officials. Therefore the Ombudsman Office worked hard in order to enable the complainants from getting permanent permits for their cars, in addition to ensuring the equal and just distribution of the transportation lines on the cars' owners. Finally the problem was solved by assigning the transportation lines to the cars' owners through raffle.

2. Individual Complaints:

- Complaints related to transfer requests from employment location or post to another.
- The Office also worked on changing the titles of public officials' hired through individual contracts.
- The nullification of acquisition orders related to some land lots because it was not done for the benefit of the public interest.
- Enabling a number of shop owners from getting the needed license from the official agencies, which refused to give them such license before the Office's intervention.
- Servicing isolated land lots with roads in order to have access to them.
- Solving many complaints related to the retirement or pension of public officials.

The following are some selected examples of individual cases:

- A complaint submitted by a female teacher, claiming that she was denied her right to be promoted to a school director. It was proven that the public administration decision contradicted the law. After the Office's intervention and following up with Al Karak Education Department, the female teacher was appointed as school director.
- A complaint related to the arbitrary transfer of a Ministry of Education female official from Amman Fourth Education Department to a school, which is far away from her place of residence. After the Office's intervention, the female official was moved back to her original work location.

4.2.3.2 Rejected Complaints:

The number of rejected complaints according to article (12/a) of the law has reached the total of (1477) complaints, that is (54%) of all received complaints. These rejected complaints were distributed according to the complained against party as follows: (169) were submitted against the Civil Service Bureau, (126) against the Armed Forces, (112) against the Ministry of Finance and (100) against the Ministry of Education, as illustrated by table number (25) below, which shows the numerical and percentage distribution of all the rejected and accepted complaints according to the complained against party during 2009.

Table (25) – Number and Percentage Distribution of Accepted and Rejected Complaints Submitted During 2009 According to Complained Against Entity

| Complained Against Entity | Total No. of Rejected Complaints | % of Rejected Complaints | Total No. of Accepted Complaints | % of Accepted Complaints | Total No. of Complaints |
|---------------------------|----------------------------------|--------------------------|----------------------------------|--------------------------|-------------------------|
| Civil Service Bureau | 169 | 0.54 | 145 | 0.46 | 314 |
| Ministry of Education | 100 | 0.39 | 154 | 0.61 | 254 |
| Ministry of Finance | 112 | 0.58 | 81 | 0.42 | 193 |
| Armed Forces | 126 | 0.68 | 60 | 0.32 | 186 |
| Ministry of Interior | 79 | 0.51 | 75 | 0.49 | 154 |

| | | | | | |
|----------------------------------|-------------|-------------|-------------|-------------|-------------|
| Ministry of Health | 58 | 0.41 | 85 | 0.59 | 143 |
| Ministry of Social Development | 39 | 0.29 | 95 | 0.71 | 134 |
| Judicial Council | 97 | 0.92 | 9 | 0.08 | 106 |
| Private Entities | 96 | 0.95 | 5 | 0.05 | 101 |
| Public Security Directorate | 63 | 0.65 | 34 | 0.35 | 97 |
| Ministry of Municipal Affairs | 38 | 0.42 | 52 | 0.58 | 90 |
| Greater Amman Municipality | 35 | 0.40 | 53 | 0.60 | 88 |
| Ministry of Water and Irrigation | 42 | 0.54 | 36 | 0.46 | 78 |
| Ministry of Labor | 39 | 0.53 | 35 | 0.47 | 74 |
| Other Entities | 384 | 0.55 | 320 | 0.45 | 704 |
| Total | 1477 | 100 | 1239 | 100 | 2716 |

Table (26) illustrates the main three types of rejected complaints : (708) were submitted against an administrative decision , which constitute (48%) of all rejected complaints, while the number of rejected complaints which were related to a hiring or rehiring request reached the total of (126) complaints, which constitute (9.2%) of all the rejected complaints and finally (111) rejected complaints were related to the objection against judicial judgments, which constitute (7.5%) of the rejected complaints.

Table (26) – Distribution of Accepted and Rejected Complaints Submitted During 2009 According to Complaint Type

| Type of Administrative Decision Appealed | Undergoing Official Follow-up | Reconciled | Rejected Complaints | | Officially Resolved | Investigation Revealed that Administrat | Complain Procedures Were Not Completed | Recommendation Submitted to Complain | Grand Total |
|--|-------------------------------|------------|---------------------|-------------------|---------------------|---|--|--------------------------------------|-------------|
| | | | Rejected in Form | Guidance Provided | | | | | |
| Administrative Decision | 58 | 54 | 596 | 112 | 72 | 329 | 109 | 40 | 1370 |
| Hiring / Rehiring Request | 8 | 3 | 132 | 4 | 24 | 152 | 9 | 4 | 336 |
| Job Adjustment | 4 | 3 | 83 | | 8 | 69 | 12 | 8 | 187 |
| Service / Service Improvement | 20 | 9 | 46 | 16 | 31 | 25 | 17 | 3 | 167 |
| Financial Exemption/ Assistance | 3 | 1 | 81 | 17 | 9 | 17 | 5 | 5 | 138 |
| Assistance Request | 5 | 33 | 49 | 12 | 5 | 21 | 3 | | 128 |
| Inquiry / Objection Re Competitive Ranking | | | 110 | 1 | | 10 | | | 121 |
| Judicial Decision | | | 106 | 5 | 1 | 3 | 1 | | 116 |
| Individuals / Private Sector Entities | | 2 | 78 | 2 | 1 | 3 | 2 | 2 | 90 |
| Maltreatment or Abuse of Power | 7 | 3 | 19 | 8 | 5 | 12 | 8 | 1 | 63 |
| Total | 105 | 108 | 1300 | 177 | 156 | 641 | 166 | 63 | 2716 |

The table above also shows the types of received complaints and the actions taken regarding each type of them , where we find that the complaint against an administrative decision required the largest number of actions taken with the total of (1370) actions , which constitute (50%) of all complaints , where (807) complaints of which were rejected , which constitute (52%) .

Table number (27) shows the distribution of the actions taken in relation to the complained against parties. It shows that the number of rejected complaints , which were submitted against the Civil Service Bureau , with a total of (169) complaint , (165) of which were rejected on grounds of formalities and an advice were given in (4) ones despite the fact that it was rejected on grounds related to formalities. The advice is given to the complainants in order to enable them to pursue their complaints despite the fact that the submitted complaint does not meet the conditions stated for the admission of complaints.

The rest of the rejected complains were distributed as follows: (126) were submitted against the Armed Forces, (112) complaints against the Ministry of Finance, (100) complaints against the Ministry of Education, (97) complaints against the Judicial Council, (79) complaints against the Ministry of Interior, (63) complaints against the Public Security Department, (58) complaints against the Ministry of Health and finally (42) complaints against the Ministry of Water.

Table (27) - Distribution of Complaints Received During 2009 According to Measures Across Each of the Complained Against Party

| Complained Against Entity | Undergoing Official Follow-up | Reconciled | Rejected Complaints | | Officially Resolved | Investigation Revealed that Administr | Complain Procedures Were Not Completed | Recommendation Submitted to Complained | Grand Total |
|----------------------------------|-------------------------------|------------|---------------------|-------------------|---------------------|---------------------------------------|--|--|-------------|
| | | | Rejected in Form | Guidance Provided | | | | | |
| Civil Service Bureau | 2 | 1 | 165 | 4 | 6 | 129 | 5 | 2 | 314 |
| Ministry of Education | 3 | 1 | 98 | 2 | 38 | 83 | 19 | 10 | 254 |
| Ministry of Finance | 8 | 10 | 95 | 17 | 10 | 33 | 12 | 8 | 193 |
| Armed Forces | 11 | 4 | 119 | 7 | 1 | 31 | 13 | | 186 |
| Ministry of Interior | 9 | 17 | 43 | 36 | 5 | 31 | 13 | | 154 |
| Ministry of Health | 6 | 9 | 50 | 8 | 11 | 39 | 12 | 8 | 143 |
| Ministry of Social Development | 4 | 26 | 26 | 13 | 9 | 46 | 6 | 4 | 134 |
| Judicial Council | | | 89 | 8 | 2 | 7 | | | 106 |
| Private Entities | | 1 | 94 | 2 | 1 | 2 | | 1 | 101 |
| Public Security Directorate | 2 | 4 | 44 | 19 | 2 | 15 | 11 | | 97 |
| Ministry of Municipal Affairs | 13 | 4 | 32 | 6 | 7 | 18 | 8 | 2 | 90 |
| Greater Amman Municipality | 5 | 3 | 26 | 9 | 9 | 22 | 8 | 6 | 88 |
| Ministry of Water and Irrigation | 2 | 4 | 38 | 4 | 11 | 13 | 5 | 1 | 78 |
| Ministry of Labor | 5 | | 38 | 1 | 5 | 18 | 6 | 1 | 74 |
| Prime Ministry | 1 | 2 | 43 | 1 | | 10 | 2 | 1 | 60 |
| Other Entities | 34 | 22 | 300 | 40 | 39 | 144 | 46 | 19 | 644 |
| Total | 105 | 108 | 1300 | 177 | 156 | 641 | 166 | 63 | 2716 |

4.2.3.3 4.2.3.3: Complaints, where the Ombudsman Office Provided the Complainant with Advice and Directions:

The total number of complaints, where the Office provided the complainant with advice and direction during the above stated period reached the total of (177) complaints, (17) of which were related to the Ministry of Finance. The most distinctive complaint which fell under this category was complaint number (1294/2009) submitted on the 8th of April 2009. The complaint was related to customs and tax revenue exemption request, because the complainant was a person with disability. The Office learned after communicating with the High Council of Persons of Disability(through letter number 1294/c/09/1463) that the cars' customs and taxes exemption procedures and conditions such persons were still under study , thus the Office advised the complainant to wait and follow up his request after a decision regarding the exemptions is taken. The Ministry of Finance were followed in this regard by the Ministry of Social Development with a total number of (13) complaints , the most distinctive of which was complaint number (621/2009) which was submitted on the 22nd of February 2009. The complaint subject was to help the complainant in getting back the national assistance allowance which was stopped by the Ministry. After communicating with the related agencies at the Ministry of Social Development / the National Assistance Fund it became clear to the Ombudsman Office that the actions taken by the Ministry were correct because there were legal reasons that called for halting the allowance. In order to be able to help the complainant the Office explained to her the reasons behind halting the allowance and advised her to resubmit a new request for getting the allowance were she could explain her new financial situation.

4.2.4 In Relation to Time Periods:

The importance of table number (28) below , lies in defining and showing time needed in order to process a complaint by the Ombudsman Office from the date it received the complaint to the date of notifying the concerned party (the complainant) of the results achieved.

