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GENDER EQUALITY AND WOMEN'S EMPOWERMENT IN PUBLIC ADMINISTRATION



JORDAN CASE STUDY



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KEY FACTS

KEY FACTS

HUMAN DEVELOPMENT INDEX RANKING	95 out of 187 countries in 2011. ¹
GENDER INEQUALITY INDEX	83 out of 146 countries in 2011. ²
TRANSPARENCY INTERNATIONAL RANKING	56 out of 183 countries in 2011. ³
% OF MEN AND WOMEN IN CENTRAL GOVERNMENT	46% women; 54% men. ⁴
AFFIRMATIVE ACTION	✓ No affirmative action within the public administration.
NEED TO KNOW	✓ There is no affirmative action related to women's representation in leadership positions in the public administration.

1 Human Development Report (2011), UNDP. http://hdr.undp.org/en/media/HDR_2011_EN_Table1.pdf

2 Human Development Report (2011), UNDP. http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf

3 Corruption Perceptions Index (2011), Transparency International. <http://www.transparency.org/cpi2011/results>

4 Jordan Country Profile (2011), UNDP. <http://hdrstats.undp.org/en/countries/profiles/JOR.html>



EXECUTIVE SUMMARY

Jordan has made significant steps in the reform of the public sector. There is political will to achieve equal opportunities and non-discrimination as articulated in the Constitution, National Agenda, and the Civil Service Bylaws. Jordan is recognized as making continuous progress in achieving the Millennium Development Goals (MDGs). It has also been a pioneering country in the region in the area of anti-corruption legislation, strategies and action plans within the public sector.

In the last 10 years, there has been an increase in women's representation in decision making and leadership positions in the political arena. In the amended Electoral Law (2010), the quota for women in parliaments increased from six to 12 (out of 20). In addition, women have been appointed to various leadership positions.⁵ However, a government report noted that, in the absence of a gender equality law and strategy, the progress has been uneven and slow and in some cases there have been some setbacks.⁶ In the civil service specifically, women account for approximately 50 percent of employees in Jordan. Despite advances in women's participation in public administration at lower level positions, representation of women in leadership positions continues to be of concern.⁷

Key challenges noted by women in a report by the Jordanian National Commission for Women (JNCW) include negative perceptions of work carried out by women. Advocacy to address this should target men and women and transform these gender stereotypes. This would also have a positive impact beyond public administration. The JNCW report also noted that generalizing about women within the public administration (PA) as facing the same challenges as each other or as working women in other sectors should be avoided. Issues of class and tribal affiliation are important to understand the pathways by which certain women and men reach the highest levels of the PA. This does not mean that all women who have reached higher positions come from a certain class or tribe. However, it is not the norm that women at the PA are promoted on an equal footing with men simply as a result of hard work, qualifications or years of experience.

This case study also finds that challenges include policy gaps. The JNCW report recognized that facilitating better representation of women in the PA and in decision-making positions should be addressed in the context of current socio-economic and political transformations. Employment opportunities for women in the public administration should consider women's current position and provide sufficient support for women in the workplace accordingly. Existing PA regulations should be reviewed to ensure they do not discriminate against women, even inadvertently. In addition, recognition of male employees' rights to paternity leave could help transform traditional beliefs so that responsibilities for children and families are accepted as men's and women's concern alike.

5 Gender Auditing in the Public Sector (2010), JNCW.

6 The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau.

7 Ibid.



EXECUTIVE SUMMARY

Training and skills development of civil servants is taking place in the PA and needs to be complemented by effective strategies in selection processes. Women and men alike need access to training and skills development, but women are likely to have some different needs. As many women have had little experience at senior management level, 'fast-track systems' could support women to develop management and political skills. Training programmes related to gender equality should also target men and include a focus on practical mechanisms to promote women in the public administration.

Effective gender mainstreaming and gender equality strategies should be coordinated with the JNCW as it represents women's interests.



METHODOLOGY

The report is based on a combination of desk review and interviews with key informants and focus groups. The selection of interviewees and participants of focus groups from certain ministries and public departments was on a sampling basis in order to fill the significant gap in the literature regarding gender equality (and gender balance in particular) in the PA. The primary research also supported an understanding of the extent to which the PA reform process is tackling the issue of gender equality, the relationship between policy and practice, opportunities and barriers in the public administration to address gender equality principles, and the attitudes and the experiences of civil servants with regard to gender equality.

Desk Review

The desk review included a revision and analysis of strategies and policy papers at the national level as well as reports of international organizations (see Annex).

Interviews

Interviews were convened at the Civil Service Bureau (CSB), Ministry for Public Sector Development (MOPSD) and the Jordanian Women's Union (JWU).

Focus groups

Four focus groups were conducted at the UNDP office in Amman. The first focus group was conducted with women from junior positions at the Ministries of the Interior, Education and Justice. The purpose of this focus group was to understand the point of view of women in relation to challenges and pitfalls facing women in the PA at this level.

The second focus group was conducted with gender focal points at the Ministries of Health, Education and Justice to understand opportunities and limitations facing gender departments within the PA and identify relevant good practice or lessons learned.

The third focus group was convened with men from different directorates at the Ministries of Justice, Health, Education, Foreign Affairs and Political Development. This focus group aimed to provide insights into men's perceptions of gender equality and whether there are any particular needs of men that should be addressed in the PA.

The fourth focus group was with women at the senior level of the Ministries of Education, Justice, Health, Foreign Affairs, and the Interior. Discussions involved the issue of gender balance in the PA, factors behind the low representation of women in the leadership positions, opportunities and limitations for women in the PA, and any experiences of discriminatory practices based on sex.

Limitations and research gaps

- The period of 20 days set for completing the report limited the scope of the research in terms of the number of people interviewed and range of institutions participating in the consultation process. Consultations took place one week before the festival of Eid al-Adha and some respondents were unavailable.
- Research, data, studies, and reports related to gender equality in the PA are oriented towards statistics and numbers, and even here there are gaps. There are little qualitative research addressing issues of perceptions, attitudes, and assessments of policies, practices, and legislation.



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ACKNOWLEDGEMENTS

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CONTEXT

This section gives a brief overview of the socio-economic and political context as well as gender equality in the public administration.

SOCIO-ECONOMIC AND POLITICAL CONTEXT

Jordan is a constitutional monarchy based on the Constitution promulgated on 8 January 1952.⁸ It is ruled by King Abdullah II. Though Jordan maintains some principles of a parliamentary regime, the Constitution gives the King a high degree of legislative and executive authority.⁹ At present, the Parliament consists of 120 members with 12 seats allocated for women based on the 2010 amendments to the electoral law and a number of seats also reserved for Christians and ethnicities.¹⁰

Jordan is a middle-income country, but one of the smallest and poorest economies in the Middle East, with 14 percent of Jordanians living below the poverty line.¹¹ Despite that, Jordan is notably one of the better-performing countries in the region in terms of meeting global goals set by the International Conference on Population and Development and Millennium Development Goals (MDGs) with regards to life expectancy (73.4 years old).¹²

Adult literacy in Jordan is one of the highest in the region at 92.2 percent; the illiteracy rate among girls is 10.8 and for boys, 3.7 percent.¹³ Access to basic services and enrollment in education is 91 percent for primary education, with 49 percent for girls and 51 percent for boys.¹⁴ In higher education, the overall percentage is 31 percent, with females constituting 51.9 percent and males 49.1 percent.¹⁵ The fertility rate in Jordan has also declined from 6.7 births per woman in 1980 to 2.8 in 2010.¹⁶

Many Jordanians are of Palestinian origin, and Jordan is the only Arab state to have granted a large number of Palestinian refugees the right to Jordanian citizenship.

Jordan has been very responsive to international human rights obligations. In 2006, the government published five international agreements on human rights in the official gazette:

- International Convention on the Elimination of All Forms of Racial Discrimination (Official Gazette No. 4764)
- The International Covenant on Economic, Social and Cultural Rights (Official Gazette No. 4764)
- International Covenant on Civil and Political Rights (Official Gazette No. 4764)
- Convention on the Elimination of All Forms of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Official Gazette No. 4764)
- Convention on the Rights of the Child (Official Gazette No. 4787).

⁸ The Constitution of The Hashemite Kingdom of Jordan (1952).

⁹ European Neighbourhood and Partnership Instrument, Jordan Strategy Paper (2007-2013), European Union.

¹⁰ Ibid.

¹¹ Jordan National Agenda 2006-2015.

¹² Jordan Country Profile (2011), UNDP. <http://hdrstats.undp.org/en/countries/profiles/JOR.html>.

¹³ Women's Indicators According to Gender (2009), Department of Statistics, State of Jordan.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.



Jordan has committed itself to harmonizing all national legislation with these agreements. Jordan has also ratified all Conventions of the ILO's Declaration on Fundamental Principles and Rights at Work, except ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was published in the official gazette in 2007. However, Jordan has a reservation on Article 9 of the CEDAW that relates to rights of women to pass their nationalities to their husbands and children.¹⁷ Article 16 is also reserved by the state of Jordan, and this article relates to equality within the family in issues of marriage and divorce.¹⁸ In 2009, Jordan, in a very progressive step, cancelled its reservation to Article 15 of the CEDAW concerning the right of women to mobility and the right to choose residence and domicile.¹⁹

NGOs are very active in Jordan. They are allowed to work freely, but only in their field, as stated in the bylaw of the organization, that is approved by the Ministry of Social Development. According to the Ministry of Social Development, the number of NGOs in Jordan has increased and the government is developing a strategy of consultation with civil society.

The major political change in Jordan is the reform of the Constitution, which was assigned to the Royal Reform Committee in March 2011. The reform in Jordan has been inspired by the events of the 'Arab awakening' that started in Tunisia, followed by the Egyptian revolution which extended to most Arab countries. Late 2010 and early 2011 have seen a series of extraordinary events sweep across the region. In Tunisia and Egypt, weeks of mass protests and civil unrest led to the ousting of longstanding regimes. Citizens across the region continue to hold peaceful protests that have been met with a combination of fierce suppression (as in Syria and Libya) and unassertive political and economic reforms (like in the Gulf States).

For decades, people in the region have suffered from a set of complex issues including, but not limited to, undemocratic systems and political structures. The region's rate of freedom and political liberty is considered to be one of the lowest in the world.²⁰ According to Transparency International's 2011 Corruption Perceptions Index, over ten countries in the Arab region scored less than 5.0, indicating high levels of corruption.²¹ The 2010 report of Transparency International states that 36 percent of public services users in the region reported paying a bribe to a civil servant in the last year, which makes the incidence of corruption among civil servants the second highest of any region after Africa.²²

PUBLIC ADMINISTRATION IN JORDAN

The organizational structure of the administrative authority in Jordan consists of central and local authorities.²³ The King, Cabinet, and public corporations represent the central authorities. The municipal councils and governors represent the local authorities.

17 See Jordan's reservations to CEDAW at: <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>.

18 Ibid.

19 Ibid.

20 Freedom in the World (2012), Freedom House. http://www.freedomhouse.org/sites/default/files/inline_images/FIW%202012%20Booklet--Final.pdf.

21 Corruption Perceptions Index, Transparency International (2011).

22 Transparency International Annual Report (2010).

23 Jordan National Agenda (2009-2015).



Public service reforms have been underway in Jordan since the early 1970s.²⁴ There were extensive reviews and changes in the management of public servants, including in the human resources system. The reforms of the central authorities led to the establishment of the Ministry of Public Sector Development (MOPSD) in 2005, which is considered a milestone in Jordan's public administration reform. The Ministry is leading a Sustainable Public Sector Development Programme and coordinates initiatives with concerned parties. It is charged with implementing several components including: service delivery improvement; institutional restructuring; human resource policies and development; and complaints, monitoring and evaluation of performance.

The overall challenges facing the public sector, as highlighted by the staff of the MOPSD, are:

- Overly centralized decision making, which undermines accountability at lower levels
- Lack of human resources planning and development
- Too much emphasis on processes and not enough on results
- Resources not allocated according to strategic results
- Ministers involved in operational matters.