The table shows that the largest numbers of complaints (1287) were settled within less than one month, which constitute (47%) of all complaints. (525) complaints were settled during a time period which is more than month and less than two months, which constitute (19%) of total complaints. Complaints which were settled during a time period less than six months scored third , where the total number of complaints that were settled during such period reached (210) complaints , that is (11%) .. etc. The following is the rest of the time periods and the number of complaints settled per each period:

Table (28) - Number of complaints Filed During 2009 According to Complained Against Party and the Time Periods Needed to Settle Them:

| Complained Against Entity | Not completed yet | < 1 month | 1-2 months | 2-3 months | 3-4 months | 4-5 months | 5-12 months | > 1 year | Total |
|---------------------------|-------------------|-----------|------------|------------|------------|------------|-------------|----------|-------|
| Civil Service Bureau | 2 | 195 | 66 | 21 | 14 | 5 | 3 | 8 | 314 |
| Ministry of Education | 3 | 108 | 40 | 9 | 15 | 16 | 18 | 45 | 254 |
| Ministry of Finance | 8 | 92 | 34 | 8 | 13 | 7 | 8 | 23 | 193 |

| | | | | | | | | | |
|----------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Armed Forces | 11 | 109 | 39 | 2 | 3 | 6 | 5 | 11 | 186 |
| Ministry of Interior | 9 | 54 | 25 | 6 | 7 | 4 | 6 | 43 | 154 |
| Ministry of Health | 6 | 48 | 30 | 13 | 3 | 6 | 8 | 29 | 143 |
| Ministry of Social Development | 4 | 30 | 29 | 15 | 21 | 12 | 6 | 17 | 134 |
| Judicial Council | | 80 | 19 | 3 | 1 | 1 | 1 | 1 | 106 |
| Private Entities | | 82 | 16 | 3 | | | | | 101 |
| Public Security Directorate | 2 | 43 | 21 | 6 | 7 | 5 | 4 | 9 | 97 |
| Ministry of Municipal Affairs | 13 | 32 | 18 | 5 | 4 | 7 | 3 | 8 | 90 |
| Greater Amman Municipality | 5 | 27 | 15 | 4 | 2 | 5 | 7 | 23 | 88 |
| Ministry of Water and Irrigation | 2 | 30 | 21 | 6 | 5 | 3 | 2 | 9 | 78 |
| Ministry of Labor | 5 | 36 | 12 | 5 | 7 | 3 | 1 | 5 | 74 |
| Other Entities | 35 | 321 | 140 | 24 | 49 | 38 | 18 | 79 | 704 |
| Total | 105 | 1287 | 525 | 130 | 151 | 118 | 90 | 310 | 2716 |
| Percent | 0.04 | 0.47 | 0.19 | 0.05 | 0.06 | 0.04 | 0.03 | 0.11 | 1.00 |

4.3 A summary of the Decisions Issued by the Ombudsman Office:

4.3.1 Settling and Solving Complaints:

The main function of the Ombudsman Office is to settle the individuals' complaints submitted against the various public administration institutions. This settlement is based on the two following pillars:

- a) To reach a solution to the complaint, whether through official channels according to the laws which govern the subject matter of the complaint or through the reach of friendly solutions by directly contacting the institution or agency related to the complaint in order to reach a solution that is acceptable by both the complained against party and the complainant.
- b) Dealing with the various legal aspects of the complaint as a basis for reaching a conclusion of whether the administration committed a mistake or not and informing both sides (the complained against party and the complainant) of the results of such legal study of the complaint. Sometimes the Office submits its recommendations to the administrative party in relation to the complaint, where it finds that the administration committed a mistake, in order to avoid repeating such mistakes with other individual or for the purpose of rationalizing the work of the administration in a way that would help in the development of such administrations functions.

According to the above, the submitted complaints were classified according to the following:

1. Accepted Complaints, which reached the total of (1239) complaints, classified as follows:
 - a) Complaints, which were investigated and it became clear that there were no administrative mistakes committed by the complaint against party. The total number of such complaints reached (641) complaints.

- b) Complaints that were kept due to the incompleteness of the needed procedures on part of the complainant. The total number of such complaints reached (166) complaints.
 - c) Complaints which are still pending and no decision is reached regarding them yet. The total number of such complaints reached (105) complaints.
 - d) Complaints, which after investigating them it became clear that there is an administrative mistake. The total number of such complaints reached the total of (372) complaints distributed as follows:
 - 1) Complaints that were settled through official or friendly ways, which reached (264) complaints.
 - 2) Complaints where a recommendation was given to the related party, which reached (63) complaints.
2. Rejected Complaints , which reached the total of (1477) complaints classified as follows:
- a) Complaints rejected on grounds related to formalities, which means it did not meet the legal requirements to be accepted. The number of such type of complaints reached the total of (1300) complaints.
 - b) Complaints where the Office provided advice and instructions. The number of such type of complaints reached the total of (177) complaints.

Table (29) – Overview of Settled and Solved Complaints

| Measure Taken | Number | Percent |
|---|---------------|----------------|
| Accepted Complaints | 1239 | 45.62% |
| 1. Absence of an administrative error | 641 | 51.74% |
| 2. Undergoing official follow-up | 105 | 8.47% |
| 3. Complaints procedures were not completed | 166 | 13.4% |
| 4. Administrative error occurred: | 327 | 26.39% |
| a. Solved amicably | 264 | 80.73% |
| b. Recommendation provided | 63 | 19.27% |
| Rejected Complaints | 1477 | 54.38% |
| 1. Rejected in form | 1300 | 88.01% |
| 2. Guidance was provided | 177 | 11.99% |

4.3.2 Examples of Rejected Complaints:

The Ministry of Finance

A lady submitted a complaint against the Ministry of Finance, complaining that she was denied of her deceased husband's pension despite the fact that her husband served in the armed forces for thirteen years. After reviewing the complaint the Office decided to reject it due to the fact that more than a year had passed since the incident took place which contradicts with article (16/b) of the Office's law, in addition to the fact that there is a final judicial judgment concerning the complaint issued by the courts, which according to article (12/a) of the law prohibits the Office from accepting such complaint. The complainant was notified of the rejection of her complaint and the grounds of the rejection.

The Public Security Department:

A complaint was submitted by a citizen against the Public Security Department, where he claimed that the Department closed in the investigation file of his son's homicide death. After reviewing and studying the complaint and contacting the Public Security Department it became clear that the complaint was investigated by one of the Public Security's investigation panels and a decision had been issued in this regard. Due to the fact that the decision issued by the investigation panel has a judicial nature, the Office is prohibited from accepting the complaint according to article (12) of its law. The complaint was rejected and the complainant was notified by the Office's decision.

The Chief Justice's Department:

A complaint was submitted against the Complaints and Inspection Unit at the Chief Justice Department and against Madaba's *Shari'a* Court. The complainant claimed that despite the fact of him being in Jordan, his son submitted a false affidavit stating that his father is out of the country in order to gain the needed authority to approve the marriage of his sister (the complainant's daughter) to a person, who the father refuses to have his daughter to be married to. The complainant submitted a complaint against his son and the court's employee who approved the affidavit to the Complaints and Inspection Unit of the Chief Justice's Department. His complaint was rejected by the unit, thus he submitted a complaint to the Ombudsman Office.

After investigation it appears that the same complainant had previously submitted a legal claim to Amman Public Prosecutor. Therefore the Office rejected it based on the legal rule which states "no complaint against the public administration shall be accepted if it was still possible to legally challenge the administration's actions before the judiciary or any other competent administrative body or if a judicial judgment was issued in relation to the matter". The complainant was notified of the rejection of his complaint.

Aqaba's Water Company:

A citizen submitted a complaint against Aqaba's Water Company for not hiring his son. After studying the complaint the Office concluded that the complaint against party is not one of the public administration's bodies defined in article (2) of the Ombudsman Office Law number (11) of 2008 and therefore the complaint was rejected and the complainant was notified of the rejection of him complaint.

Social Security Corporation:

A citizen submitted a complaint against the Social Security Corporation, claiming that he was not examined by the Medical Committee and was not subjected to clinical examination. After studying the complaint it appeared that the complainant still has the right to challenge the decision issued by the Medical Committee both judicially and administratively, because challenging the decisions of the medical committees has to be done before the Appellate

Committee. Therefore and based on article (12/a) of the Ombudsman Office's Law the complaint has to be rejected. The complainant was told that he has the right to refer his complaint to the judiciary within the legally perspired period.

The Capital's Governorate:

A citizen submitted a complaint against the Capita's Governor, claiming that he unlawfully ordered the closure of his shop. After reviewing the complaint and contacting the Governorate it was clear that the possibility challenging the decision before the judiciary still exists and that the complaint was submitted to the Office by a person who has no legal standing to do so. Therefore the Office decided to reject the complaint and advised the complainant that a new complaint can be submitted by the related person after the expiration of the period for judicial challenge is expired.

The Jordanian Armed Forces:

This is a complaint that was submitted by a group of complainants, who requested to be allowed to get their pension salaries, in addition to the salaries they get for working at *Motah* University. After studying and investigating the complaint it appeared that it lacks one of the complaints' acceptance conditions which is the signatures of the complainants.

The rest of the actions ranged from official solutions of the complaints through the investigation of complaints and communications with the related parties, to friendly solutions according to the nature of the submitted complaint and also through providing the complainant with needed advice on how to proceed with his complaint if it was rejected on grounds of formalities. The Office also resort to rejecting the complaint and explaining to the complainant that what he/she is complaining from does not constitute a violation of the applicable laws and regulations and thus he/she has no right to complain.

As to the complaints which are still being processed by the Office, their number reached the total of (105) complaints, while (641) complaints had been rejected after the Office found that there is no violation on the part of the administration. (166) complaints were kept because the complainants did not complete the complaining process according to the provisions of the law. (63) Complaints where concluded by sending special recommendations to the complained against party informing it of the existence of internal administrative mistakes which has to be looked at and remedies.

The complaints which were solved through official means reached the total of (156) , (38)of which were submitted against the Ministry of Education , (11) complaints against the Ministry of Health and the Ministry of Water, (10) complaints against the Ministry of Finance and (9) complaints against the Ministry of Social Development and Amman Great Municipality . See table number (30) below.

Table (30) - Distribution of Complaints Received During 2009 According to Measures Taken Across Each of the Complained Against Party

| Complained Against Entity | Undergoing Official Follow-up | Reconciled | Rejected in Form | Guidance Provided | Officially Resolved | Investigation Revealed that Administrative Procedure Taken Were Correct | Complain Procedures Were Not Completed | Recommendation Submitted to Complained Against Party Due to Incorrect Administrative | Grand Total |
|----------------------------------|-------------------------------|------------|------------------|-------------------|---------------------|---|--|--|-------------|
| Civil Service Bureau | 2 | 1 | 165 | 4 | 6 | 129 | 5 | 2 | 314 |
| Ministry of Education | 3 | 1 | 98 | 2 | 38 | 83 | 19 | 10 | 254 |
| Ministry of Finance | 8 | 10 | 95 | 17 | 10 | 33 | 12 | 8 | 193 |
| Armed Forces | 11 | 4 | 119 | 7 | 1 | 31 | 13 | | 186 |
| Ministry of Interior | 9 | 17 | 43 | 36 | 5 | 31 | 13 | | 154 |
| Ministry of Health | 6 | 9 | 50 | 8 | 11 | 39 | 12 | 8 | 143 |
| Ministry of Social Development | 4 | 26 | 26 | 13 | 9 | 46 | 6 | 4 | 134 |
| Judicial Council | | | 89 | 8 | 2 | 7 | | | 106 |
| Private Entities | | 1 | 94 | 2 | 1 | 2 | | 1 | 101 |
| Public Security Directorate | 2 | 4 | 44 | 19 | 2 | 15 | 11 | | 97 |
| Ministry of Municipal Affairs | 13 | 4 | 32 | 6 | 7 | 18 | 8 | 2 | 90 |
| Greater Amman Municipality | 5 | 3 | 26 | 9 | 9 | 22 | 8 | 6 | 88 |
| Ministry of Water and Irrigation | 2 | 4 | 38 | 4 | 11 | 13 | 5 | 1 | 78 |
| Ministry of Labor | 5 | | 38 | 1 | 5 | 18 | 6 | 1 | 74 |
| Other Entities | 35 | 24 | 343 | 41 | 39 | 154 | 48 | 20 | 704 |
| Total | 105 | 108 | 1300 | 177 | 156 | 641 | 166 | 63 | 2716 |

5. The Public Administration's Cooperation and Responsiveness:

The Office issued (63) recommendations directed to various public institutions and parties, which fall under the definition of the public administration.

According to the data presented in this report the Ministry of Education received (10) recommendations, while both the Ministry of Health and the Ministry of Finance received (8) recommendations each, followed by Amman Great Municipality and the Ministry of Transportation with (6) recommendations each. The ministry of Social Development received (4) recommendations.... Etc.

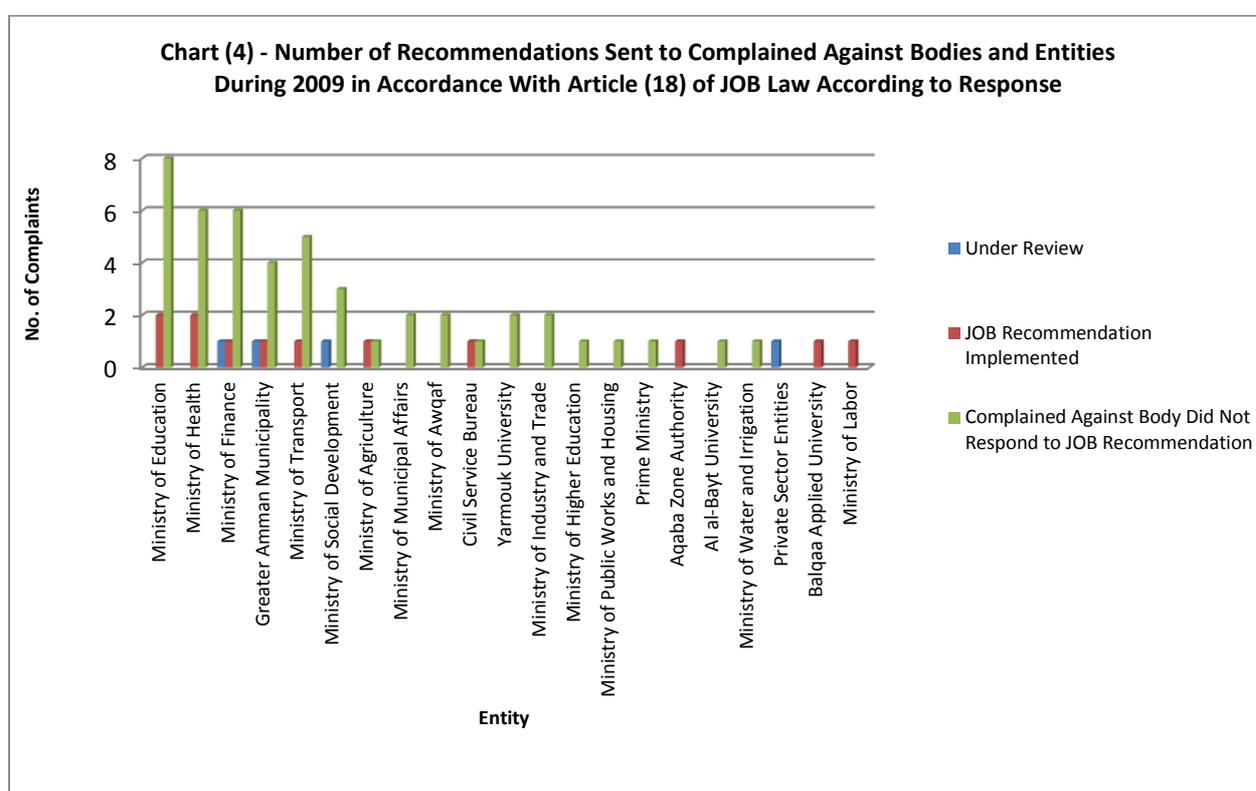
On the other hand the Office issued many other recommendations, which aim at the development and enhancement of the procedures followed by many public parties and institutions. Such recommendations will be highlighted in this report.

Table number (31) shows the complained against parties and its response to the Office's recommendations, it also shows the percentage of response each party showed compared to the total number of recommendations it received from the Office.

Table (31) - Number of Recommendations sent to Complaint Against Bodies During 2009.

| No. | Complained Against Body | Recommendation Procedures | | | | Responded (%) | Did Not Respond (%) |
|-----|--------------------------------------|---------------------------|--------------------------------|---|-------|---------------|---------------------|
| | | Under Review | JOB Recommendation Implemented | Complained Against Body Did Not Respond to JOB Recommendation | Total | | |
| 1. | Ministry of Education | | 2 | 8 | 10 | 20 | 80 |
| 2. | Ministry of Health | | 2 | 6 | 8 | 25 | 75 |
| 3. | Ministry of Finance | 1 | 1 | 6 | 8 | 13 | 75 |
| 4. | Greater Amman Municipality | 1 | 1 | 4 | 6 | 17 | 67 |
| 5. | Ministry of Transport | | 1 | 5 | 6 | 17 | 83 |
| 6. | Ministry of Social Development | 1 | | 3 | 4 | | 75 |
| 7. | Ministry of Agriculture | | 1 | 1 | 2 | 50 | 50 |
| 8. | Ministry of Municipal Affairs | | | 2 | 2 | | 100 |
| 9. | Ministry of Awqaf | | | 2 | 2 | | 100 |
| 10. | Civil Service Bureau | | 1 | 1 | 2 | 50 | 50 |
| 11. | Yarmouk University | | | 2 | 2 | | 100 |
| 12. | Ministry of Industry and Trade | | | 2 | 2 | | 100 |
| 13. | Ministry of Higher Education | | | 1 | 1 | | 100 |
| 14. | Ministry of Public Works and Housing | | | 1 | 1 | | 100 |
| 15. | Prime Ministry | | | 1 | 1 | | 100 |
| 16. | Aqaba Zone Authority | | 1 | | 1 | 100 | |
| 17. | Al al-Bayt University | | | 1 | 1 | | 100 |
| 18. | Ministry of Water and Irrigation | | | 1 | 1 | | 100 |
| 19. | Private Sector Entities | 1 | | | 1 | | |
| 20. | Balqaa | | 1 | | 1 | 100 | |

| No. | Complained Against Body | Recommendation Procedures | | | Total | Responded (%) | Did Not Respond (%) |
|--------------------|-------------------------|---------------------------|--------------------------------|---|-------------|---------------|---------------------|
| | | Under Review | JOB Recommendation Implemented | Complained Against Body Did Not Respond to JOB Recommendation | | | |
| | Applied University | | | | | | |
| 21. | Ministry of Labor | | 1 | | 1 | 100 | |
| Grand Total | | 4 | 12 | 47 | 63 | | 75 |
| Percent | | 6.35% | 19.05% | 74.6% | 100% | - | - |



6. Self- Initiatives

6.1 The legal basis for self-initiatives:

The legal basis for the self-initiatives power given to the Office's President can be found in article (19) of the Office's Law, which states "the President may upon his/her own initiative study any subject related to any of the public administration's decisions or its procedures or action and submit his/her recommendations to such parties and to include it in the Office's annual report which has to be prepared according to the provisions of this law"

6.2 Initiatives, which were responded to by the Complained against Parties:

a) Initiatives that have a public nature:

The Office took many initiatives and submitted many recommendations which participated in shedding the light on important issues, which affected a major segment of individuals. The following are the most important of these initiatives:

1. This initiative is related to considering every public official who was referred to what is known as (provisional retirement) between the 2nd of January 2008 and the 15th of March 2009 as if he/she was referred to full retirement provided that the period he/she spent while on provisional retirement a period of time that would make eligible for full retirement.

The Office received several complaints from a number of public officials who were referred to provisional retirement between the 2nd of January 2008 and the 15th of March 2009. After reviewing their complaints it became clear that their referral to provisional retirement was legal and according to the applicable laws.

It also became clear to the Office that Regulation number (21) of 2009 amending the Civil Service Regulation, led to the creation of two categories of public official who were referred to provisional retirement:

- The first category which includes :
 - 1) Public officials who were referred to provisional retirement before the 2nd of January 2008.
 - 2) Public officials who were referred to provisional retirement before the 16th of March 2009.
- The second category which includes the public officials who were referred to provisional retirement between the 2nd of January 2008 and the 15th of March 2009.

Public officials who are included in the first category will be referred to actual retirement before those who are included in the second category, due to the fact that the first category public officials will be retired based on the applicable law if the period they spent on provisional retirement enables them to complete the number of years needed for retirement when they were referred to provisional retirement. As to the second category officials, they have to wait until they complete the needed period to be retired and they cannot retire if they already have reached the number of years when they were referred to provisional retirement. This means that the second category officials will be retired after spending 25 year of service for males and 20 years for females. This led to a situation of unnecessary inequality between the two categories public officials.

Accordingly, the Ombudsman Office sent a letter to the Prime Minister recommending that every public official who was referred to provisional retirement between the 2nd of January 2008 and the 15th of March 2009, shall be considered as being referred to actual retirement on the date of his referral to provisional retirement in order to establish

equality and justice between the two categories public officials. This constituted a very practical solution , because the number of the injured officials from such a situation is a small number and the financial cost of remedying such injustice would not be significant and would not constitute a burden on the state's treasury.

The issue was referred to the Civil Service Council and on light of the given facts the Council of Ministers decided to request the Civil Service Bureau to communicate the issue to the Prime Minister in order for him to submit the issue before the Council of Ministers in order to issue an exceptional decision which would consider any public official who was referred to provisional retirement between the 2nd of January 2008 and the 15th of March 2009 as if he/she was referred to actual retirement on the date of his/her provisional retirement, provided that he/she had reached the legal retirement age on the day of his/her provisional retirement. The Civil Service Bureau sent letter number (10/64827) on the 26th of July 2009 to the Prime Minister and issue was submitted before the Council of Ministers and it decided not to act according to the recommendation submitted by the Ombudsman Office. The Council of Minister based its decision on the fact that such public officials who were referred to provisional retirement according to the legal provisions applicable on the time of such referral and then they were referred to actual retirement had already got all their retirement rights and they received their retirement pension which covers the period they spent on provisional retirement and thus it is impossible to reconsider the retirement decisions issued in relation to them.

2. This initiative was related to the issuance of an official communication by the Prime Ministry in relation to the end of service of public officials who reach (60) years of age (for males) and (55) years (for females) and they are few months shay from completing the number of years required by the law to be able to retire and thus receive a pension.