All this leaves insufficient time for the kind of strategic role the ministry could be playing and for the development of policies and strategies. Within the strategic goals of MOPSD, there is no gender-specific policy or unit. The Secretary General of MOPSD, Dr. Ali Daradkeh, has stated that the reform of the public sector has not included gender as a component of the reform yet. Nevertheless, he indicated that, "[S]uch an issue is vital in the reform and will be on the agenda of MOPSD in the near future."²⁵

This is very positive and the establishment of a gender department at the MOPSD is potentially an important step as it could put gender equality at the heart of the reform agenda and process.

The Civil Service Bureau (CSB)

The civil service in Jordan is considered the main source of employment for most Jordanians. By the end of 1980, the public sector employment provided two thirds of total employment.²⁶ However, the percentage of employment in the public sector declined from 39 percent in 2005 to 31 percent in 2008.²⁷ and 31 percent in 2008.²⁸ Jordan has used different strategies to downsize employment in the public sector, including encouragement of early retirement and the privatization of service sectors such as those of transportation, communication and water.²⁹

24 The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau, State of Jordan.

25 Interviews for case study, 2011.

26 Statistics of Employment in Jordan (2005-2009), Department of Statistics (2010), State of Jordan.

27 Unemployment in Jordan (2005), European Training Foundation, National Centre for Human Resources Development, p. 9.

28 Status of Employment in the Public and Private Sector (2009), Department of Statistics, p. 15.

29 Ibid.



Jordan adopts a position-based system, which is characterized by open recruitment for all posts, selection based on technical skills, job openings filled by advertisement and career paths based on technical competence. However, the CSB has been through extensive reforms and many amendments have been made to the recruitment system. These amendments are stated in the CSB documents as:

- a) The establishment of the Civil Service Statute No. 1 for the year 1948, which was the first underlying regulation to deal with managing and organizing personnel and civil service affairs in the Hashemite Kingdom of Jordan.³⁰
- b) In 1965, the Higher Council decided, in accordance with Article 120 of the Constitution, that regulations, directions, and bylaws addressing management and servants' affairs must be adopted through statutes rather than laws. Consequently, the subsequent year witnessed the adoption of the Civil Service Statute No. 23 of 1966, which included several amendments to the categories of civil servants.
- c) A number of specialized committees were formed in 1984 such as the Royal Committee for Management Reforms. Reformulated in 1985, the Committee is central to the reform programme in Jordan.
- d) The Civil Service Statute also suggested a new classification of civil servants that delineates additional employment types: the classified, the permanently unclassified, and contracts.
- e) 2002 amendments to the Civil Service Bylaw, which categorized employees into two categories: permanent and contract. This key bylaw and its 2007 amendment are discussed further below.

GENDER EQUALITY CONTEXT

The Arab region was ranked by the United Nations Development Programme (UNDP) as the second-lowest region in the world on the previously used HDI Gender Empowerment Measure. At the economic level, women's participation in the labour force in the region is well below the world average and with huge gender gaps in countries like Bahrain, Egypt, Qatar, Syria, and Saudi Arabia.³¹

Since the 1990s, women in the Arab region have had several political, legal, and economic gains. Whilst women were granted the right to vote and stand for election in the early stages after independence in countries like Lebanon (1952), Syria (partially in 1949; fully in 1953) Egypt (1956) and Jordan (1974), it was not until recently that countries like Qatar (1999), Bahrain (2002), Oman (full rights in 2003), Kuwait (2005) allowed women to vote and stand equally in elections.³²

In terms of affirmative measures for gender equality in the public administration, none of the Arab countries have yet established any quota or special temporary measures to increase women's representation in decision making. Accordingly, women continue to have low representation in these positions, achieving: 1 percent in Qatar, 2 percent in Djibouti, UAE and Sudan, 3 percent in Syria, 5 percent in Kuwait, 6 percent in Algeria, 8 percent in Mauritania, 10 percent in Morocco, 13 percent in Iraq, 18 percent in

30 The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau, State of Jordan.

31 Women's Empowerment: Measuring the Global Gender Gap (2005), Augusto Lopez-Claros & Saadia Zahidi, World Economic Forum.

32 Al-Sabbagh, Amal (2005). Case Study: The Arab States, Enhancing Women's Political Participation Women in Parliament: Beyond Numbers, International Institute for Democracy and Electoral Assistance (International IDEA).



Tunisia, and 21 percent in Bahrain.³³ It is officially illegal for women to access management positions in the Kingdom of Saudi Arabia because of the need to avoid ‘mixing’ in the workplace.³⁴

Understanding the ‘gender’ concept

The term ‘gender’ is still a confusing concept in Jordan and beyond. It is mostly used interchangeably with women and women’s affairs. The Arabic translation of the term gender *al naw’a al ejtima’i* (‘the social type of men and women’) does not precisely reflect the conceptual meaning.

The response towards gender in the region is similar to that in other parts of the world: whilst some women’s groups rejected the concept on the basis that it lessens the focus on women in favour of men, others look at it as an exported ‘Western’ concept that should not be applied in the region. A few groups, on the other hand, have looked at gender as “the social construction of men and women”, which shows how concepts of men and women are constructed differently to maintain the unbalanced gender power relations and how it intersects with social class, ethnicity and race.³⁵

In Jordan, the term is used differently by the state and NGOs. The state mostly prefers to use gender together with the term ‘equal opportunities’, while NGOs associate the term with the principle of equality as enjoyed by women and men in daily life. This variation in using the term is related to the adoption of either a formal or substantive understanding of the equality principle. The CEDAW defines equality as “equal entitlements of women to rights, benefits and results as men have, but that there may have to be differential or preferential treatment for women in order for them to enjoy their entitlement to equality, which is called a substantive equality approach to the rights”.³⁶ The key issue is that women often have weaker starting positions so that special measures of various kinds may be necessary to ensure women’s genuine equality rather than a formal equality based on equal opportunities alone.

Jordan’s PA policies generally do not address women’s special needs or provide for affirmative actions. There are examples of equal opportunities for men and women in jobs that require fieldwork, late working hours or night shifts.³⁷ When the environment is hostile, such as situations in which women are harassed or abused at home for being late or in which there is no night transportation, or in which women assume the burden of domestic work, women themselves may withdraw and not come forward to access opportunities. This behaviour on the part of women is often interpreted as women exercising their choice or as women being incapable. For example, some officials stated in the focus groups and interviews “the government has done everything, the policy provides equal opportunities but if women do not come forward to take advantage of it, it is their responsibility; women in particular and society in general, is not yet ready for women taking leadership positions.” (Focus Group interviews, 2011)

33 Arab Centre for Research and Training (2009). Recent Trends in Arab Countries Towards Addressing Gender in Public Management: Comparative overview on lessons and challenges.

34 Recent Trends in Arab Countries towards Addressing Gender in Public Management: Comparative overview on lessons and challenges (2009), Arab Centre for Research and Training, CAWTAR.

35 Interview with Amneh Zoubi, President of Jordanian Women’s Union (November, 2011).

36 In CEDAW Article 2, the Convention places an obligation on the state to ensure the “practical realisation of rights” for women. It is not enough to create equal opportunity through law and policy alone. Article 3 requires states to provide enabling conditions and Article 4 justifies affirmative action so that women will have access to the opportunities created through law and policy.

37 Interview with Amneh Zoubi, President of Jordanian Women’s Union (November, 2011).



The CSB study 'The Reality of Human Resources and Administrative Management in the Civil Services' (2010) supports such an effort and says that the real reason behind women's weak representation in the public administration relates to cultural values which are not related to administrative regulations of the PA but to women's unwillingness to obtain the qualifications required such as remaining for more years in the service and spending longer hours in the office.³⁸

This shows a need to ensure a greater understanding of the concept of substantive or *de facto* equality rather than formal or purely *de jure* equality. Unless lawmakers and officials fully grasp the issues as stated in the human rights instrument of CEDAW, and that real equality cannot be achieved by equal opportunities alone, women will continue to be disadvantaged. This requires sensitization to the fact that real equality often requires special measures to address historical imbalances.

Cultural gender roles

Women's position within the PA is defined through gender stereotypes of the roles of men and women that are culturally defined and backed up by state policies and laws. For instance, women are seen as caretakers of children and are supposed to work only if their work does not hold them back from taking care of their households. Whilst there is no law stating this precisely, it is commonly accepted that women should leave work if it is holding them back from their household responsibilities. Furthermore, facilities that might encourage women to enter employment are also not available (e.g. nurseries), which contributes to women leaving their jobs.

Gender-based discrimination

Gender-based discrimination is perpetuated through various laws such as the following:

- The Jordanian Personal Status Law (2010) allows the guardian or the husband to prevent women from working if it is perceived that doing so would harm the family's unity. A woman can only object to her husband's decision if she has a condition in the marriage contract which states that her husband cannot prevent her from working, a right that is not usually exercised or is not known to the majority of women.³⁹
- Jordanian women cannot pass their nationality to their husbands and children. This issue is conceptually linked to citizenship and the definition of a citizen in accordance with male standards.⁴⁰

There have been great efforts by NGOs to make changes to the Jordanian Constitution in order to add a reference to non-discrimination based on sex in Article 6 (i), which currently stipulates, 'Jordanians shall be equal before the Law. There shall be no discrimination between them as regards to their rights and duties, on grounds of race, language or religion.'⁴¹

38 The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau, State of Jordan (unofficial translation from Arabic to English).

39 Personal Status Law (2010).

40 Jordan Fifth Periodic report to CEDAW, summary report in English (2009), JNCW.

41 The Constitution of The Hashemite Kingdom of Jordan (1952).



The amendment of adding 'sex' to Article 6 of the Constitution was proposed to the government by the National Dialogue Committee that was established in March 2011. However, this proposed change to Article 6 was dropped. In the interview with Amneh Al Zoubi, a National Dialogue Committee Member and President of Jordanian Women's Union, she stated that, "[I]f the constitution clearly prohibits discrimination based on sex this will be translated into a cohesive revision of discriminatory laws against women." (Interviews for this case study)

In other countries the constitution is a very important basic foundation for equality between women and men, and Jordan could consider learning from best practices in this area.

Policy advances

Some progress has been achieved in the framework of policy, legislation and procedures adopted to promote gender equality and protect women's rights in general.

In 2003, Jordan amended the legal age of marriage to 18 years, although a gap remains in the law, where the marriage of girls under 18 can be left to the judge to decide. In the Personal Status Law (2010) of Jordan, further restrictions apply in cases of early marriage. The Law considers wife-abuse (whether physical or emotional) to be grounds for divorce, and Article 62 provides women with a legal basis to bring a divorce case.⁴²

Jordan is one of the few Arab countries to have issued a domestic violence law (2008).⁴³ The National Task Force for Family Protection, led by the National Council for Family Affairs, is drafting a new proposal for a domestic violence law that would take into consideration the definition of violence against women as well as a clear procedures and bylaws.⁴⁴

The Jordanian Department of Statistics has been very active in generating statistics related to gender equality through the annual report 'Men and Women in Jordan', and the National Population and Family Health Survey (2007) for the first time included sections on domestic violence against women.

In summary, there have been key steps taken in the last few years to reduce gender-based discrimination and violence in Jordan. As the following sections show, the issue of gender equality within the public administration has not enjoyed the same attention either from the government or NGOs.

This may have resulted from separating issues related to discrimination against women in society from the underrepresentation of women in decision-making positions. The linkages between representation of women in the PA and gender inequalities at the societal level is of great importance and should be dealt with within the general framework of unbalanced gender power relations. Gender equality in the PA cannot become a reality without the consideration of other forms of discrimination facing women based on gender.

⁴² Personal Status Law (2010).

⁴³ See Family Violence Law (2008).

⁴⁴ NGO Shadow Report to CEDAW (2011) – draft finalized in February 2012.



PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

This section looks at the profile of women's participation in decision making and in the public administration more widely.