The Office's President wrote a letter to the Prime Minister recommending that the related ministries and department give more attention to its public officials who reached the age of (60) or (55) and they did not complete the needed number for retirement and they are only few months away from completing this number of years. The letter recommended that such issue should be dealt with through the establishment of a three members' committee. The committee members shall be selected from among the senior public officials in the related ministry or governmental department or unit and shall be entrusted in studying the file of any official the administration wants to end his/her services in addition to the period he/she needs to complete the number of years (period) needed for retirement and the circumstances of each such case. The committee shall also look into the possibility of extending the related official service in order to enable him/her form getting a retirement pension. Such extension of service can be done based on article (12/b) of the Civil Retirement Law number (34) of 1959, which allowed, for reasons related to the public interest the extension of the services of any public official who is governed by this law, for a period not to exceed five years. In addition to the above stated article, article (172/a) of the Civil Service Regulation number (30) of 2007, allowed the extension of the service of any public official who is subject to the Social Security

- Law for a renewable one year period provided that the total extensions do not exceed five years. Such extension of the service period shall be done for reasons related to the public interest or if such extension would enable the related public official from getting a retirement pension. Such practices would provide these officials with a pension that is much needed in the current state of economy.
3. This initiative aimed at making sure that the related agencies or bodies take into account the prescribed percentage of humanitarian cases to be appointed in level three posts, in addition to the importance of being in compliance with the provisions of articles (28/c and 25) of the Selection and Appointment of Public Officials Directive.
 4. The letter sent by the President of the Ombudsman Office to the President of the Civil Services Bureau in included a recommendation, that the Bureau should communicate with all ministries and departments which still have vacant level three posts in order to take into consideration when hiring for these post, the humanitarian cases percentage. In addition the Bureau should obligate such miniseries and departments with the provisions of articles (28/c and 25) of the Selection and Appointment of Public Officials Directive, in order to uphold the principles of equality and to enable this group of citizens from enjoying their rights. The related applicable legislation states that (6%) of all governmental posts shall be filled from among the humanitarian cases. The Civil Service Bureau was responsive and acted in accordance with this recommendation.
 5. This initiative was related to the activation of article (10/b) of the Public Health Law, which provides for the inspection of private hospitals. The initiative was also related to the issuance of instructions and awareness leaflets in order to serve the citizens who deal with such hospitals.

Many citizens were faced with problems when they received medical services from private hospitals. The problem they are faced with is the hospital's refusal to give them a copy of the full invoices which include the costs of the services they received. The citizens' claim that the reason behind such action by the private hospitals and the doctors attempt to hide the real revenues and to evade paying the legal taxes on the revenues and profits they make.

Accordingly the President of the Office sent a letter to the Minister of Health requesting him to activate the application of Article (10/b) of the Public Health Law number (47) of 2008 by inspecting the practices of the private hospitals and clinics in order to make sure that they adhere to the conditions stated in the applicable laws when conducting their activities in addition to the issuance of awareness leaflets, in order to educate the citizens, public officials and retirees the instances , where a person can be referred to a private hospital and the categories entitled to use the private hospitals services directly according to the agreements concluded with such hospitals and the types of services covered by such agreements, in addition to the amounts that have to be paid directly by the patient. These actions had to be taken by the Ministry of Health in order to protect the rights of the citizens who are allowed to

directly seek treatment at hospitals and clinics and also in order to protect the state's treasury rights by eliminating the tax evasion.

6. This initiative was taken in order to guarantee that the actions taken in order to protect King Talal's Dam from drifts are enough and sufficient actions.

One of the complaints submitted to the Ombudsman Office included certain notes related to King Talal's Dam. The complaint stated that there is a substantial accumulation of dust and soil at the Dam's lake due to the rain fall. The Office's President decided to study the issue in order to know the implications on the Dam as self initiative, in order to take the necessary actions to protect the Dam. Accordingly the Office communicated with the Ministry of Agriculture and the Jordan Valley Authority Secretary General in order to inquire about the actions and procedures taken to protect the Dam from the accumulation of dust and soil which result of floods and rain fall. The Secretary General of the Jordan Valley Authority responded by affirming that all needed actions had been taken in order to protect the Dam. The actions taken include the cultivation of trees and the building of protection edges.

a) Individual Initiatives , the most important of which are :

1. An initiative towards a citizen who is eligible for benefiting from the National Assistance Program:

A news article published in one of the local newspapers on the 20th of July 2009 stated that a citizen, who suffers from a (75%) physical disability, is calling for help and assistance. The Office President ordered that the case of this citizen to be studied and reviewed, as an Office self initiative. After calling the citizen and meeting with him at the Office , he expressed his desire to get an allowance from the National Assistance Fund . After coordination with the Ministry of Social Development and the National Assistance Fund and after investigating the citizen's conditions it was clear that he is eligible for such assistance. A monthly allowance of (180) JDs from the National Assistance Fund was given to the citizen.

2. This initiative is related to including a citizen in the poor families' residences' maintenance program.

A local news paper published the story of a family residence (home), which is about to collapse and thus constitutes an imminent danger to the widow and her children who live in the house. A group of specialists from the Office visited the said home at Al Zarqa Governorate and they studied the status of the widow and her family, in order to get assistance from the Poor Families' Homes Maintenance Program which is run by the Ministry of Social Development. The study showed the existence of certain impediments, which prevents the family from benefiting from the maintenance program: first: the related house was the property of the widow's husband and thus

she only owns part of it including the basement she lives in. Second: the family's monthly income is more than the minimum income (165 JDs) needed to benefit from the services and assistance of the National Assistance Fund. The family monthly income reached (350 JDs) : (130 JDs) the family's monthly allowance from the National Assistance Fund , in addition to (220 JDs) the widow's son monthly salary from his job as a messenger. The study also showed that the home is not about to collapse, but it rather suffers from lack of maintenance. Article (9) of the Maintenance Project's Directive gives the Governor and the Central Committee the power to give priority to persons and families they might find to be in despair need for a residence, provided that there are extraordinary circumstances. The Office communicated with the governor in order to include the family in the disruption of the Hashemite Good Packages and a letter was also sent from the Office to the Minister of Social Development requesting the increase of the family's monthly allowance, which is paid by the Ministry, in order to reach the maximum limit which is (165 JDs) per month.

7. Key Recommendations Submitted by the Ombudsman Office to the Public Administration:

7.1 The Recommendations' Legal Basis:

The Ombudsman Office submits its recommendations based on article (12/b) of its law which states "through the complaints submitted to it, the Office shall issue recommendations related to simplifying the administrative procedures in order to easily and effectively benefit from the services provided by the public administration". The recommendations are also based on article (18) of the same law which states "If the President finds after the completion of all the actions in his/her disposal, that the public administration's decisions or actions or lack of action constitute one of the following:

- Violation of the law.
- Inequity, arbitrariness and lack of equality.
- Based on illegal instructions or unfair procedures.
- Negligence or omission or error.

In such instances the President has to draft a detailed report concerning the administration's actions and submit it to the complained against public administration's and he/she also has the right to submit the recommendations he/she deems appropriate concerning the subject of the complaint".

Table (32) - Number of Recommendations Sent to Complained Against Bodies and Entities During 2009 in Accordance With Article (12/b) of JOB Law

| No. | Complained Against Body | Recommendation Procedures | | | Total |
|-----|-------------------------|--------------------------------|--|--------------------|-------|
| | | JOB Recommendation Implemented | Complained Against Body Did Respond to | Against Not to JOB | |
| | | | | | |

| | | | Recommendation | |
|--------------------|---|-----------|-----------------------|------------|
| 1. | Ministry of Labor | 1 | 2 | 3 |
| 2. | Ministry of Water and Irrigation | 2 | | 2 |
| 3. | Ministry of Municipal Affairs | | 2 | 2 |
| 4. | Ministry of Education | 2 | | 2 |
| 5. | Ministry of Awqaf and Islamic Affairs | | 2 | 2 |
| 6. | Ministry of Tourism and Antiquities | | 1 | 1 |
| 7. | Ministry of Culture | 1 | | 1 |
| 8. | Ministry of Public Works and Housing | 1 | | 1 |
| 9. | Ministry of Information and Communications Technology | 1 | | 1 |
| 10. | Petra Zone Authority | | 1 | 1 |
| 11. | Civil Service Bureau | | 1 | 1 |
| 12. | Yarmouk University | | 1 | 1 |
| 13. | Greater Zarqa Municipality | | 1 | 1 |
| 14. | Armed Forces | | 1 | 1 |
| Grand Total | | 8 | 12 | 20 |
| Percent | | 40 | 60 | 100 |

The percentage of the public administration's response to all the Ombudsman Office's recommendations reached only (24%) during 2009.

The Ombudsman Office calls upon all the complained against parties to reconsider its decisions taken in relation to these recommendations, especially the recommendations taken in pursuance of article (18). The complaints which had recommendations issued in relation to them to the public agencies, parties and institutions, had been divided into three categories.

- 1) Complaints that were solved and settled after proving the errors that were made by the complained against party. A recommendation was sent to such party.
- 2) Complaints that were investigated and it was proven that the decisions and actions of the administration were wrong and the complainant was right in his/her complaint and a recommendation was sent to the complained against party but it was not responsive and did not respond to it.
- 3) Complaints that were investigated and it was proven that the decision and actions of the public administration were right and the complainant was wrong in his/her complaint and a recommendation was sent to the complained against party according to article (12/b) of the Ombudsman Office Law.

7.2 The recommendations, which were accepted and implemented by the public administration:

- 1) A complaint submitted by a group of shipping and customs' clearance companies (the administration has to keep modernizing the applicable legislations in order to be compatible with the international obligations).

The President of the Shipping and Customs' Clearance Companies and Offices Owners Union, submitted a complaint to the Ombudsman Office requesting that such offices and companies be exempted from the general tax on sales. The Office decided to accept the complaint and to start investigating it according to the provisions of the Ombudsman Office Law number (11) of 2008. After investigating the issues at stake, the Office found out that on the 1st of December 2008, the Minister of Finance noted in his letter number (4/6/4791) addressed to the Prime Minister, that according to the international classification (ISIC Ver. 3) all the customs' clearance companies and offices are not subject to the exemption from the general tax on sale. But according to the international classification issued by the United Nations (CPC) , which was adopted as part of Jordan's obligations towards the World Trade Organization (WTO) , the services of shipping agents and customs' clearing agents shall be considered as complementary services to the shipping services, and thus shall be exempted from the general tax on sales. The Ministers' letter indicated that the later classification was not adopted by the Income and Sales Tax Department and the only adopted classification is the (ISIC Ver. 3) Classification. According to what is stated in his letter the Minister of Finance recommended that the services of these offices and companies shall be subject to the sales tax.

According to the recommendation of the Minister of Finance, the Council of Ministers on its meeting held on the 5th of May 2009 decided according to article (3/b) of the Exemption of the Public Property Law number (28) of 2006 and articles (3/b and 22/c) of the General Tax on Sales Law number (6) of 1994 , to approve the exemption of shipping and customs' clearance companies and offices from the general tax on sales in additions to the fines accumulated against such companies. The Council also decided to list the services of these companies and offices as part of the exempted services stated in table number (3), which is attached to the General Tax on Sales Law.

- 2) The State Security Court's Public Prosecutor lack of jurisdiction to issue homes' search warrants in relation to customs' cases (applying the text is more important than neglecting it):

The investigation of one of the complaints submitted to the Ombudsman Office revealed that the Customs' Anti Trafficking Directorate of the Customs' Department , was under the false impression that the Customs' Law does not give the Customs' Public Prosecutor the authority to issue search warrants in relation to residences (homes) suspected of being involved in trafficking activities. Therefore, all home search activities carried out by the Customs' Department are done based on search warrants issued by the State's Security Court's Public Prosecution due to the ongoing cooperation relationship which exists between the Department and the State's Security Court's Public Prosecutor.

Articles (229 and 247/a) of the Custom's Law states that in case the Customs' Law does not cover any subject or issue related to the work of the of the Custom's Department, the provisions of both the Civil Procedures and Criminal Procedures laws should govern such issues as long as they don't contradict the provisions of the Customs' Law. Therefore, the absence in the Customs' Law of any provision, which identifies the public prosecutor who has the authority to issue the homes' search warrants, oblige the Customs' Department to refer the matter to the Criminal Procedures Law and not to the State's Security Court's Law, because the powers of the State's Security Courts Public Prosecutor are subject to the powers of the State's Security Court itself which are exclusively stated in articles (3/a) of the State's Security Court number (17) of 1959.

The Ombudsman Bureau issued a recommendation to the Customs' Department in order to limit the authority of issuing homes' search warrants to the Customs' Public Prosecution in all cases and actions taken in relation to the pursuance of trafficking activities. The recommendation also stated that all the customs' patrols shall adhere to such arrangements, in addition to providing the needed guarantees and safeguards which would guarantee the legality of such procedures (homes' searches). The importance of such safeguards and guarantees stems from the sensitivity of homes' searches and its effect on the related citizens.

The Customs' Department replied by saying that the Office's recommendations are the focus of the Department's attention and it will refer them to the related directorates , in order to be studied and adopted according to the provisions of the law. The Department also added that it will issue a communication to all the related directorates in order to notify its employees that they should make sure that they correctly apply the law and to make sure that the procedures and actions they take are according to the applicable laws.

- 3) The right to issue or renew a passport inside Jordan shall only be the authority of the Civil Status and Passports' Department:

This complaint was submitted to the Office by a blind complainant, whose passport was seized by a hotel's management ten years ago, which was done ten years ago. The hotel's management sent the passport to the police station, which sent to the Personal Status and Passports' Department. In order for the blind complainant to regain his eyes' sight, he claimed that he had to travel outside Jordan to benefit from a worldwide campaign to return sight to a million blind persons, thus he submitted a request in order to renew his seized passport. When he submitted the renewal request, he was told that he had to pay back the hotel's debt according to a recommendation by the security apparatus. He tried to renew his passport more than once and was always faced by the same response.

The complainant submitted his complaint to the Ombudsman Office. After investigating the complaint, the Office stated that article (6) of the Law number (2) of 1969 states that "the Passports' General Directorate is the only competent body with the authority to Jordanian passports". Furthermore article (3) of the same law states that "Jordanian passports have to be given to the Jordanian citizens, who request them and whose

nationality is confirmed". According to these legal provisions, it became clear that Jordanian nationals have the right to obtain a passport without tying such right to any other party's approval or consent. In addition, the Jordanian Passports' Law number (2) of 1969 does not permit the confiscation of passports or prevent its renewal for any Jordanian. According to article (3) of this law every Jordanian has the right to obtain a passport. This right is derived from the law and does not hang on the approval of any other party or institution. Therefore, the Passports' Department abstention from renewing the complainant's passport without any legal basis, constitute a violation of article (3) of the Passports' Law and it also violates article (7) of the Constitution. The Office contacted the Personal Affairs and Passports Department, which cooperated with the Office and renewed the passport.

- 4) The rehabilitation decisions, results in the dismissal of the conviction judgment and the dismissal of all its effects. It also gives back the rehabilitated person all his/her civil rights and full competency.

The complainant request for getting back his public drivers' license which belongs to him since 2006 was denied due to the fact that he was convicted of committed crime back in 1999. In 2006 the court issued a decision which rehabilitated the convicted person and the rehabilitation decision became final and thus he was able to obtain a non conviction certificate. The rehabilitation decision means the dismissal of the conviction verdict and the elimination of all its effects which affect the convicted persons' rights, thus he can enjoy all his civil rights and retain back his full competency starting from the date the rehabilitation decision was issued. The complainant's driver's license was revoked based on a recommendation by the Director of Public Security when in 2003, because the complainant was summoned before the court. The Ministry of Interior responded by stating that it requires that the person to be given a public drivers' license be of a good manners and conduct and thus the person who is convicted of committing a criminal act is not a person of good manners and conduct in order to accept his public drivers' license renewal request.

After studying and reviewing the case, the Ombudsman Office decided that the Ministry of Interior decision and standing related to this complaint is at fault, because the complainant had obtained a final judicial judgment which rehabilitated him. Such judgment constitutes official evidence that can be used before any party or institution. In addition to the rehabilitation judgment, the complainant was able to obtain a non conviction certificate and thus, there are no legal basis to claim that his previous conviction should prevent him from getting his drivers' license. The Ministry of Interior accepted the Office findings and renewed the complainant drivers' license.

- 5) Permissibility is the basic rule:

The complainant could not submit a second request to Al Hussein Bin Talal University to acquire a PhD scholarship as the rest of the applicants who were given such opportunity.

The reason behind this is the University's lack of a clear mechanism which enables the University to decide upon the problems that might stem from the scholarship's applications, when such problems are not anticipated in the approved Scientific Scholarships' Regulation or in the Scholarships' Financial Directives, in addition to the absence to the lack of any basis to differentiate between the various abdicants. The presence of such mechanism and basis would eliminate any feeling of inequality or injustice the complainant or others might feel when not allowed to resubmit their application for the second time , despite the fact that the application resubmission does not violate any of the University's applicable regulations and instructions because it does not regulates such issue.

As a result of the Office's investigations and correspondences with the University, the Office recommended that the University shall work on drafting clear, written and available to all instructions, which would deal with all procedural problems and issues that might arise from the scholarships' applications and to simplify such instruction as much as possible. The University decided to follow and implement the Office's recommendations.

- 6) The revocation of a deportation order which was issued against a foreign worker (a decision which was based on faulty procedures, can be withdrawn by the administration).

In a step that represents the true meaning of a state governed by the rule law, which was translated by the Ombudsman Office pursuant to settle and solve the complaints submitted to it and to protect the rights of citizens and foreign residents alike, the Office was able through the joint work and fruitful cooperation with the Ministry of Labor to convince the public administration to withdraw it decision to deport a forewing worker who was actually deported from Jordan due to a mistake in the procedures that led to the adoption of such deportation decisions. The concerned worker was caught by a joint committee composed of members from the Public Security and the Ministry of Labor, while he was working in a profession which was different than the one he was allowed to work in. The deportation order was withdrawn because it did not comply with the conditions the Ministry of Labor apply on the deportation of foreign workers. Such conditions state that one of the reasons that could be used to withdraw a deportation decision is , if the deported worker worked for the last five years for the same sponsor and was renewing his/her work permit on yearly basis. The deported worker in this case was able to prove the presence of such condition in his case and thus the administration windrow the deportation decision and the worker was able to go back to the same legal status he enjoyed before such order was issued.

- 7) Granting a post hardship raise :

The complainant is eligible for a post hardship raise, because he holds the academic requirements needed to obtain the raise as a "lab technician", he also has the experience needed for such raise and he performs the actual duties of the related post since 1995. Therefore, the complainant deserves the raise starting from the date such raise was

approved back in 2007 according to the applicable Civil Service Regulation. As a result of the productive cooperation between the Office and the public administration represented in this case by the Ministry of Education , the administration was convinced that the complainant deserves to get the raise and decided to give it to him.

- 8) The participation of expert teachers in promotions' sub- committees and in the Central Promotions' Committee :

According to the Teachers' Ranks Regulation, expert teachers are entitled to participate in the Ministry of Education's promotions' sub- committees and in the Central Promotions' Committee. As a result of investigating the complaint by the Ombudsman Office and the recommendations it sent to the related public administration represented by the Ministry of Education, the Ministry had corrected its actions and procedures in relation to the complainant by appointing him as member in Al Zarqa' promotions' sub- committees. Furthermore, the public administration decided to implement the Office's recommendations by appointing the largest possible number of expert teachers to be members at promotions' sub- committees and in the Central Promotions' Committee according to the Teachers' Ranks Regulation.

- 9) Providing mines explosions victims with the needed care:

A complaint was submitted against the General Command of the Armed Forces, where the complainant requested through his complaint to be compensated for the mental and physical he suffered due to the explosion of a landmine at the southern valley region on the 8th of January 1990. The complainant lost his left eye and suffered from several injuries across his body. He claimed that his injuries were due to the fact that the Armed Forces failed to mark the landmines area or post any warning signs in order to warn people like him. He also stated that the reason he did not take any legal actions against the Armed Forces is due to the fact that he lives in a remote area and his ignorance of the applicable laws and regulations. The complainant said that he submitted many requests to various bodies and institutions during all these years asking for humanitarian aid, but his requests were ignored. Finally he still suffers from a bad healthy condition and he still suffers from the injuries which resulted from the landmine explosion. The competent public prosecutor kept the case by ruling that it is a destiny case and no one is at fault.

After studying and investigating the case it became clear to the Office that the complaint against the Armed Force and the request to compensate the complainant is not admissible because of the length of time which had elapsed since the date of the incident according to article (272/1) of the Civil law. On the other hand the Office worked hard to indentify the institutions and agencies which might provide assistance and humanitarian aid to the victims of such incidents and was able to contact the Landmines Survivors Society, which expressed its desire to help the complainant and it arranged for him to be examined by a medical committee. According to article (12/b) of the Ombudsman Office Law, the Office sent a recommendation to the complained against party (the Armed Forces) in order to take the necessary actions, needed to prevent the reoccurrence of such incidents in the explosion area. The Armed Forces was responsive and implemented the Office's recommendation.

- 10) Suggesting the introduction of a new academic course at the Al Yarmouk University in order to educate the students about the University's regulations and instructions:

The complaint was submitted by a student, complaining against his dismissal from Al Yarmouk University. The student was charged with verbally assaulting a faculty member during the Students' Council elections. The Office communicated with the University according to article (15) of its law. After studying the response of the University, it became clear that, although most of the actions taken during the investigation by the University were legal and according to the applicable regulations, still the defendant was not given his right to cross examine the witnesses or to submit his evidences. According to article (18) of the Office's law a recommendation was sent to the University urging it to provide the defendants in such cases with all the defense guarantees that would support a fair and just trial. The recommendation also included a suggestion to introduce an academic course in order to educate the students about the regulations and instructions that govern the University's life in addition to the disciplinary actions that could be taken. The University implemented this recommendation.

- 11) Dealing with the issue of technical raise by introducing the post of lab technician :

This was a complaint against the Ministry of Education, where the complainant claimed that he was deprived from the extra raise (technician raise) which is (2%) of his basic salary. After studying and investigating the complaint and corresponding with the Ministry of Education according to article (15/c) of the Ombudsman Office Law. The result of the investigation showed that an action of the public administration (the Ministry of Education) violates the regulations and instructions which govern this issue. A recommendation was sent by Office to the Ministry calling for the introduction of a new post within the administration called (lab technician post) according to the complainant post lever and rank and giving him the extra raise he is eligible for. The complainant against Ministry adopted the Office's recommendation and gave the complainant the extra raise.