CURRENT STATUS

In the public sector, women occupy around 50 percent of positions.⁴⁵ Interestingly, the figure is 44.9 percent according to the latest JNCW study (2010) and 46 percent according to the Department of Statistics Annual Report of Employment in Jordan.⁴⁶ This reveals a potential challenge in terms of accessing consistent and reliable statistics.

In 2009, the number of women in senior positions included:

- Four women in the Council of Ministers
- Seven women appointed to the Senate (12.7 percent of the 55 members)
- Seven women appointed to the post of secretary-general of ministries out of 28
- Nine women appointed as secretary generals of commissions/corporations
- Two women appointed as counsellors in the Legislation and Opinion Bureau
- One woman appointed as governor
- Three women directors of police directorates
- One woman president of a university

In addition, there was an increase in the number of women appointed to high-ranking positions at different government departments, including the armed forces and police corps.⁴⁷

PYRAMID PARTICIPATION

A JNCW study reveals that the proportion of females in the public administration goes down when moving towards higher and senior positions in the public sector, with women only occupying 10 percent of leadership positions.⁴⁸ This is also demonstrated in the latest statistics of the CSB as shown in Table 1.⁴⁹

45 Study of Human Resources and Administrative Management in the Civil Service – Phase II (2010), CSB.

46 Gender Auditing in the Public Sector (2010), JNCW.

47 Fifth Periodic Report to CEDAW (2010), JNCW.

48 Ibid.

49 These statistics were provided for the UNDP consultant by the CSB statistics department specifically for this report. The statistics are until September 2011.

PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING



Table 1: Number of women and men in leadership positions

POSITION	FEMALES	MALES	TOTAL
Minister	2	25	27
Head of Department with rank of Minister	0	4	4
Secretary General	2	26	28
Director General	6	44	50
Advisor in the Office of Legislation	3	1	4
Governor	1	25	26
Total	14 (10%)	125 (90%)	139

Source: CSB: statistics department, 2011.

In contrast, the percentage of women in lower management positions rises to around 38 percent, largely due to the disproportionate number of women who work as heads of schools: 1,547 out of 2,559. On the other hand, there are certain positions that have not yet been occupied by women, such as those of administrative governor, head of hospitals, deputy secretary general, and president of a university.

Table 2: Number of women and men in senior management positions

POSITION	FEMALES	MALES	TOTAL
Deputy Secretary General	0	26	26
Head of Division	75	326	402
Director	351	507	858
Advisors	12	88	100
Deputy Director	51	77	128
Administrative Governor	0	96	96
Head of Department	442	2051	2,493
Deputy Director General	0	3	3



PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

Head of Unit	57	12	69
Head of School	1,547	918	2,465
Director of Unit	9	23	32
Director of Hospital	0	31	31
Director of Centre	4	31	35
Chief of Nursing	11	5	16
Total	2,559	4,194	6,754

Source: CSB Annual Report (2010).

There is a divergence in women's leadership positions at the middle level between ministries. In a few ministries, the percentage of females who hold these positions exceeded the percentage of males. According to a JNCW study (2010), the National Library Department ranked first with 57 percent and the Ministry of Political Development ranked second with 53 percent, though the proportion of female representation in the cadre of the Ministry of Political Development did not exceed 44 percent.⁵⁰

At the executive junior level, the percentage of females increases to comprise around half of the employees. The representation of females at this level differs in accordance to the mandate of the ministries.

GENDER-BASED SECTOR SEGREGATION

The lowest percentage of women is in the religious and Islamic affairs sector (7.6 percent), followed by 17.5 percent in the transport sector, 18.9 percent in the natural resources sector, and 23.8 percent in the infrastructure services and communications sector.⁵¹ In the interview with the Secretary General of the CSB, he justified this by claiming that most jobs at these ministries are jobs for men that require certain qualifications such as that of being an *Imam* (male preacher), which comprise the majority of jobs at the Ministry of Religious and Islamic Affairs, or jobs at the Ministry of Transportation, which mainly recruit male drivers. Some positions were seen as inappropriate for women and still unacceptable, such as those demanding fieldwork, physical power/force, or late-night shifts. The head of the Recruitment Department at the CSB in an interview stated that, "[M]inistries whose work requires some conditions that are deemed not suitable for women usually request male employees in the recruitment applications sent to the CSB."⁵²

On the other hand, female employees represent 58 percent of the workforce at the Ministry of Health.⁵³

⁵⁰ Gender Auditing in the Public Sector in Jordan (2010).

⁵¹ Ibid.

⁵² Interview with the Head of the CSB Recruitment Department.

⁵³ Interview with the Head of the CSB Recruitment Department.



The higher number of females at these ministries is a result of various factors, as explained by the representatives of the three ministries in focus group discussions:

- The jobs at these ministries (teachers, nurses, social workers) are highly acceptable for women in society
- Men tend to prefer job opportunities in the private sector and other government sectors because of more attractive salaries and benefits, while women, being 'financially dependent', tend to favour the PA as working hours are shorter and PA work offers some job security. The Head of the Gender Department at the Ministry of Education mentioned in interviews that some women leave very good positions with high salaries in the private sector and join the public sector just because the working hours are fewer and suit women's responsibilities at home.

Data demonstrates that the higher representation of women at the three mentioned ministries does not imply a high representation at the senior level; for instance, at the Ministry of Education, the percentage of women in leadership position is only 11 percent. As noted by the representative of the Ministry of Health in the focus groups, "[T]hough female employees have a big percentage in the Ministry, we have never had a female minister and only two women have been head of a directorates, one of which is the Directorate for Motherhood and Children".⁵⁴

At the Ministry of Social Development, while the ministers for the last six years have been women, senior positions are still unequally distributed between men and women. There are four women heads of departments out of 13 in the ministry, and only two female directors out of 40 directors in different regions.⁵⁵

At the CSB itself, according to data received from the recruitment department, the total number of female employees was 79 out of 245 in 2010. The number of women almost doubled between 2007 (39 out of 153) and 2009 (76 out of 244).⁵⁶ Whilst women are heads of four out of 12 departments, there is no woman at director level, and no woman has ever been appointed to the position of secretary general or deputy secretary general.⁵⁷

The number of women seems to decrease at the ministries that are considered male ministries, such as the Ministry of Interior, where women represent only 13 percent of the total number of the employees.⁵⁸

At the Ministry of Public Sector Development, the number of female heads of departments is higher than males, with four women heading the main departments out of five. This is possibly the highest representation of women in leadership positions at the ministerial level. This is also a good example for other ministries. However, the total number of females who are employed in the Civil Servant System at the ministry is 32 out of 85 employees.⁵⁹ The number of females contracted outside of the Civil Servant

⁵⁴ Focus Group Discussions for case study (November 2011).

⁵⁵ Focus groups with female employees (November 2011).

⁵⁶ CSB Annual Report (2010), p.42.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Interview with Head of the CSB Recruitment Department (November 2011).



PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

System is five out of 19 contracts.⁶⁰ It is worth noting that an employee on a contractual basis receives a salary double that of an employee in the Civil Servant System and who is doing equivalent work.

GENDER GAP IN RECRUITMENT OF HIGHLY QUALIFIED STAFF

The CSB Annual Report (2010) notes the number of females employed in the public sector for 2010 was 85,237. The data as shown in Table 3 shows a gender gap at the recruitment stage for jobs that require high levels of education (postgraduate diploma, masters degree and doctoral degree). Here, the number of women is 5,341 out of 15,020. In the jobs that require relatively less education (less than a college diploma) women number 10,964 out of 42,580, while for jobs that require a bachelor's degree (most women were recruited to Ministries of Education and Health) the number of women was 43,575 – slightly more than that of men (40,916).

Table 3: Employees in the Civil Service System by level of education and sex (2010)

TYPE OF EDUCATION	FEMALES	MALES
Less than High School	7,353	24,803
High School degree	3,604	6,802
Diploma (1 year after high school)	7	11
Diploma (2 years after high school)	25,357	18,683
Bachelors	43,575	40,916
Postgraduate Diploma	2,923	4,281
Masters	2,165	3,932
PhD	123	700
Medicine high specialization	4	2
Specialization on the Council of the Jordanian Medicine	126	764
TOTAL	85,237	100,894

Source: CSB Annual Report (2010).

60 Ibid



The low level of employment of women within higher education is partly explained by the fact that the number of women applicants with higher degrees is well below that of male applicants. The data of the CSB Annual Report (2010) shows that there is progress in the recruitment of women with masters degrees but not doctoral degrees.⁶¹ This implies that there is an insufficient pipeline of qualified women for senior and leadership positions within the PA and that attention needs to be paid to getting well-qualified women into the system at various levels.

The President of the Jordanian Women's Union, Amneh Al Zoubi, during the interview in November 2011, addressed the issue of disregarding people with high qualifications in the public sector. Whilst she acknowledged that women with higher education are less fortunate than men in obtaining public positions, she also thinks that the expertise of men and women with higher education is insufficiently considered within the public sector.

TRENDS IN PARTICIPATION OVER TIME

While 2009 statistics indicated that there were four women at the ministerial level and seven at the secretary general level, in 2011 the number of women in these positions decreased to two female ministers and two female secretary generals.^{62 63}

The 2010 CSB study shows that the percentage of women increased from 46 percent in 2005 to 50 percent in 2009.⁶⁴ CSB statistics showed that the proportion of women in the Ministry of Education reached 58 percent in 2009 compared to 54 percent in 2005.

In the Ministry of Health, women's participation increased from 46 percent in 2005 to 50 percent in 2009.⁶⁵ The gender gap in the public administration in male-dominated sectors such as the Ministry of Foreign Affairs, the Ministry of Finance and the Ministry of Justice has decreased.⁶⁶

These findings indicate an encouraging increase in the public administration as a whole, but a decrease at the top levels. The next section reviews policy developments impacting on this profile of participation in the public administration, including in leadership.

61 CSB Annual Report (2010), pp.39-40.

62 Jordan's Fifth Periodic Report to CEDAW (2009), Summary Report in English, JNCW, p.3.

63 CSB statistics for September 2011.

64 The Study of Human Resources and Administrative Management in the Civil Service – Second Phase (2010), CSB, State of Jordan.

65 Ibid.

66 Ibid.



POLICY FRAMEWORK AND IMPLEMENTATION ISSUES

POLICY FRAMEWORK AND IMPLEMENTATION ISSUES

This section reviews key legislation that impacts on gender equality in the public administration in Jordan and seeks to identify achievements as well as gaps and challenges. The national constitution and development plans are reviewed first, followed by gender-related policies and finally the public administration and work-life legislation. Relatively less is known about gender initiatives relating to the public administration compared with politics, for example.

Jordan has committed to reforming the public sector and integration of the equal opportunity and non-discrimination principles within the general framework of the reform process for the last decade. It is likely that these have jointly led to an increase in women in the public administration as a whole.

INTERNATIONAL AND REGIONAL AGREEMENTS

The inclusion of women at senior levels signals Jordan's commitment to international commitments such as CEDAW, the MDGs and the Beijing Platform of Action, which seem to have had a great influence on the policies related to gender in Jordan.

The Arab Human Rights Charter (2004) states that every state must ensure that:

'freedom to work and equality of opportunity without discrimination of any kind as to race, colour, sex, language, religion, and political opinion, affiliation to a trade union, national or social origin, handicap or other status.'

Paragraph 4 of Article 34 further stipulates that:

'No distinction between men and women shall be made in the exercise of the right to benefit effectively from training, employment, protection of work, and equal pay for work of equal value and quality.'⁶⁷

Nonetheless, the Charter does not have operational mechanisms for implementation and therefore is yet to be an effective driver for change in relation to gender equality in public administration in Jordan.

GENDER EQUALITY POLICIES

Equal employment opportunity based on qualifications and non-discrimination is the guiding human rights principle for three key policies:

- National Agenda for Jordan
- JNCW National Strategy for Women
- Civil Service Bureau recruitment policy.