7.3 The Recommendations, which weren't accepted by the Public Administration:

- 1) A complaint submitted by the Mosques' Donations Collection Committees (the public administration has no right to impose any fines not regulated by the law).

Members of the mosques donations' collection committees in both Amman and Tafelah were the subject of heavy fines which reached in some cases thousands of JDs for losing empty collection invoices which have not monetary values. The Ministry of *Waqf* and Islamic Affairs in coordination with the Ministry of Finance imposed fines on such

committees according to following: (the largest amount in the invoices book multiplied by the number of lost invoices).

Despite the objections they submitted to the *Waqf* and Islamic Affairs Ministry and the Ministry of Finance, the objections were rejected. The Ministry of Finance stated to them that it has the authority to impose and collect fines because the issue is related to public properties. After investigating the complaint it became clear that all the regulations and instructions related to this case (especially the Mosques and Quran Teaching Centers Regulation number (95) of 2004, the Building of Mosques and Quran Teaching Directives number (2) of 1991 and the provisions of the Financial System number (3) of 1994) do not give the Waqf and Islamic Affairs Ministry or the Ministry of Finance the authority to impose any fines on the mosques donations collection committees members in case the collection invoices are lost. In addition the Office found that there is no legal basis which supports the mechanism used in determining the amount of the fines imposed. Due to the importance of the donated amounts and the fact that safeguarding it is not an easy task and the fact that it should be regulated in the Building of Mosques and Quran Teaching Centers Instructions number (2) of 1991, in a fair manner, in addition to the importance of making the collection committees' members aware of the related regulations and the consequences of losing the collection invoices, the Office issued a detailed report which included the Office's President recommendations , which was directed to the Ministry of Finance and the Waqf and Islamic Affairs Ministry. The Ministry of Finance referred the issue to the Waqf and Islamic Affairs Ministry in order to take the necessary actions in light of the recommendations sent by the Office. The Waqf and Islamic Affairs Ministry did not take any action despite the clearness of the case.

- 2) A complaint submitted by the Ministry of Education's engineers who weren't transferred to the Governmental Buildings' Department:

In accordance to the Governmental Buildings' Regulation, the Prime Minister issued decision number (c/21/11725) on the 19th of June 2008, directed to all ministries and governmental departments ordering the transfer of all engineer working at such ministries and departments to the Governmental Buildings' Department. The decision also orders that such engineers be seconded to work at the various ministries and departments after they are transferred. The Ministry of Education did not comply with the Prime Minister's decision claiming that it needs the services of its engineers. The lack of coordination between the Governmental Buildings' Department and the Ministry of Education contributed to the problem. Therefore, the Ombudsman Office moved in order to inform the Minister of Education about the current situation and the importance of implementing the Prime Minister's decision which constitute a regulatory legal rule that has to be respected and contradicting it constitute a legal violation. Despite of the obligatory nature of the Prime Minister's decision , the Ministry of Education still refrains from transferring its engineers , even after the Office explained to the Ministry that it still can use the engineers services after their transfer be seconding them to serve in the Ministry.

- 3) A complaint submitted against Al Zaqa Municipality for ordering the closure of a commercial store:

Al Zarqa Municipality without a prior warning closed the complainant's commercial store despite the fact that he had obtained all the needed license and certificates from the Municipality and other related parties. The Municipality refused to renew the store's license for 2010. After investigating the complaint it became clear to the Office's President that the Municipality is in breach of article (15) of the Careers Licensing Law number (28) of 1999, which requires the presence of a warning directed to the store's owner informing him/her of the importance of acquiring a license or renew the store's license before ordering and executing the closure. Sending the warning is combatable with the text of the law and the interpretations of the High Court of Justice. The Office also noted that giving the grace periods on the same infractions' form is an insufficient, ineffective and an unfair procedure to the related stores' owners. Therefore, any grace periods given by the Municipality in relation to the opening of closed stores have to be documented on a special registrar which shall include all the needed information related to such grace periods. The existence of such registrar would serve as a reliable and transparent reference when needed.

- 4) A complaint against the transfer of newly appointed officials to serve in other governorates:

Individuals who seek to be appointed in the public service through the Civil Service Bureau suffer from the large number of the transfer of newly appointed public officials to serve in their governorate. Such transfers are very common in the Ministry of Education and Ministry of Health. The transfer of such newly appointed officials to serve in a governorate other than the one they were appointed to serve in means depriving appointment seekers from such governorates from their right to be appointed by the Civil Service Bureau. After investigating the complaint, the Office found that such transfers aim at bypassing the instructions and regulations which regulate the appointment of public officials. The lack of coordination between the related Ministries and the Civil Service Bureau and the lack of sufficient and clear regulations and instructions governing this issue contributed to the continuation of such situation and increased the number of complaints.

The Office recommended that such shortcomings has to be dealt with through the Public Sector Development Ministry, which has to urge the various ministries and departments limit the external transfers of public officials so it does not affect the rights of appointment seekers.

- 5) A complaint by a female teacher , who was denied a post location raise:
A female teacher and her husband who used to reside and work in Al Salhia village/Al Quairah district, had to change her place of residence and move to Aqaba district, where she issued a new identification card which states that her place of residence is Aqaba district. According to the new situation she worked in a place (Al Quairah district) and resided in another place (Aqaba district). Despite her repeated requests to the Ministry of Education to pay her what is known as post location raise , because Al Quairah district –

the place where she works- is considered as a remote location according to Council of Ministers' decisions number (2719) which was issued on the 22nd of October 2002. Despite her repeated requests the Ministry refused to grant her such raise claiming that her changing the location of her residence does not grant her the raise. After investigating the complaint, the President of the Office found that the actions of the administration contradicts the before mentioned Council of Ministers' decisions, which stipulates that the post location raise can only be paid if the teacher's place of work is located in a remote area and not to reside in the same district according to the teacher's place of residence stated in his/her identification card. Therefore, the complainant deserves to be paid the post location raise. In addition to the before mentioned reasons for granting the raise , the before mentioned Council of Ministers' decision does not state that the raise should be denied inc case the teacher changed his/her place of residence after he/she is appointed. Despite the fact that the Office communicated the situation to the Minister of Education, the Ministry still refrain from granting the teacher the post location raise.

- 6) A complaint by a group of employees against the Ministry of Education for not paying them the transportation allowance:

A group of the Ministry of Education employees (whose duties require them to travel outside the location of their posts) complained against not being paid a transportation allowance, which constituted an unfair situation in relation to the distribution of transportation and cars' ownership allowances. The complainants claimed that the allowances are being paid in contradiction of the basis stated in the Transportation and Travel Regulation. They stated that the allowances are being given to employees whose work does not require them to leave their work location. After communicating with the complained against party, its response was that it gives such allowance to all its employees and the only deciding factor in giving or denying it is the concerned employee degree of seniority. As a result of the Ministry's response, the Office's President issued a recommendation to the Ministry calling upon it to abide by the provisions of the Travel and Transportation Regulation and to submit the complaint before the competent committee in order to grant these employees the travel allowance they deserve. The Ministry did not respect the recommendation sent by the Office and it still violating the applicable regulations in relation to this issue.

- 7) A complaint submitted by a group of blacksmiths against the Ministry of Public Works and Housing :

Tens of employees who work as blacksmiths and painters at the Ministry of Public Works and Housing complained against not being treated equally as their colleagues who work as mechanics in the same Ministry. Despite the fact that they face the same types of danger in their work as the painters and the mechanics they are deprived from getting what is known as the work hardship raise which is stated in the Extra Raises Instructions. Therefore, a recommendation was sent to the Minister of Public Sector Development asking him to submit the issue before the Civil Service Council in realization of the principles of justice and equality and to work on adding this profession (blacksmith) to the extra raises draft instructions. The public administration responded by stating that it

will delay the review of the hardship raise issue to a later date because it would put more financial burdens on the state's treasury and thus the Ministry of Public Sector Development will reconsider the issue of the extra raises in the future.

- 8) A female public official complained against her illegal dismissal from her job:

Some of the public administration's entities and agencies impose disciplinary penalties on their employees without paying attention to the guarantees provided to such public officials by the Civil Service Regulation. One of such public administration's institutions is the Civil Service Consumer Corporation, which fired the female employee from her job, claiming that she received three different disciplinary penalties of the penalties stated in subparagraphs (3-5) of paragraph (a) of article (141) of the Civil Service Regulation.

The investigation done by the Office revealed that depriving the complainant from the guarantees she is entitled to by applicable regulation and the legal violations committed by the investigation committees, in addition to the abuse of power by the public administration and the lack of proportionality between the act (the violation committed by the complainant) and the disciplinary penalty imposed (firing her from her job). The fact that complainant period of service is less than eight months would deprive her from the right to submit a new hiring request to the Civil Service Bureau for a period not less than three years from the date she was fired.

After studying the complaint, the Office sent its recommendations to the Civil Service Consumer Corporation in order to take the necessary actions aimed at remedying the injustices, which were suffered by the complainant because the actions taken were in violation of the Civil Service Regulation. The recommendations also included that the newly hired employees who are still under probation should participate in orientation and training programs which would educate them about the applicable regulations and rules related to their work according to article (62/d) of the Civil Service Regulation. The Office also recommended that transferring employees from one location to another should not be used as a disciplinary measure and the importance of using the employees' performance forms for all employees according to the recommendations of the Civil Service Bureau and the directive issued based on its regulation.

The response of the complained against party was limited to a letter sent by the General Director of the Corporation to the Office's President stating that they will study the possibility of exempting the complainant from the penalties stated in article (170) of the Civil Service Regulation without mentioning any of the other recommendations.

- 9) The annual performance evaluation report and its importance in the professional life of the public officials:

Given the importance of the employees' annual performance evaluation report, the report is governed by a number of guarantees and procedures according to the Civil Service Regulation. Such guarantees and procedures were not respected in relation to one of the Waqf and Islamic Affairs Ministry employee's annual performance report. The employee's report lacked any dates and there were no adherence to the periods and dates stated in the Civil Service Regulation and the articles (14, 15 and 76) of the Performance

Evaluation Directives. The above mentioned report also lacked the decision of the committee established according to article (74) of the Civil Service Regulation. The said committee did not issue its decision within the period stated in article (74) of the Regulation which states that the committee has to issue its decision within a period no to exceed (14) days .The report also violated the provisions of article (71/d) of the Regulation which states “the information, notes and facts included in the performance directorate forms shall not be the subject to any amendment or change, including the performance evaluation forms and reports. In addition no amendment or scratching or wiping shall be done under penalty of nullity”. The Office noticed that there is wiping and amendments in the second page of the complainant’s performance report related to the complainant’s evaluation points.

After investigating and studying the complaint, the Ombudsman Office found that the annual evaluation points allocated to the employee in his performance report vary from those which were sent to the Civil Service Bureau. This issue was followed up with the Ministry in coordination with its officials in order to remove such discrepancy. The discrepancy was removed according to this effort and the evaluation points given to the complainant in his annual evaluation report became the same as the one reported to the Civil Service Bureau.