67 The Arab Human Rights Charter (2004), Art. 34(1).



There is no gender equality law in Jordan. The CEDAW Committee concluded in its 39th session (2007) for the State of Jordan to:

'enact a comprehensive gender equality law that extends to both the public and private sectors and to political, economic, social, cultural, civil and any other fields, and includes a definition of discrimination against women in line with article (1) of the Convention; provisions on the equal rights of women with men in line with article 2 (a) of the Convention.'⁶⁸

The Committee also urged the State of Jordan to take temporary special measures in accordance with Article 4, paragraph 1, of the Convention and the Committee's general recommendations 23 and 25 and to establish concrete goals and time frames in order to accelerate the increase in the representation of women in elected and appointed bodies in all areas and at all levels of public life.

The JNCW National Strategy for Women (2006-2010, extended to 2011) also included relevant goals related to women's economic empowerment:

1. Increase the contribution of women in the workforce, and ensure gender non-discrimination in employment is ensured in all areas of work and sectors
2. Secure the necessary facilities to encourage the entry of women into the labour market by encouraging the development and support services for women.

Procedures to enforce these goals have specifically focused on the area of gender equality in the public administration as follows:

3. Develop media campaigns to increase social acceptance of women's work, especially in non-traditional sectors, and provide the necessary training for women to achieve that
4. Develop procedures and orientations to improve the capacity of women in management and leadership positions
5. Monitor the recruitment procedures in government institutions to ensure non-discrimination against women in recruitment and open all jobs to them
6. Raise the awareness of employers, managers and heads of administrative units about the need to abolish discrimination against women in hiring, training, and promotion
7. Monitor the application of laws in terms of non-discrimination in wages between men and women doing the same value of work.⁶⁹

The strategy also stresses the importance of public sector reforms as outlined in the National Agenda to expand the political participation of women in order to lead, in the longer term, to an increase in the number of women in parliament who are able to use their voices to call for legislative reforms.⁷⁰

There are no gender budget measures within the public administration in Jordan, and therefore the JNCW has recommended the establishment of a gender budgeting unit within the Ministry of Finance.⁷¹

⁶⁸ Concluding comments of the Committee on the Elimination of Discrimination against Women: Jordan (2007), p.3

⁶⁹ National Strategy for Women (2006-2010), JNCW.

⁷⁰ Jordan National Agenda (2009-2015). <http://www.nationalagenda.jo/Portals/0/EnglishBooklet.pdf>.

⁷¹ JNCW (2010).



POLICY FRAMEWORK AND IMPLEMENTATION ISSUES

The JNCW study 'Gender Auditing in the Public Sector' has also shown that gender budgeting is missing even in ministries with gender units/departments. Gender budgeting is important because it would support programmes to balance participation within the PA and in service delivery.

JNCW as the women's machinery in Jordan has supported the development of a gender equality strategy at the ministry level. It has established an inter-ministerial committee for gender equality, which includes the ministers or secretary generals of each ministry. This is a method to follow up the process of developing gender departments and the implementation of JNCW's strategy and Jordan's National Agenda in relation to women's empowerment.

PUBLIC ADMINISTRATION STATUTES AND REGULATIONS

This section examines core public administration legislation policies and regulations impacting on gender equality within the sector.

Code of Conduct, Ministry for the Public Sector Development (2006)

The Ministry for the Public Sector Development agreed upon a Code of Conduct to address challenges associated with the performance of civil servants and the public sector as a whole. The Code:

- Raises awareness of good governance practices as a foundation for government work
- Directs civil servants towards appropriate careers, ethical behaviour and self-discipline consistent with applicable laws and regulations
- Aims to strengthen public confidence in government institutions, and increases respect and appreciation for government's role in providing the highest level of services.⁷²

This Code is a potential entry point also for provisions on gender equality as a human right, and on harassment including sexual harassment.

2007 Amendment to 2002 Bylaw of Civil Service

The latest reform made to the CSB was through the adoption of the Amendment to the Civil Service Bylaw (2007), which established full commitment to equal opportunity of employment. There are quotas for four categories of persons: (1) sons and daughters of martyrs; (2) members of poor families receiving regular monthly subsidies from the National Aid Fund; (3) persons with disabilities whose disability does not prevent them from doing the particular job; and (4) one member of a family with four unemployed family members who has at least a bachelors degree (2002 Amendment to the Civil Service Bylaw, 2007).

The Amendment (2007) does not mention any prohibition of discrimination based on sex and has not included any gender equality and the Bylaw may need affirmative or special measures for women. This is a missed opportunity for furthering gender equality, which may need to be accompanied by special temporary measures such as recruitment drives and possibly even support to prepare for entrance examinations and interviews.

⁷² Implementing a Code of Conduct for the Public Sector in Jordan (2010), MENA-OECD Governance Programme, Organization for Economic Co-operation and Development.



The Civil Service Bylaw (2007) does not differentiate between applicants in the recruitment process based on gender. Employment is determined by the qualification, number of applications, the results of exams, and personal interview.⁷³ There are no conditions that differentiate between men and women in relation to training, capacity-building, and promotion. The lack of substantive gender equality policy (i.e. actual enjoyment of equality rather than formal or *de jure* equality) inadvertently impacts negatively on women compared to men, as Jordanian women are still unable to compete on an even playing field given their need to balance professional and family duties.

Indeed, the Bylaw includes some provisions that are discriminatory such as the family allowance (Article 25), which is primarily granted to men and not equally to women. Women can have such allowances only in cases of being widowed or married to a person with a physical disability.⁷⁴ This provision is tied to Jordanian legal and cultural values, whereby women should be supported by their husbands and male guardians. Based on this premise, the Bylaw reinforces the widespread understanding that it is the responsibility of men to support women financially and that women have subordinate roles in relation to work.

Another concern is that retirement pension benefits are also not equally granted to women and men. Families of dead women cannot benefit from the retirement salary unless certain conditions are met, such as if a woman is the only financial supporter of the family, and the inability of the husband to work is proven. In this regard, the CEDAW concluding observation (32, 2007) called upon the State of Jordan to ensure that there is no discrimination in terms of employment-related benefits and that female employees receive all the same benefits on the same terms as male employees.

Furthermore, a gender gap also exists in relation to the retirement age. According to the CSB Bylaw (2007), the Council of Ministers is empowered to retire male government employees after 25 years of service, and female government employees after 20 years. The Council of Ministers can renew the services of employees after the retirement age year by year for up to five years. This means that women have five fewer years than men in the PA, which leads to a gender gap in retirement pay and lifetime savings. This was a major concern during consultations and is discussed below.

Both Civil Service Retirement and Social Security regulations prohibit men from receiving their wives' pensions after death unless they have disabilities, while women can keep their husband's pensions unless they are remarried. The discrimination against men is clearly associated with the masculine discourse of men as the suppliers of the family, depriving them from enjoying their wives' pensions which could be the only source of a constant income. The condition put on women of cutting the husband's pension in cases of remarriage is a method to control women after her husband's death as well as to deprive her of a source of income that has already granted to her; if women get divorced, they cannot receive the pension.⁷⁵

In terms of special measures related to creating a friendly environment at the workplace for women, the Civil Service Bylaw does not grant women any particular measures such as that of flexible working hours,

73 CSB Annual Report (2010).

74 Civil Service Bylaw (2007).

75 See regulations of the Civil Servant Retirement and Social Security.



POLICY FRAMEWORK AND IMPLEMENTATION ISSUES

breast-feeding hour/room, or making it obligatory for ministries and government departments to provide childcare centres. There are informal measures taken by the heads of departments such as allowing a woman to leave earlier or having an hour during the day for breastfeeding, but these measures are totally dependant on the personalities of the managers and their willingness to support female employees within their departments. The issue of work-life balance is discussed more fully below.

Maternity, paternity and other leave

Other than annual leave, other types of leave included in the 2007 Bylaw are academic, maternity, emergency, pilgrimage, sick and special unpaid leave. The Bylaw also allows for special unpaid leave for men and women civil servants to look after a family member. Women, according to the Bylaw, have the right to 90 days maternity leave and can extend unpaid leave up to two years, which is also 20 days more than what is granted by the Labour Code for the private sector. The Civil Servant Bylaw also makes it clear that the years spent outside of the services do not count towards the years required for retirement or promotion.

The Bylaw of the Civil Services does not include any provisions related to the rights of fathers to paternity leave. During the consultations, there was a suggestion proposed by JNCW of three days of paternity leave. The Secretary General of the Ministry of Public Sector Development emphasized in the interview that his ministry is in favour of supporting the suggestion of JNCW.⁷⁶ He stated that men have the right to be with their families and to support their wives during this time; in addition, there are some procedures that men have to take care of, such as registering the newborn child. Interviews with the Secretary General and heads of departments, who were in favour of the paternity leave, revealed that they usually allow for fathers to take up to three days as part of their incidental vacation in the case of having a new baby.⁷⁷

The majority of men in the focus groups and the interviews (six out of 10) were not in favour of paternity leave. Some of them commented that they perceived the subject as trivial and funny. However, one participant shared his experience of having to be at work and leaving his wife on her own in the hospital, and with nobody to support her as their families live far away from Amman. He said, "It was a painful experience; my boss did not allow me to take a vacation, I had to leave my wife going to the hospital by her own and I intended to go after work, she had complications during the labour and I was called by the hospital to sign for permitting a surgery. I could have lost my wife and baby if I was late." It appears, therefore, that even though men have the right to look after family, they cannot always make use of it as it depends on the supervisor.

Those who were not in favour of the idea expressed thoughts related to the responsibilities of women in taking care of children, which they felt does not concern men. Those who supported it focused on being able to perform the formalities associated with having a new child, like registering the child, dealing with the hospital, and shopping for the house, and one participant stated "to help with the older children, especially in matters related to school."

⁷⁶ Interview with the Secretary General of the Ministry of Public Sector Development (November 2011).

⁷⁷ Ibid.



On the other hand, the majority of women were much more in favour of paternity leave. Some of their reasons were similar to those expressed by men; other reasons involved the need for emotional support, to take care of the other children, and to welcome visitors. Three women expressed ideas related to men having the same responsibilities as women to care for children as fathers. A few women also viewed men as burdensome when at home and opposed this idea. One woman said, “It is more restful when men are outside of the house, I could then just focus on the baby and his/her needs, while when my husband at home, I have to take care of him as well.”

The president of JWU, Amneh Al-Zoubi, welcomed the idea of paternity leave as one of the demands for civil society groups. She has articulated that it is a right for men, but, most important for her, it is a way of changing society's perceptions towards men's roles and responsibilities. Amneh Al Zoubi, however, criticized the proposal as it only suggested three days of paternity leave, which does not recognize the full responsibility of fathers to share childcare responsibilities with the mothers. Asma Khader, the Secretary General of JNCW, expressed her satisfaction of the proposal to the media as a first step forward in recognizing the full rights of men as fathers, which in turn will associate the family's responsibilities with both men and women.

The JNCW has recently proposed to the parliament a draft law of three days of paternity leave for male employees, but it has not been yet discussed. Figures related to unpaid leaves taken by men and women for family reasons are not available and one thus cannot judge the extent to which men and women are using this right.⁷⁸

National Agenda (2006-2015)

The National Agenda (2006-2015) offers a well publicized and respected instrument to advance Jordan's public administration reform.⁷⁹ It has stated clearly that women's participation in the public sector is one of the main strategic goals of the Agenda. The main principles outlined in the National Agenda to support women's empowerment include:

- Ensure equality and remove all forms of discrimination against women in Jordanian laws and legislation
- Eliminate all wrongful social practices against women and correct negative stereotyping that undermine their rights
- Increase women's contribution to the economy and ensure that they become 'partners' with men in the development process
- Support an increase in women's representation in elected councils
- Ensure a reasonable share for women in official decision making positions
- Reconfirm the principle of equal opportunity regardless of gender.

The National Agenda implementation mechanisms included setting up monitoring and evaluation units at ministries and public departments and institutions to design and track performance indicators. Progress reports were also to be presented to the Council of Ministers and the public.

⁷⁸ Interview with the Secretary General of MOPSD (November 2011).

⁷⁹ Implementing a Code of Conduct for the Public Sector in Jordan, MENA-OECD Governance Programme (2010).



POLICY FRAMEWORK AND IMPLEMENTATION ISSUES

However, the reform process that is led by MOPSD has dropped the gender equality goals in the National Agenda, and thus no laws, strategies, or enforcement mechanisms are in place to ensure the realization of these goals within the PA.

Lack of sexual harassment legislation and policy in the PA

There is no explicit law defining or forbidding sexual harassment and violence in the workplace either in the Civil Service Bylaw or ministries' regulations and policies. There is a general regulation in the disciplinary procedures related to respect for females without any further details.

If any sexual harassment takes place within the public sector, it will be dealt with only if a woman raises a case in the court and in accordance with the Jordanian Penal Code. The Family Protection Department also receives and deals with all cases of sexual harassment either within households, workplaces, schools, or any other places; however, no specific figures are provided by the department on sexual harassment within either the public or private sectors.

It is worth noting that the amended Labour Law (2008) introduced in Article 29 a punishment of any sexual harassment of employers/employees who approve of committing such acts against his/her/other employees. However, this law is only applicable to private sector employees, not to the civil service system. This provides an opportunity for the Civil Service Bylaw to be amended to include measures to tackle sexual harassment within the PA. A definition of sexual harassment should include any verbal, physical and emotional sexual abuse against women and men and would improve gender equality in the PA.

Different studies show that sexual harassment within the Jordanian community is still a taboo subject and women who are exposed to sexual harassment within the workplace prefer to leave their work rather than experience possible victimization and the social stigma of being harassed.⁸⁰ Addressing such an issue in the PA would show government commitment to eliminating abuses against women and could result in women being more comfortable in reporting abuses rather than simply ending their career.

⁸⁰ See ILO Working Paper (2012), Response to Classic Fashion Apparel Industries Allegations of Sexual Assault and Better Work - Jordan Follow-up on the Issue of Sexual Harassment.



SPECIFIC INITIATIVES

Gender equality policies have been developed in certain ministries such as those of the Ministry of Education, Ministry of Planning and the Department of Statistics. Gender departments were established in these ministries with the goal of mainstreaming gender equality to promote and provide equal opportunities for men and women in recruitment, promotion, rewards, and trainings.⁸¹ The Director of the Gender Department at the Ministry of Education indicated that there is a challenge in developing gender policies within certain ministries when the overall system of the public administration is not based on gender equality and there is no national policy on gender equality to direct the work of all ministries. There is a national policy - the JNCW National Strategy for Women; perhaps there would have been greater awareness in the PA if these goals had been in the National Agenda.

Government research: Gender Auditing in the Public Sector in Jordan (2010)

JNCW's study (2010) 'Gender Auditing in the Public Sector in Jordan' engaged 81 departments of 16 ministries and public sector institutions, which comprise 72.2 percent of public administration departments in Jordan.⁸² It provides up-to-date information and data on gender equality in terms of recruitment, training opportunities, and promotion. Her Royal Highness Princess Bassma, the head of JNCW, said at the launch of the study that, "This study provides decision makers with a clear picture of women's status in the public sector."⁸³

If the results of the study are used to inform decision making in the PA, it has some powerful findings and recommendations, including measures for the expansion of gender-responsive budgeting, affirmative action to increase the number of women in leadership positions, the development of gender departments in all ministries, and the adoption of gender auditing in the PA.

'Gender mainstreaming in public life' programme

The JNCW has also initiated a programme on 'gender mainstreaming in public life' since 2008, which is funded by the Danish Foreign Ministry. It aims to promote effective planning at the ministry level and mainstream gender into this planning process, as well as to increase women's participation in the public sector by creating an enabling environment to enable women's entry and advancement.

In cooperation with the Ministry of Finance, the programme assessed the general budget during its preparation in 2011 in order to include gender budgeting at the national level. However, JNCW's mandate in the reform of the public sector is not clear. There is also confusion regarding its role amongst public servants. In the absence of a women's ministry or official department for women in the public sector, clarifying and strengthening the JNCW mandate is important to support gender equality.

Ministry-level strategies and plans

The only ministry that has a gender strategy out of those involved in consultations is the Ministry of Education. The National Gender Mainstreaming Strategy of the Ministry of Education includes principles related to equal opportunity and non-discrimination based on gender. However, it has not mentioned

81 Focus group with representatives from gender units/departments (November 2011).

82 The study in Arabic can be found at www.women.gov.jo/document

83 JNCW (2010).



SPECIFIC INITIATIVES

in any of its four components (gender-mainstreaming, capacity-building, annual planning, and monitoring and evaluation) any affirmative policies related to gender equality.

The guiding principles of the strategy are governed by: the Constitution, the National Agenda, the visions of King Abdullah and Queen Rania, and the Ministry of Education strategy. There was no reference to international standards related to gender equality such as those in CEDAW.⁸⁴ Furthermore, according to participants from the Ministry's Department of Gender, the strategy does not have an allocated budget and the implementation of its action plan depends greatly on the availability of funds from international donors. The strategy was developed in close cooperation with the Ministry of Education, JNCW, and the Canadian International Development Agency (CIDA).

The Ministry of Interior has created a special system for promoting servants at the first grade who show merit and seniority at work. According to the special system, civil servants can receive double their salary in addition to a speedy promotion to leadership positions in the ministry.⁸⁵ According to the participants from the Ministry of Interior, 445 males were transferred to the special system compared to only 15 females since its establishment in 2007. One focus group participant from the Ministry of Interior stated, "Women either have to work very hard or to have a big *wasta* [connection to get a job] in order to be promoted or transferred to the special system." (Focus Group Discussions, 2011)

UNDP and international interventions

Since the 1990s, UNDP's office in the region has contributed considerable funding and has supported governance interventions in public sector management, economic and financial management and decentralized governance. UNDP has also assisted governments to improve information management.⁸⁶

The 2010 UNDP study 'Building Bridges Between the State and the People: An Overview of Trends and Developments in Public Administration and Local Governance in the Arab States' states that 78 percent of all project outputs in democratic governance in 2008 were in the area of 'responsive institutions', of which 53 percent were related to national and subnational public administration. Another important area in the public sector supported by UNDP is access to information to promote transparency and accountability, which makes up a (small) percentage of projects.⁸⁷

In Jordan, UNDP has also supported a project entitled 'Support to Building the Capacity of Government in Implementing Service Delivery Improvement'. It was implemented by MOPSD between 2006 and 2009. The main aim of the project was to pilot the development of mechanisms for improving the delivery of services in rural areas with selected governmental service delivery entities. UNDP support has also included support for central government procedures, such as the introduction of E-procurement in Jordan.⁸⁸

84 Gender Strategy (2010), Ministry of Education, State of Jordan.

85 The special system is a newly created system established in some ministries to encourage employees to achieve better results; it mainly benefits employees from senior grades in the ministries.

86 Building Bridges Between the State and the People: An Overview of Trends and Developments in Public Administration and Local Governance in the Arab States (2010), UNDP.

87 Ibid.

88 Ibid.



Other UNDP initiatives have included:

1. Providing policy advice on strategic options for a decentralization framework within the specific context of Jordan to the Inter-Ministerial Technical Committee on Decentralization (IMTCD).
2. Supporting the Anti-Corruption Commission to assess gaps in legislation in relation to the United Nations Convention Against Corruption (UNCAC), develop staff capacities of the Commission, improve complaints handling and internal monitoring.

The gender dimension is not prominent in the support of UNDP to the public administration in Jordan.

The Gender Social Fund (GSF)

The Gender Social Fund (GSF) of CIDA has funded projects to strengthen individual and organizational capacities to address gender inequalities. The GSF has also supported increasing local capacities for advocacy and women's participation in public life and decision making, as well as building the capacity of civil society and private sector organizations to implement gender-inclusive policies and programmes.

Together with the United States Agency for International Development (USAID), GSF has funded several training courses at different ministries to enhance the capacity of gender units and civil service employees in understanding of gender issues. The GSF has also supported the development of a gender strategy for the Ministry of Education.⁸⁹

CIDA has also been one of the main donors for supporting the government of Jordan in the reform process of public administration. CIDA initiatives have focused on: improving skills for employment by providing technical assistance and training to selected training institutions; establishing new governance structures; and supporting reform activities that advance equality between women and men and empower women.

Other international agencies

Several other donors were actively engaged in funding initiatives of the government of Jordan in reforming the public sector. USAID, the Government of Denmark, and the Norwegian Foreign Ministry are among the main donors in public sector reform. The United Nations Population Fund (UNFPA), UN Women, and the Economic and Social Commission for Western Asia (ESCWA) have supported efforts to enhance the capacity of the public sector in issues related to women's participation, but have not funded any specific projects on gender equality within the PA. ESCWA has a partnership with the Department of Statistics aiming at enhancing sex-disaggregated data.⁹⁰

The Danish Foreign Ministry also supports an innovative project to promote the visibility of talented and experienced women for senior public and private sector positions. The 'Who is She' database is interesting as it shows that special initiatives that aim to address women's generally lesser access to social capital need not be incompatible with merit-based and transparent approaches. The women on the database are carefully selected by a panel of experts and according to specific criteria.⁹¹

⁸⁹ Data in funded programmes was based on the interviews with the Secretary General of MOSPD and the focus group with gender units' representatives.

⁹⁰ Interviews with Secretary General of MOSPD and heads of departments at both CSP and MOSPD.

⁹¹ See "Who is She" Jordan Initiative website: <http://www.whoisshe-women.jo>.



SPECIFIC INITIATIVES

Whilst international donors have been effectively engaged in the reform process of the public sector in Jordan, there is a need for greater coordination among donors supporting public sector reform and particularly supporting gender equality. Participants of the consultations emphasized the challenge of working on various gender equality initiatives with different donors.

In summary, whilst there are some key interventions in both public administration reform and gender equality, there is scope to reinforce and coordinate further in order to raise the profile of the importance of women's participation in this important sector.



KEY ISSUES IN ACHIEVING EQUAL PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

This section sets out some of the key issues and specifically the barriers in achieving equal participation in the public administration.

DE JURE AND DE FACTO GAPS IN THE RECRUITMENT PROCESS

Recruitment in the public sector is based on qualifications and an applicant's educational degree, with discrimination either based on sex, origin and ethnicity banned according to the Civil Service Bylaw (2007). However, during the focus groups, all participants mentioned the issue of *wasta* (when somebody gets a job based on his/her family connections) as the most pressing challenge to the recruitment process and reform of the public sector as a whole. This tends to impact even more on women as they have fewer networks.

The (OECD) report (2010) addressed *wasta* in Jordan as a major concern in implementing the Code of Conduct (2006) developed by MOPSD. '*Wasta* can also lead to the hiring, promotion, or retention of a government official who is not competent. [...] This is also recognised as unjust, and can seriously hinder institutional and human capacity building'.⁹² While the issue, as expressed by representatives of different ministries, has been in decline, it is still practiced on a large scale in the public sector. Different explanations were emphasized in relation to the issue of *wasta*, the common one was related to the tribalism in Jordan; one participant explicitly explained the issue when stating that "when you are a member of a certain tribe and you hold a public position you are expected to preserve the interests of your tribe by giving priority in recruitment to your tribe. If not, you could be seen as betraying the tribe, which poses a big burden for us." (Focus Group Discussions, 2011)

Gender equality, on the other hand, was not seen as a problem in the recruitment process by most participants of the focus groups and interviews. For example, the head of recruitment at the CSB stated, "[T]he recruitment system is neutral. It does not differentiate between females and males. When we get the ministries recruitments' needs we take into consideration the qualifications requested and the order of applications at the CSB regardless of the sex of the applicant." However, one issue was raised by the Secretary General of CSB and the Secretary General of the Ministry of Public Sector Development, which is related to the sex category in the Recruitment Form used by the ministries to inform CSB of the vacancies they want to fill. The Secretary General of MOPSD suggested in the interview that "there is no need for the sex question on the form". The ministries insist on having it because they still see some jobs as only for males and others only for females. It is all about stereotypes of women's work, that we have not been able to change".⁹³

Most participants in the interviews and focus groups felt that having the sex category on the recruitment form is important, in particular for the Ministries of Education and Health. This is due to sex segregation in education and the fact that female teachers can teach only females and the same for male teachers. This is a big challenge in the Ministry of Education and the CSB as the number of female teachers is well above the capacity of the ministry, while the number of male teachers is well below the

92 Implementing a Code of Conduct for the Public Sector in Jordan, MENA-OECD Governance Programme (2010).

93 Interview with the Head of the CSB Recruitment Department (November 2011).



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demand of the ministry. One of the solutions practiced is what the head of the gender unit at the Ministry of Education called the “feminization of teaching in primary schools”, where the ministry started appointing only female teachers to both females and boys primary schools.