But the Ombudsman Office role is not limited to only solving and settling individual complaints, its role rather extends to the address problems of general and public nature. Therefore the Office’s President issued his recommendations in relation to this case which stressed the importance of adhering to the performance evaluation register and the base for the evaluation process, in addition to the importance to adhere to the periods and dates related to each phase of the evaluation process which are stated in the relevant regulations and directives. The recommendations also included the importance of notifying the employee of the result of his/her objection according to article (74) of the Civil Service Regulation in addition to the importance of providing the direct supervisors who carry out the annual evaluation process with the needed training on how to do it. Despite the before mentioned set of recommendations, the Awqaf and Islamic Affairs Ministry did not give any response to them.

7.4 Recommendations Related to Simplifying the Public Administration’s Procedures:

Such recommendations are usually the result of complaints received by the Ombudsman Office and after investigating them it become clear that the complained against party had committed no violation or wrong doing and the complaint had no merits. In such instances the Office has the authority to send such recommendations based on article (12/b) of its law, which states “through the complaints submitted to it, the Office shall issue recommendations related to simplifying the administrative procedures in order to easily and effectively benefit from the services provided by the public administration”.

The following are the most significant complaints which resulted in sending recommendations to the complained against party based on article (12/b) , sorted according to the complained against party:

Ministry of Health:

(The development of awareness and explanatory leaflets related to the Social Security Network).

1. A complaint was submitted against the Ministry of Health, where the complainant complained that the Ministry did not include him in the Social Security Network. After investigating the complaint and contacting the complained against party according to article (15/c) of the Ombudsman Office Law, it became evident that the complained against party did not commit any violation or wrong doing by not including the complainant in the Social Security Network and there weren't any of the instances stated in article (18) of the Office's law. But the Office found that the ambiguity of the procedures followed in the Social Security Network Program, created a case of confusion and injustice. Therefore a recommendation was sent to the Ministry of Health based on article (12/b) of the Office's law. The recommendations included the importance of developing educational and explanatory leaflets which would illustrate and make clear the procedures followed in order get a health insurance on the expense of the Social Security Network or any other programs. The Ministry implemented the recommendation.

Civil Service Bureau:

(Notifying appointment seekers through additional means in addition to publication in the newspapers).

2. The Office received a complaint from a person against the Civil Services Bureau claiming that the Bureau considered his absence from the job interviews it held as a rejection of appointment and listed him back on the appointment seekers lists. After studying and investigating the complaint and corresponding with the Bureau according to article (15/c) of the Office's Law, in addition reviewing the Bureau's response to the complaint, it became clear that the Bureau published an announcement in the local newspapers in order to notify all the applicants (appointment seekers) including the complainant of the job interviews dates, which is a legal requirement. Some of the applicants were notified also by phone or by leaving voice messages on their answering machines. Such notifications were the basis of the complainant complaint because he was not notified through such means. The Bureau stated that informing or notifying applicants through the phone or through voice mail is an additional mean of notification and is not obligated by any law or rule. Therefore the complainant has no right to object him not being notified by the phone or any other mean except by publication in the local newspapers which makes his complaint with no basis.

**Khalid Bin Al Waleed Municipality:
(The application of nullified directives)**

3. A complaint was submitted against Khalid Bin Al Waleed Municipality, where the complainant claimed that she lost her job in an illegal way. After studying and investigating the complaint according to the provisions of article (15/c) of the Ombudsman Office Law, it became clear that the complainant against party (the Municipality) did not commit any mistake and the complaint did not include any of the instances stated in article (18) of the Ombudsman Office's Law number (11) of 2008. The complaint also revealed that some Municipalities are still applying the Municipalities' Employees' Regulation number (28) of 2002, which is a canceled regulation. Therefore and according to article (12/b) of the Office's Law a recommendation was sent to the Ministry of Municipalities, including the importance of notifying all the municipalities that the Municipalities' Employees' Regulation number (28) of 2002 had been canceled and shall not be applied anymore, in addition to the importance of applying the Municipalities' Employees' Regulation number (108) of 2007. The Office received no response from the Ministry which would indicate that it implemented the recommendation sent to it.

The Ministry of Higher Education and Scientific Research:

(Unifying the engineering certificates' recognition standards between the Ministry of Higher Education and Scientific Research and the Engineers' Union)

4. This complaint was submitted against the Ministry of Higher Education and Scientific Research, where the complainant stated that the Certificates' Equivalence Committee at the Ministry of Higher Education and Scientific Research refused to correct his PhD in engineering certificate equivalence from a "PhD in Electrical Engineering / Electrical Appliances" to a "PhD in Electrical Engineering/Powers". After studying and investigating the complaint, it became evident that the public administration did not commit any mistake due to the fact that the complainant did not submit the certificate amendment request within the period stated in article (8/b) of the Recognition of Foreign Universities and Educational Institutions and the Equivalence of its Certificates number (23) of 1986.

Because of this complaint it became clear that the Jordanian Engineers' Union recognizes the certificates (as in the case of the complainant certificate) in a manner which contradicts the decisions issued by the Foreign Certificates' Equivalence Higher Committee, which led the complainant to base his claim on the certificate's equivalence issued by the Union. Therefore, based on article (12/b) of the Ombudsman Office's Law a recommendation was sent to the Minister of Higher Education and Scientific Research which included that the Ministry should take into consideration that there is notable differences between the civil society organizations' recognition and equivalence of foreign certificates such as the Engineers' Union and the recognition and equivalence of such certificates by the Ministry and, thus there should be more coordination and cooperation between both sides in order to

guarantee that the recognition and equivalence of foreign certificates by both sides would be the same . The Ministry did not take the recommendations of the Office into consideration.

Greater Amman Municipality:

(The complications and obstacles resulting from the continuance change of authorized officials, the discrepancies between the various directives and the lack of solid basis).

5. This complaint was submitted against Great Amman Municipality , where the complainant argued that the Municipality refused to complete the procedures needed to open his taxi office despite the fact that the complainant had received the approval of the Traffic Sub-Committee to open such office. The authority to grant such approval was given to the Transportation Sector Regulatory Commission before it was moved to the Municipality according to the Organization of the Public Transportation of Commuters within Great Amman Municipality Boundaries number (51) of 2007. After studying and investigating the complaint and communicating with the concerned parties according to article (15/c) , it became clear that authority to license public small public transportation vehicles to work within the same governorate was given to the traffic sub-committees in the related governorate according to the provision of article (55) of the Traffic Law number (14) of 1984 . The approval decision of the sub-committee had to be submitted to the Minister of Interior in his capacity as the licensing authority. On the 16th of September 2001 the Commuters Public Transportation Law number (48) was issued. According to the before mentioned law all the authorities that were given to the traffic sub-committees and the Traffic Central Committee in addition to the authorities and powers of the Minister of Interior in this regard were transferred to the Public Transportation Regulatory Commission , which gave a grace period in order to correct their status to all the related taxi offices and companies which had completed all the legal procedures and received the traffic sub-committees and the Minister of Interior's approval. The offices and companies which did not complete the Minister of Interior approval process was not given such grace period. On the 16th of November 2007 and as a result of issuing the Organization of the Public Transportation of Commuters within Great Amman Municipality Boundaries number (51), Great Amman Municipality became the institution which has the authority to supervise and regulate the transportation sector within its boundaries. It is worth mentioning that the Municipality did not grant any new license for any new operator since it was given such authority. In addition the Municipality policy is not to grant any new taxi offices license because the total number of taxies operating within its boundaries reached (11,000) cars and this number surpluses the actual need of Great Amman Municipality area. The investigation also revealed that the complainant did not complete the Minister of Interior approval procedures at that time and was bit able to obtain a final approval for opening his taxi office and thus the complaint does not contain any violation of the applicable laws.

On the other hand it became clear that Great Amman Municipality has to develop precise directions to govern the conditions for granting license to new taxi offices. According to article (12/b) of the Ombudsman Office Law a recommendation was sent to the Municipality urging it to take into consideration the status of the complainant and others who might be in the same situation, if it decided to open the door for licensing new taxi offices. The recommendation also called upon the Municipality to develop and issue clear instructions and standards which govern the licensing of new taxi office such as the instructions that were developed and published by the Minister of Interior and the Public Transportation Regulatory Commission when they were the competent authorities. After the development and publication of such instructions and standards, the related requests should be studied by the competent party at the Municipality, which should grant such license and permits if the application meets all the needed requirements. The Municipality did not respond to the recommendation.

The Civil Service Consumer Corporation/ the Ministry of Industry and Trade.

(The issuance of special instructions in order to govern the discrepancies in the cash registers or the deficit in goods and trying to develop efficient supervisory and monitoring methods)

6. A complaint was submitted against the Civil Service Consumer Corporation, where the complainant claimed that she was unjustly transferred from her job and made to pay the amount of deficit which was found in her cash register. After investigating the complaint it was clear that the transfer of the complainant was done according to the applicable rules and regulations. Investigating the complaint showed that most of the Corporation's staff complain directly and indirectly from the issue of deficit in goods and the discrepancies in inventory. Such deficits and discrepancies cause many of the employees to pay hefty fines despite the fact that they don't have the means to monitor and supervise the goods under their responsibly during their work hours in a sufficient and efficient manner, because they have to work as cashiers in addition to their original work. Such situation causes may injustices to the honest and hardworking staff members, while the employee who is the cause of the goods' theft or damage bear no responsibility for his negligence or dishonesty. A recommendation was sent to the Minister of Industry and Trade urging him establish a specialized committee representing the related parties in order to study the issue of deficits in goods and inventory, which results in imposing hefty fines on the Corporation's employees. The recommendation also included the discussion and activation or article (38) of the Corporation's Financial Regulation number (35) of 1980 in order to issue the needed directives to govern the issue of goods and cash deficits, in addition to discussing the idea of insuring the goods at one of the insurance companies, which would provide a reasonable solution to the current situation. The Office also recommended the conversion of the surveillance cams from recording and archive cams to life cams where a team of persons monitor the cams all the time during the corporation's markets working hours. Another suggestion included in the recommendation is the activation and use of the bar-coding system to include all

types of goods and to be sued as a tool that would prevent taking out stolen goods from the markets. The recommendation also urged the adoption of any other solutions that would solve the existing problem and would limit the responsibility of the innocent staff members, in addition to be able to point out to the people who are really responsible for such violations. The Civil Service Corporation did not respond to the recommendation sent to it by the Office.

7.5 General Principles Derived from Complaints Processing:

1. The responses of the ministries and other governmental agencies and institutions to the citizens' complaints, objections and requests , whether such responses are positive or negative ones , materialize and confirms the individuals' constitutional right to address the public administration in relation to their affairs. Such right invoke a duty on the party of the state's institutions which have to response to such requests and complaints and show the reasons behind its responses which has to be as clear as possible.
2. The authority of the public administration in imposing disciplinary penalties is not an absolute one. There are a number of basic guarantees which constitute the minimum that have to present in any investigation commission. These guarantees are based on the principles of justice, fairness and legality as stated in article (140) of the Civil Service Regulation. the following are the most important of theses guarantees :
 - The right of the public official to review all the documents and papers of the complaint against him/her.
 - The related public official should be given the opportunity to examine and cross examine the witnesses and the right to submit his/her pleas and defenses.
 - The related public official should sign on the investigation's minutes.
3. No ministry or public institution shall issue any directives without having the legislative bases (law or regulation) to do so.