GENDER PAY GAP

Salaries of employees in the Civil Servant System are based on the employee’s grade, years of experience, level of education and qualifications.⁹⁴ This immediately disadvantages women, who are more likely to have fewer years in employment due to family responsibilities.

The Civil Service Bylaw indicates that those employees doing work with equal value and to the same degree and standards should receive equal pay. Nonetheless, the Department of Statistics’ Annual Reports for the years 2005-2010 show that there is a considerable gender gap in wages in the public sector. The average pay of women in the public sector is 336 JD while the average wages of males is 419 JD.⁹⁵ Table 4 shows that, in public administration, the salaries of women who hold bachelors degrees are lower than the salaries of men with the same degree. The gap in pay declines between men and women when looking at education levels below secondary school.⁹⁶

Table 4: Wages by sex and education level in the public sector

EDUCATION	FEMALE	MALES
Less than high school	248	287
High school and diploma	334	387
Bachelors or higher	394	581

Source: Department of Statistics (2010).

In contract employment in the public sector, it seems that different criteria have been applied to males and females. For example, according to data provided during the interviews, a salary of a male engineer with a master’s degree is 1000 JD and with a bachelor’s degree is 900 JD in the Restructuring Department. Meanwhile, the salary of a female engineer with a master’s degree in the same position is 700 JD, and 600 JD for a female with a bachelors degrees.⁹⁷

Information on female and male wages was not available to assess whether there is a systematic gender wage gap, but this example reveals that high priority should be given to checking and regulating employees for the effective application of non-discrimination principles.

The only discriminatory provision in the 2007 Bylaw is the family allowances in Article 25 (10 JD for the married male employee with no children, and 15 for the married male with children). Women are

94 Civil Service Bylaw (2007).
95 Employment Statistics in Jordan from 2005-2009 (2010), Department of Statistics, State of Jordan
96 Ibid.
97 Mentioned data was generated from the financial department during the interview in November 2011.

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deprived of this right unless they are widowed or married to a person with disability.⁹⁸ The Bylaw implies that women only contribute to their families' finance in the absence of men – an assumption that does not take into account modern economic realities.⁹⁹

Further, some women have indicated that they also do not receive allowances for improvement of living standards (Article 24). The Bylaw does not make any distinction between women and men in Article 24; however, it is not clear whether the use of the term 'male employee' is similar to other provisions in the Bylaw where references to the term 'employee' use the masculine Arabic language or whether the Article, in fact, only relates to male employees. This shows how language which is not gender sensitive can create misunderstandings with respect to policy provisions.

GENDER GAP IN LENGTH OF SERVICE AND RETIREMENT AGE

In terms of retirement benefits, public sector employees hired after 1992 follow the Social Security System and those hired before 1992 are based on the Civil Service Retirement System.¹⁰⁰ In the Social Security System, retirement is determined by age: 55 years old for women and 60 years old for men.¹⁰¹ In the Civil Service Retirement System, retirement is determined by years of experience: 20 for women and 25 years for men.¹⁰² The minister of each ministry holds the right to renew the services of employees reaching either the age or years of experience.

Table 5: Distribution of employees in the public sector in the first and second grades for 2008 and 2010, according to years of experience

YEARS OF EXPERIENCE 2008	MALES	FEMALES	YEARS OF EXPERIENCE 2010	MALES	FEMALES
Less than 10 years	33,491	43,357	Less than 10 years	28,068	33,488
11-15	14,941	15,042	11-15	9,237	8,959
16-20	12,604	7,869	16-20	11,222	9,377
21-25	7,323	4,028	21-25	8,491	4,039
26-30	2,553	1,808	26-30	2,230	1,828
More than 30 years	1,094	504	More than 30 years	599	422
Total	67,982	65,270		66,583	62,739

Source: CSB Annual Report (2010), State of Jordan.¹⁰³

⁹⁸ Ibid, Article 25.

⁹⁹ Civil Service Bylaw (2007), State of Jordan.

¹⁰⁰ Interview with the Head of the CSB Recruitment Department (November 2011).

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ The table was adapted from information in the CSB Annual Report (2010), p. 73.



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The above table shows that women's numbers decrease in accordance with their years of experience. It is clear that the number of women with less than 10 years of experience is slightly higher than men with the same years of experience. However, the participation of women is lowest at the level of more than 30 years. It is worth noting that the gender gap seems to decline in 2010; as the number of men in this category is slightly higher than women, whereas in 2008 the number of men at this category was almost double that of women. There was no sex-disaggregated data to show the years of experience at the higher grade and the type of jobs performed by men and women in any other category. Nevertheless, it is clear that there are fewer women than men with over 30 years of experience.

Many focus group participants explained the gender gap in retirement and years of experience with women's refusal to extend their services when reaching the age of retirement. The Secretary General of the CSB gave an example of two women who would soon be eligible for promotion to directors of department but at the same time were approaching the retirement age and planned to retire. The Secretary General stated that he is trying to convince them to stay, but they insist on going as soon as they complete 20 years of work. The conclusion made by different male participants in discussing similar examples was that women have no ambition to hold senior positions.

Women in the focus groups generally disagreed with this analysis and some stated that it takes a woman very long time to be a director. One participant of the senior group stated, "[W]e experience different discriminatory practices on the way to senior positions, we get tired of fighting to prove our abilities, and there are no incentives to encourage us to continue this fight."

Women also stated that they are struggling between family responsibilities and work. As one participant put it, "[W]omen get burned out faster than men, we do two full time jobs at a time, so it is not we do not like to be in these positions but the family and work environments are not supportive enough to support us to continue doing our jobs as mothers and employees."¹⁰⁴

A woman in the senior-level focus group also shared her experience of being the last one to be promoted as a director of the department she is serving in. She said that, "[W]e were five employees, four males, and myself, we had the same years of experience, same qualifications, and same university degrees, the four males were smoothly promoted to director positions when they reached the years of services required. But for me, it took 18 years to be a director, with only two years remaining to retirement." Many women felt that they were not promoted because they were females and the perception of women in the public administration resulted in their not being considered.

Most women in junior level positions expressed their unwillingness to work beyond the age or years of retirement. They said there are too many obstacles before them. Women at the senior level, however, felt that they have started gaining some recognition and were keen to continue to reach higher positions. Nevertheless, most were concerned and did not know whether their positions would be renewed when they retirement age.

Women also addressed the five-year age gap in the retirement between men and women, which appears to limit women reaching the highest positions, as length of experience is one of the main criteria for promotion.

¹⁰⁴ Focus group with senior female employees (November 2011).

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The number of years in the services and the last five years for a servant in the civil service also determine the final pension. This means that, if women leave the PA earlier than men and with at least five years less than men, then their retirement pensions will be lower than men's pensions. This not only creates a gender gap in pensions but also dissatisfaction among female civil servants.

For instance, women in different focus groups mentioned losing interest in their jobs in the PA. For them, being in a senior position does not fulfil their ambition because of the low level of salaries and the insecurity of the jobs - it depends on the minister to extend their services after reaching retirement age.

To summarize, the different retirement age on top of women's fewer years of work due to maternity and other leave related to care responsibilities leads to:

- Demotivation and potential loss of talented women
- Gender pay gap on retirement
- Gender bias in favour of men in promotions.

WORK ENVIRONMENT: FLEXIBLE WORKING HOURS AND CHILDCARE FACILITIES

Based on interviews with women and focus groups, one can conclude that women's career development in Jordan is highly dependent on the ability of women to balance work and family responsibilities. Given that women continue to be principally responsible for the care and well-being of their children, access to reliable and affordable child care is vital to the realization of women's rights to freely choose employment. Despite the growing awareness of women's right to work, the general expectation still tends to be that the care and well-being of children (as well as elderly and other relatives with support needs) is mainly women's responsibility. As a result women end up leaving their jobs or do not join in the first place. Gender stereotypes in the respective roles of women and men, however much challenged, seem to still be alive in Jordanian society. Women are only 'allowed' to leave the home and seek paid employment mainly if it is financially necessary and the children's wellbeing is not affected.

On the other hand, some women consulted stated that they joined the public sector because it suits their needs to balance work with family responsibilities, given the shorter working hours than the private sector (8 a.m.- to 3 p.m.). Additional work is rarely requested, maternity leave is 90 days rather than 70 in the private sector, and there is some job security unlike in the private sector. Such conditions were seen as important for working mothers.

In terms of breastfeeding time, most women stated that it is up to the manager to allow one hour per day for the mother to breastfeed her child. There is no regulation on this, and some managers, as stated by participants, "are kind enough to allow women to leave for an hour either earlier or during the day". However, usually this hour is deducted from the annual leave; so many women prefer not to take it as a way of saving their annual leaves for urgent matters.¹⁰⁵ Some participants noticed that many women would either take one year of leave or resign in order to meet children's needs and responsibilities.

¹⁰⁵ Focus groups with female employees (November 2011).



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The other challenge is related to childcare facilities. The Civil Service Bylaw does not include any regulation pertaining to care facilities for children of employees as the Jordanian Labour Code does for the private sector. None of the ministries that were involved in the consultation has a nursery or any type of facilities for children.¹⁰⁶ Women addressed this as one of the main obstacles to their advancement at work. Several participants stated that most of their annual leave was used up trying to find a good nursery for their children and ensuring their children's safety. The cost of nurseries in Amman is high and the alternative is hiring a domestic worker, which nowadays is a less available option for women in the public sector as recruiting agencies charge thousands of dinars on their services.¹⁰⁷ Apparently, the cost of nurseries or hiring a domestic worker is placed on women, not men, as they are the ones who should be taking care of children and thus should find other alternatives when they cannot do so.¹⁰⁸

There were different examples given during the consultations with female employees, who had great qualifications and potential to be advanced in their careers but had to leave their work directly after coming back from maternity leave.¹⁰⁹ These women left because they were not able to balance work and the responsibilities of their new babies. Participants thought if facilities were available, those women might have remained in their positions, but were hindered by a lack of understanding of women's family-related responsibilities.

It is part of Jordan's obligations under CEDAW and ILO conventions to facilitate centres for children in order to ensure better performance of women and that women are not leaving their jobs due to a lack of facilities. Therefore, the issue of flexible working hours and childcare centres is vital for the PA to consider, and appropriate special measures taking into account women's gender-specific needs should be implemented.

PROMOTION, CAPACITY-BUILDING AND INCENTIVES

The Civil Service Bylaw (2007) introduced a new proclamation, a code of conduct and a human resource management system to promote merit-based recruitment and manage promotions, rewards and sanctions. The Bylaw provides clear guidelines on promotions in the civil service and criteria and regulations with an emphasis on equal opportunity. Promotion of public servants is based on seniority (years in the service), which is called mandatory promotion.¹¹⁰ The length of service criteria is likely to impact more negatively on women than men given their career breaks due to maternity and other family related matters.

Other criteria in the Bylaw for promotion include:

- Completing a total number of 100 training hours
- Obtaining a new educational degree (Articles 78 & 81 of the 2007 Bylaw).

These criteria mean that women's equal access to these opportunities is important to monitor and support.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Civil Service Bylaw (2007), State of Jordan.

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Another type of promotion within the civil services is the Permissible (*aljawazi*) promotion (Article 79 of the 2007 Bylaw). This type of promotion pertains to when certain jobs are created in one of the departments. Qualified/specialized employees can then be promoted to these positions regardless of the years of experience. While this type of promotion could be an incentive that encourages hard work and qualified men and women to reach leadership positions without waiting 10 years to be promoted, it was seen by some participants as “a way of promoting *wasta* as there is no criteria to govern the practices of the directors.” This could impact even more negatively on women, who do not have access to the same networks, or benefit women from privileged families compared to those from more modest backgrounds.

The third type of promotion is that related to recruiting employees for supervisory jobs from within the ministries.¹¹¹ The criteria for promotion to such positions are based on the evaluation record of the employee, qualifications, and succeeding in the exam or/and the individual interview (Article 89 of the 2007 Bylaw). There are no statistics available that show the number of women and men promoted to supervisory jobs within the last few years, and it is important to address this gap in order to understand key patterns of gender balance. However, most participants indicated that men rather than women mostly have access to these jobs. This is because there is more trust in men to perform these jobs, indicating gender stereotypes of males being more suitable for these positions.

Working conditions are also a factor. These include fieldwork, late working hours, and travel, which are sometimes seen as unsuited to women’s circumstances. A female participant in the focus groups said:

“I have applied for a supervisory position within my department three times, I did not get the post in the first two times, though I have the right qualification. My manager thought it was a job that requires a male employee; the third time, they had to give it to me as there were only three applicants, all from female employees”.¹¹²

All types of promotion are managed by the Committee of Public Servants’ Affairs at each ministry, which includes the secretary general, head of human resources department, a senior representative of CSB, and two senior employees of the ministry.¹¹³ The Committee meets upon the request of the chief of the Committee to review and decide upon all promotion cases. The 2007 Bylaw does not detail the work of the Committee - this leaves a window for unreliable and inconsistent practices. This is clearly a key Committee and it should be prioritized in terms of support, including ensuring that they have access to gender expertise and understand the national implications for Jordan’s international commitments in gender quality.

TRAINING

As seen above, training, higher degrees, and fellowships are directly linked to promotion prospects.¹¹⁴ The main provider of training to the civil service is the National Institute for Training. There is also a specific unit at each ministry whose role is to identify the training needs of employees and suggest the required training to be taken by each employee.¹¹⁵ There are also a number of training hours that each employee should complete before being promoted.

¹¹¹ Ibid.

¹¹² Focus Group Discussions (2011).

¹¹³ Ibid.

¹¹⁴ Based on interviews. See also CSB Annual Report (2010).

¹¹⁵ The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau, State of Jordan.



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The Secretary General of CSB stated in the interview (2011) that there has been much emphasis on training top officials, including male and female heads of departments. Management skills workshops and seminars were conducted in the last few years for almost all employees at management level.¹¹⁶ In addition, Jordanian civil servants receive training at a number of private training institutions inside Jordan, and many are sent for training outside Jordan through donor agencies. However, sex-disaggregated data for participants was unavailable.

The Secretary General of the Ministry of Public Sector Development, stressed the importance of providing quality training for women that qualifies them for leadership positions. The problem faced in Jordan in relation to appointing women in the higher-level positions, according to the Secretary General, is that the number of women who are qualified in the public sector is very limited. The JNCW has developed several training courses to support women to hold senior positions, and most of the ministries who were part of the consultation process had participated in these trainings. However women in the focus groups indicated that selection of women to these courses was not based on clear criteria. Moreover, the high turnover of female employees and transfers made between the departments made it difficult for women to continue attending these trainings.¹¹⁷

The Director of Training and Capacity Building at the MOPSD stated that the objective of the reform of public sector capacity building programmes is to:

- Improve the scale, efficiency, and responsiveness of public service delivery at the national, regional, and local level
- Empower employees to participate more effectively in shaping their own development
- Promote good governance and accountability.¹¹⁸

The aim of training is also to enable employees, regardless of their sex, to gain the right qualification for the positions they are supposed to fill when they are promoted. Most literature of the CSB and the Ministry of Public Sector Development indicates that selection of trainees is based on the principle of equal opportunity.¹¹⁹ However, during the consultations, women complained about a lack of opportunities provided to them to enhance their capacities. One participant stated, "[T]here are guidelines for announcing the opportunity, nominating and selecting the candidates for training; however, we believe that the selection process is subject to discrimination and favoritism, it does not follow the proper channels and guidelines."¹²⁰ There is a general feeling among middle- and lower-level employees that there is no transparency in the selection process for training courses, and most opportunities are reserved for male directors and their preferred employees.

There are no statistics on the total number of scholarships and training in the public sector based on sex. The Head of the Training Department at the CSB shared the 2010 figures on this issue. It is clear that the number of scholarships and training courses outside the country is not high; however, fewer women have had these experiences than men.

116 Interview with CSB Secretary General (November 2011).

117 Focus group with women (November 2011).

118 Interview with Director of Training and Capacity Building, MOPSD (2011).

119 See CSB Annual Reports (2009 & 2010) and the Civil Service Bylaw (2007).

120 Focus group with women (November 2011).

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Table 6: Training courses and scholarships, according to sex of employee (2010)¹²¹

TRAINING	FEMALE	MALE	SCHOLARSHIP (MORE THAN 6 MONTHS)	FEMALE	MALE
Internal (either inside the ministry or inside the country)	485	386	No info on scholarships inside the country		
Outside the country	14	34	Outside the country	8	34

Source: CSB (2010).

There were different points of view on training courses and scholarships, especially those held abroad. One view is related to the idea of giving the priority to men as they could use the experience gained from these training courses better than women. One male participant stated, “When you train a woman and build her capacity she might leave at any time for family reasons, so the government by this loses the cost of these training and scholarships. Investing in women’s capacity was seen as wasting the state’s resources. Some participants instead accused women of refusing to take training courses that are convened outside working hours, or those which require travel. This again confirms that women’s work and opportunities available to them are constrained by traditional and societal beliefs about women. There is a need to examine whether any training opportunities could be delivered in a way that is more accessible to women.

Women believed that travel opportunities provided to them are certainly a life-changing experience. On the other hand, some unofficial numbers discussed at the CSB consultation demonstrated that men, in many cases, have left their work after gaining more experience in order to earn more money. One participant discussed that the high level of turnover in the public sector is among those males who become more qualified. He justified that by saying, “Low pay is one of the main reasons for the high turnover rate in the public sector, among qualified people only, and mostly men.”

Nonetheless, the issues of women’s family responsibilities and the family’s permission for women to travel were emphasized as two main issues by female employees. The majority of women in the interviews and focus groups stated that they can travel, but it should not be more than a week. Many women stated that they cannot decide to travel on their own and that their parents, husbands, and sometimes brothers all have to be involved in the decision.

One important point mentioned by participants addressed the proposed requirement of donors who are funding scholarships to have at least one female among those selected for the training or scholarships. This was seen by participants as one way to increase the number of women who can access training and scholarships outside the country. The Head of the Training and Department Scholarship at

¹²¹ The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau, State of Jordan.



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the CSB in the interview shared his experience of selecting females for one scholarship funded by the Norwegian Foreign Ministry: “[T]he scholarship was for nine months, we tried to find a woman from the CSB but they were all engaged at that time; we sent the scholarship announcement to other ministries and we were surprised to get a good number of women who were willing to go abroad for nine months.”

There was not sufficient data on the number of women and men promoted or rewarded, or who had benefited from training and fellowships. The lack of a policy or strategy on gender equality in the public sector as a whole and at the CSB in particular, makes it difficult to find out whether and how the principles of equal opportunity and non-discrimination are implemented with respect to promotion, incentives and rewards.

According to the Ideal Employee Reward (Article 34, 2007 Bylaw), five annual increases are granted by the Prime Minister to 10 employees from each grade, including contractual employees. Recipients of the Reward should be nominated by their directorates and then selected by the Specialized Committee of the Ideal Employee Reward at the CSB. In 2010, six women (33 percent of the total recipients of the reward) were awarded the Ideal Employee Reward.¹²²

The King Abdullah II Award for Excellence (KAAE) in the Public Sector was established by the King Abdullah II Centre for Excellence in 2002. The Award is divided into three levels: excellence in leadership positions: excellence at the management level and excellence at the executive level. The Civil Service Bylaw (B/34) grants the employee who receives the KAAE five annual increases in salary. It is worth noting that no woman received the KAAE Award at any level in 2009 and only one woman has received the Award (out of 39 recipients) since its establishment in 2002, constituting only 23 percent of the total recipients.¹²³

None of the Awards have any affirmative measures to encourage departments to nominate women to the awards.¹²⁴ It is clear that the awards contribute to increasing the salaries of the servants and also encourage a better performance of civil servants. It is therefore important to address the gender gap in receiving the awards.

PERCEPTIONS OF FEMALE EMPLOYEES

Generally speaking, in the focus groups, there was an acknowledgement of women as harder workers than men, as stated by one woman in the focus groups: “[W]omen tend to do their work peacefully, and they spent fewer hours in chatting, fighting, or mingling around in the ministries.” There was no difference between women and men in the focus groups related to assessing women’s work at the PA. Both men and women emphasized that generally women are much more active, do their tasks on time, and are more committed to the work. Four female participants in the focus groups stated that “men get lazy because they know they will be promoted just because they are men and/or have a certain family name, while women can only by hard work and education have access to the higher positions.” Interestingly, most men agreed with this statement and added that they prefer to work with females rather than males.

122 The Reality of Human Resources and Administrative Management in the Civil Services (2010), Civil Service Bureau.

123 Names and positions of the award holders can be found at: <http://www.kaa.jo/PDF/employeehandbook.pdf>

124 Ibid.

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While there was an appreciation of women's hard work, on the other hand, there was no appreciation of the *value* of women's work by some participants. For instance, women's work was suggested to be for the benefit of women only as "it does not have financial returns on the family or the community." The fact that women may not be the main breadwinner makes women's work seem worthless. However, six women participants at the focus groups stated that they contribute financially as much as men and, in three cases, they contribute to family income more than men and, in two cases, they were the only providers of financial resources for their families. There was only one single woman who said she did not support her family financially because her family had a good financial status. Some participants stated that, although their husbands earned higher salaries, their contribution to the family's finance was higher than that of their husbands. This was explained by the contention that men have more social and cultural activities, attend official meetings, go to dinners, participate in sport events, and sometimes have responsibilities towards their parents.

Some women raised a serious concern related to the fact that many men do not take them seriously in the workplace. Women stated that male colleagues make jokes about their work, and usually think that women are there because they have extra time to spend, not because they are real partners and equal citizens. "When there is a woman working in a male-dominated department, she either tends to minimize her responsibilities or, if she has proven capacity in doing her job, they tend to give her male nicknames." (Focus Group Discussions, 2011)

Women who step outside the 'weak female character' are identified as women with masculine features rather than strong committed women – and even rejected totally. One woman participant in the senior employees' consultations said, "I literally had to desexualize my identity as a female in order to be taken seriously"; other participants agreed with this statement and showed frustration because they are always under the pressure to confirm their ability and capacity to do the work while men do not have the same pressure.

Some participants in the consultations stated that women tend to shy away from employment offers at director and management levels. The reason for this, as stressed by some women in the focus groups, is that such positions require late working hours. In the interview with the Secretary General of the Ministry of Public Development, he confirmed this by giving an example of a woman who had great potential. She was the best in the ministry and he wanted to appoint her as his deputy. She rejected the offer because it required additional work and late working hours, so he then had to appoint a man who was less qualified.

The Head of the Recruitment Department at the CSB stated in the interview that the percentage of males who reject employment offers is much higher than that of females when the work involved late working hours. He justified this by saying, "[M]en do more than one job, they are usually taking jobs in the evenings or nights, due to the low level of the wages at the public sector. Women, in particular, when unmarried, can work until late and do not have the same financial burden."

There were also cases in which women were not asked to take higher positions or engage in projects because their managers assumed that they had too many family responsibilities. Two women in the focus groups stated that their work required late working hours, travel, and work during holidays; they never complained about that, but there were many times when their male colleagues were asked, without prior consultation with women, to go on missions related to their jobs.