The Ombudsman Office realized that some ministry issue directives without having the legal authority by its laws or regulations to do so. The issuance of such directives cases confusion and legal problems with the bodies authorized to issue it. It also led to conflicts over jurisdiction and authority between the various states' institutions.
4. There are no secret instructions or directives which govern the work of the public administration and its procedures. The administration also has to make all the laws, regulations and even directives available to citizens, based on the citizens' right of obtaining information.
5. Transferring the public official from his place of work to another place can be done as a disciplinary action, but the public administration shall understand the illegality of such action if it is done due to its failure to deal with the public official's violation of his/her duties and responsibilities in a manner which corresponds with the law.
6. The presence of basis and standards which aim at serving the public interest, when transferring newly appointed public officials to other governorates shall be combatable with the principles of justice and equal opportunity in competing for

- public posts and it shall also limit the unjustified violation of Civil Service Regulation provisions.
7. Transparency and administrative procedures' simplification require the institutions and agencies which provide services to citizens, to develop and publish brochures and leaflets clarifying the procedures and requirements and time needed in order to obtain the related service.
 8. Each ministry, department or agency shall keep a registrar in order to document all the requests, complaints and objections submitted to it. Each complainant shall also be given a written note which indicates that his request, complain or objections had been received.
 9. No official shall be authorized to impose any fine on any of his/her employees - as a disciplinary action- or on any citizen unless according to the provisions of the law. The violation of such principle constitutes a clear violation of the legality of penalties which states that "there shall be no penalty without a legal provision imposing it".
 10. The public administration or any other party lack the authority to discuss the content of any judicial decision or to question its validity provided that such decision became final. Any comment on any judicial judgment whether such comment is related to the facts that the court reached or its application of the law on such facts shall be considered as a violation of the authoritative nature of judicial judgment. There are legal ways to object to judicial judgments and thus no one or party shall refrain from executing such judgments.
 11. The lack of objective rules and basis, which govern the selection and appointment of public officials to supervisory posts, which are based on transparency and public interest, would eventually lead to nepotism and favoritism; it will also lead to power abuse. The presence of such basis and standards is very important to the appearance of justice which is as important as achieving justice.
 12. The public administration has to adhere to the public official's job description, when he/she is assigned to perform the duties of any other post.

The Ombudsman Office noted that many public administrations do not adhere to the public officials' job description and assigned them to perform other duties which do not fall within their original job description and if the related public official refrained from performing such new duties, he/she would usually be the subject of a disciplinary action.

13. The public administration has to take into consideration the reasoning requirement when imposing any disciplinary action on its employees.
14. The final judicial judgment related to the rehabilitation of any citizen shall mean the dismissal of any previous convictions and the dismissal of any effects it might have on his rights, thus depriving such citizen from any of his/her rights constitute a violation of the applicable law.

15. The Prime Minister's decisions issued to the public administration shall be considered as general obligatory rules which have to be followed and respected and the violation of which shall be considered as a violation of the law by the public administration.
16. If both contestants are qualified to assume a supervisory post, the post shall not be assigned to the one whose rank is less than his/her subordinate, in addition to taking into account the post category.
17. The presence of legally qualified individuals who have long experience in legal work , in investigative commissions and disciplinary boards shall guarantee that such commissions and councils would perform their duties in an efficient and professional manner. Such performance would positively affect the respect of individuals' rights and the accuracy of the administrative procedures.

8. The Ombudsman Office Activities:

During the period from 1st of February 2009 till the 31st of December 2009:

In order to achieve the general goals of the Ombudsman Office and in order to strengthen its communication abilities, increase the public's awareness about the Office's vision and goals in addition to coordinating the communications and public relations issues and also to educate the people, the related institutions and the media about the role of the Office, the Office carried out the following activities:

8.1 Awareness Meetings

- A total of (26) awareness targeting the public administration were held . See table number (23).

Table (33) - Listing of Awareness Building Meetings Held Targeting Public Administrations

| No. | Ministry/ Body/ Department | Date |
|------------|--|-------------|
| 1. | Secretary Generals and Directors | 17/2/2009 |
| 2. | Ministry of Public Works and Housing | 19/3/2009 |
| 3. | Ministry of Culture | 1/4/2009 |
| 4. | General Budget Department | 6/4/2009 |
| 5. | Ministry of Higher Education and Scientific Research | 8/4/2009 |
| 6. | Ministry of Transport | 11/4/2009 |
| 7. | Department of Lands and Survey | 13/4/2009 |
| 8. | Jordan Enterprise Development Corporation | 15/4/2009 |
| 9. | Ministry of Finance | 27/4/2009 |
| 10. | Civil Service Bureau | 29/4/2009 |
| 11. | General Supplies Department | 30/4/2009 |
| 12. | Mu'tah University | 6/5/2009 |
| 13. | Aqaba Special Economic Zone Authority | 7/5/2009 |
| 14. | General Customs Department | 16/5/2009 |
| 15. | Free Zones Corporation | 18/5/2009 |
| 16. | Ministry of Environment | 28/5/2009 |
| 17. | Ministry of Education | 4/6/2009 |

| No. | Ministry/ Body/ Department | Date |
|-----|--|------------|
| 18. | Greater Amman Municipality | 8/6/2009 |
| 19. | Ministry of Social Development | 6/7/2009 |
| 20. | Housing and Urban Development Corporation | 26/8/2009 |
| 21. | National Aid Fund | 7/10/2009 |
| 22. | Jordanian Cultural Association for Development Laws | 10/10/2009 |
| 23. | Ministry of Water/Water Authority/ Jordan Valley Authority | 21/10/2009 |
| 24. | Audit Bureau | 29/10/2009 |
| 25. | Addustour Newspaper | 4/11/2009 |
| 26. | Ministry of Health | 29/11/2009 |

- Three public awareness meetings were held during 2009 as outlined in table 34 below.

Table (34) – Public Awareness Meetings Held in Various Governorates

| No. | Governorate | Date |
|-----|--------------------|---------------------|
| 1. | Madaba Governorate | Tuesday, 13/10/2009 |
| 2. | Balqaa Governorate | Monday, 19/10/2009 |
| 3. | Karak Governorate | Tuesday, 10/11/2009 |

- Two media campaigns were also carried out in order to disseminate awareness regarding the concept of the Ombudsman Bureau and explaining its work mechanisms to all the related persons.

8.2 Relations with Similar and Counterpart Institutions:

a) National Institutions:

- (10) Coordination meetings were held. See table number (35).

Table (35) – Listing of Coordination Meeting Held With Various National Entities

| No. | Entity | Date |
|-----|---|------------|
| 1. | Civil Service Bureau | 31/3/2009 |
| 2. | National Center for Human Rights | 14/4/2009 |
| 3. | Jordan Radio and Television | 22/4/2009 |
| 4. | Traffic Department | 23/4/2009 |
| 5. | Public Security Department | 26/4/2009 |
| 6. | Audit Bureau | 12/5/2009 |
| 7. | Anti-Corruption Commission | 17/5/2009 |
| 8. | Chief Editors of Local Newspapers (Al-Rai and Al-Arab Alyoum) | 14/10/2009 |
| 9. | Al Ghad Newspaper | 18/10/2009 |
| 10. | Addustour Newspaper | 26/10/2009 |

Delegations' visits: A total of (8) delegation visited the Ombudsman Office in order to be able to know its experience. The Office's law and its goals, in addition to the mechanisms it adopts in order to carry out its duties were presented to such delegations. See table number (36).

Table (36) – List of Delegations That Visited the Ombudsman Bureau

| No. | Delegation | Date |
|-----|---|------------|
| 1. | Ministry of Energy and Mineral Resources | 8/7/ 2009 |
| 2. | Jordanian Transparency Association | 18/8/2009 |
| 3. | Public Security Directorate | 20/8/2009 |
| 4. | Ministry of Public Sector Development | 20/8/2009 |
| 5. | Islamic Action Front | 21/10/2009 |
| 6. | Anti-Corruption Commission | 22/10/2009 |
| 7. | Zarqa Private University | 22/11/2009 |
| 8. | Jordanina Association for the National Code of Ethics | 28/12/2009 |

Participating in the local meetings and conferences held in Amman:

The Ombudsman Bureau represented by its President in the Women Rights in Arab and Islamic Societies Conference on the 16th of November 2009. It also participated in the Dialog Meetings regarding the Egyptian Experience in Implementing Administrative Reform and Development Programs on the 23rd of November 2009. Several Ombudsman Office employees were sent to participate in the “Sixteen days Campaign against Violence against Women” which was carried out by the Jordanian National Committee for Women Affairs during December, 2009 in both Irbid and Aqaba.

b) Foreign Institutions

Participation in International Meetings and Conferences:

The Ombudsman Office participated in the third meeting of the Association of Mediterranean Ombudsmen (A M O) in Athens on the 14th of December 2009 and it also became a member of the association.

The Office also joined the membership of the Association of the Arab Ombudsmen during the it's declaration meeting in Cairo on the 22nd of December 2009. The President of the Jordanian Ombudsman Office was elected to serve as the second deputy of the association's President.

8.3 Other Activities:

1. The Office staff participated in several induction meetings held by some of the entities which are related to the work of the Office such as the Civil Service Bureau.
2. The development and adoption of the Office's institutional identity and logo in addition to the adoption of all the awareness publications design.

3. Preparing and drafting the content of the Office's publications. The production of the publications using the adopted logo and institutional identify, including:
 - Presentations:
 - The presentation related to governmental entities.
 - The presentation related to governorates.

 - Leaflets:
 - A general leaflet introducing the Ombudsman Office.
 - A special leaflet, which include the instructions needed to fill the complaint's form.

 - Posters:
 - A special institutions' poster.
 - A post office poster.
 - The Ombudsman Office Poser.

 - Introductory Brochure: a Q & A about the Ombudsman Office.
4. Preparing for the launching of the website:
 - Finalizing the website content.
5. Corresponding with several institutions which provide services to the public, in order to know the complaints' mechanisms they employ and be able to develop a model mechanism by the Ombudsman Office and request its use by the various institutions.
6. Communicating with the public through the media coverage of all the activities held by the Office, in addition to the transmitting awareness messages using all types outlets.

7. Coordinating the Office's President media meetings and interviews:
 - Three radio interviews:
 - An interview with the Hashemite Kingdom of Jordan's Radio Station (the live Transmission Show).
 - An interview with Hawa Amman Radio Station (the Morning Program).
 - An interview with Amen FM Radio Stations.

 - Four TV interviews:
 - An interview at *the House is yours* Program – Jordan TV Station.
 - An interview at *My Dear Viewer you are Responsible* – The International Industrial Channel.
 - An interview at the Mid Day Show – Jordan TV Station.

- An interview at *Al Makshof* Show – Seven Stars TV Station.

8. Signing memorandums of understanding with the following national entities:

- The Civil Service Bureau.
- The National Committee for Women Affairs.
- The Postal Services of Jordan.