KEY ISSUES IN ACHIEVING EQUAL PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

The issue of female managers was perceived less positively among participants. Female participants at the junior level in particular perceived women directors as trying to work against other female employees. The explanation for this was that women with higher positions had not distinguished attitudes from those of the male directors towards female employees' needs. Senior women have mostly commented with very positive perceptions and attitudes towards other female directors. They had seen that, when women reached director positions, they worked harder than men in the same positions in order not to be judged as unqualified. They also saw themselves as more considerate to other females' needs and responsibilities.

Men acknowledged the hard work of female directors, but others thought that females are not as supportive of other females. At the CSB consultation, participants stated that women managers usually evaluate positively the performance of male employees while at the same time give female employees low grades in the annual evaluation records.

Table 7: Perceptions of female managers by level of seniority and sex, according to focus group participants

ATTITUDE TOWARDS FEMALE MANAGERS	FEMALE IN SENIOR POSITIONS	FEMALE IN JUNIOR POSITIONS	MALE EMPLOYEES	TOTAL
Very positive	7	2	3	12
Positive	2	1	2	5
Negative	-	5	5	10
Very negative	1	2	4	7
Total	10	10	14	34

Source: Focus Group Discussions (November 2011).

Perceptions of female managers demonstrate that stereotypes about women are often used to undermine women's ambition and abilities; though no policy statements discriminate against women or forbid women from reaching higher positions, higher positions have long been dominated by men, and the male perspectives of policy development, performance evaluation, and interpersonal interactions generally prevail. There are no policies that recognize the social context in which women operate and that set special measures. Senior groups have said that women directors are often evaluated more harshly than men and that work done by women or about women was frequently undervalued by male and sometimes even female colleagues.



SUMMARY OF KEY ISSUES

Not a high-level policy priority

Although Jordan has signed CEDAW, which recommends minimum participation levels for women and temporary special measures, this has not yet translated into a national gender equality law or – perhaps even more critically – public administration laws and regulations.

The suggested addition of the principle of non-discrimination by sex to the Constitution was not adopted despite lobbying by civil society, and the 2007 amendment to the Civil Service Bylaw did not fully use the opportunity to address this international commitment in terms of gender equality. The same is true of the current National Agenda (2006 – 2015) for reform in the PA. The Civil Service Bylaw provisions on human resources issues also impact negatively on women compared to men in a number of ways.

Work-life imbalance

Jordanian women's roles are highly prescribed by socio-cultural traditions, and they are responsible for the family and assigned caring roles. Even if given permission to work by primarily male family members, women find it hard to balance family and work commitments – even in the public administration, which has shorter working hours than the private sector. A lack of flexible working options is also impacting negatively on women's ability to balance work and family responsibilities.

Unequal length of service and retirement age

The unequal retirement age impacts negatively on women in many ways:

- Women have fewer years of service than to count towards retirement pension, and therefore their pension is likely to be smaller than that of men
- Women are further disadvantaged by maternity and other career breaks taken for childcare purposes
- Talented women are demotivated and possibly leave the service at the height of their experience.

Unequal access to in-service training

Women in the case study focus groups indicated that, despite equal opportunity criteria in the Civil Service Bylaw (2007), the *de facto* practice was different. The figures of women selected for overseas study above confirm the existence of gender imbalance in access to training and development opportunities. An absence of complete data and monitoring makes it challenging to identify specific areas for improvement. International agencies supporting training for civil servants could also introduce minimum standards for gender balance as a condition of support.

Gender bias in promotions

There is a lack of clarity in the terms of reference and operations of the high-level committee. Women are also disadvantaged by the length of service as a criterion, as their childbearing responsibilities mean that they take more time off than men. This results in them being effectively professionally penalized for exercising their reproductive rights and in women starting to fall behind male counterparts in terms of



KEY ISSUES IN ACHIEVING EQUAL PARTICIPATION IN PUBLIC ADMINISTRATION DECISION-MAKING

career advancement at the start of their careers. Completion of training is also a factor in deciding promotions and therefore the issues referred to above in terms of women's unequal access to training also impact negatively on their promotion prospects.

Gender pay gap and gender bias in other benefits

The case study indicates that research and scrutiny of data is needed in order to establish whether there is a systemic gender pay gap, the specific nature of it, and ways of addressing it. In terms of allowances, there appears to be an underlying assumption that the man is the breadwinner, which penalizes women and especially single and widowed women.

Negative perceptions of women's work

Male breadwinner assumptions also impact negatively on the value attached to women's work generally. Women in the public administration report that they have to work harder than male counterparts to be taken seriously. They also report that they are often treated without respect in the workplace and sexual harassment has also been raised as a concern. There is no explicit and comprehensive policy instrument (including sanctions) to deal with sexual harassment in the public administration. There is such an instrument in the private sector, and this could be extended to the PA.

Lack of attention to gender equality in the PA by international agencies

Although a number of agencies are active, there is still little focus on gender-balanced participation in the internal dimension of the public administration. The major PA reform process that is being supported by many donors is a key entry point.



RECOMMENDATIONS

This section makes recommendations based on the findings and especially in light of the policy gaps and *de facto* implementation challenges outlined above. An overall recommendation in terms of approach is that the principle of gender equality should not be addressed in a manner that can be described as an 'add-gender-and-stir' approach, but rather should acknowledge the role of women and men as partners in development, good governance, and democratization processes.

1. Ensure that the Constitution and national legislation are gender-responsive

In line with Jordan's international commitments:

- The Constitution should explicitly include the principle of non-discrimination with a reference to gender equality
- The government should undertake a comprehensive review of existing laws and policies in the civil service, with a view to eliminating provisions, which are gender-biased and discriminatory and constitute direct or indirect gender discrimination.
- The government should issue a gender equality law that covers all areas of gender equality in the public and private sectors.

2. Support in the public sector should:

- Incorporate high-level gender equality targets in the National Agenda
- Amend the Civil Service Bylaws to include a gender equality principle in all matters related to recruitment, promotion, retirement, and trainings
- Consider gender targets in recruitment/and representation in leadership positions backed up by recruitment drives, gender balance and gender training for appointing officers and similar measures
- Ensure that sex-disaggregated data and analysis is available for all areas of the PA
- Ensure equal legal rights for women and men in promotion of equal treatment and ban gender discrimination in employment opportunities, working conditions, as well as access to training
- Ensure that ministries and other public departments make their internal gender policies explicit and make sure that all staff in the central and local governance are aware of such policies
- Establish a properly resourced gender equality Department at the MOPSD to mainstream gender equality in the departments responsible for restructuring public sector human resources, monitoring and evaluations, complaints mechanisms, and training and capacity building
- Promote work-life balance and emphasize the importance of sharing family responsibilities, high quality childcare and adult care facilities, paternity leave, affordable and subsidized family support services
- Allocate resources for capacity-building
- Develop a public administration gender equality strategy and implementation plans/programmes of gender equality with adequate resources
- Introduce gender budgeting within the Ministry of Finance, including an internal staffing focus to support gender balance and gender equality



RECOMMENDATIONS

- Identify and build capacity of high potential women, such as through fast-track schemes – also, ensure women are well represented in national training of civil servants through making such training as accessible as possible
- Build support for gender equality policies through establishing networks within and among PA institutions and civil society
- Strengthen the JNCW mandate in relation to gender equality in public administration, which requires substantial capacity-building of JNCW and a clear mandate that focuses on engendering the public administration.

3. Mobilizing civil society

- Advocate for targets or quotas for women in leadership positions in the public administration
- Contribute to building the capacity of female employees in the public sector and training civil servants on gender-related issues
- Coordinate campaigns with the JNCW for changing attitudes towards women and their leadership capacity.

4. UNDP and other international actors

- Support research programmes to collect accurate sex -disaggregated data and conduct research that is essential for monitoring and evaluating the progress towards the achievement of gender equality and women's empowerment within the public sector
- UNDP and other agencies should set an example and ensure that their public administration reform programmes are gender-responsive, including in terms of equal participation at all levels
- Include this dimension of gender equality in possible support to establishing of gender departments/units, build the capacity of gender focal points in all ministries, and promote exchange of experiences at the regional and international levels.



CONCLUSIONS

Despite commitment and political will in Jordan to reform the public administration and support gender equality, this has not yet translated to balanced representation at the senior levels of the public administration. It is important to build on relevant goals and objectives already in place at the national level in order to improve women's representation in the public administration by addressing the gender biases identified above.

The limited availability of data disaggregated by sex impedes the ability to identify and address gender-based disadvantages in the PA and particularly to address gaps related to promotion, training, leave and fellowships. Sex-disaggregated data – when available – has the potential to benefit a range of initiatives and strengthen awareness and knowledge about existing gender inequalities. Available data clearly suggests a large gender gap in relation to leadership positions in Jordan's public administration, and this is a useful starting point in understanding how best to approach the task of translating policy goals regarding women's representation into reality.

Gender equality in the PA cannot be adequately addressed if it is viewed only in relation to improvements in women's work and representation. Rather, it will be more beneficial if it is seen within the broader framework of good governance, democracy, development, and social welfare. Achieving gender equality should therefore be seen as part of a fair and modern public administration.



ANNEX 1: ABBREVIATIONS AND ACRONYMS

CIDA	Canadian International Development Agency
CSB	Civil Service Bureau
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DOS	Department of Statistics
ESCSA	Economic and Social Commission for Western Asia
GSF	Gender Social Fund
HDI	Human Development Index
ILO	International Labour Organization
IMTCD	Inter-Ministerial Technical Committee on Decentralization
JNCW	Jordanian National Commission for Women
JWU	Jordanian Women's Union
KAAE	King Abudllah II Award in Excellence
MDGs	Millennium Development Goals
MOE	Ministry of Education
MP	Member of Parliament
MOPSD	Ministry for the Public Sector Development
NGOs	Non-Governmental Organizations
OECD	Organization for Economic Co-operation and Development
PSL	Personal Status Law
PA	Public Administration
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development



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Note: all websites were last accessed in 2012.



ANNEX 3: INTERVIEWS AND FOCUS GROUPS

Interviews at the CSB included:

The Secretary General of the CSB, Mr. Sameh Al Naser

Dr. Ahmad Al Khawldeh, Chairman of the Directorate of Institutional Performance Development

Adel Al Kawasmeh, Chairman of the Directorate of Missions and Courses

Esam Al Nemri, Chairman of the Directorate of Employment

Mbarak Al Khalaileh, Chairman of the Directorate of Information Technology

Two women from the management level were also interviewed at the CSB

MOPSD interviews:

Secretary General: Dr. Ali Daradkeh

Seham Al Khawaldeh, Director of Restructuring

Maysaa' Mbaydeen, Director of Human Resources

Snaa' Kher, Director of Services Improvement

Jordanian Women's Union:

Amneh Al Zoubi , President of JWU

The interviews with representatives of different directorates involved questions related to the role and coordination mechanisms with other ministries as well as the structure and performance of the MOPSD and CSB in relation to gender equality. Interviews with women from the Ministry and Bureau involved questions related to the personal experiences of women in the public sector.

Questions to CSB employees (Secretary General and Head of Departments)

Is there any specific policy related to gender equality in recruitment, promotion, training, equal pay, etc.?

Do you see developing gender equality strategy as a priority for the public sector?

Do you have statistics related to the recruitment, promotion, training and scholarships of women and men in the civil services?

Are there any special measures set to facilitate the work of women in the public sector?

What are the opportunities provided to enhance the capacities and skills of civil servants?

Have the training and capacity-building programmes included topics related to gender mainstreaming and gender equality?

Is there any targeted percentage for hiring men and women in the civil services?

Is there any cooperation with JNCW?



ANNEX 3

Questions for MOPSD (Secretary General and Heads of Departments)

What is the role of the ministry in the reform process?

To what extent are other ministries required to follow your recommendations or feedback?

What are the coordination mechanisms with other ministries and other public sector departments?

Has the reform of the public sector included a gender equality strategy?

Is the issue of a gender balance in the public sector a priority for the ministry?

Do you think there will be any challenges in developing and implementing a gender equality strategy in the public sector?

Could you explain the role of the ministry in terms of discrimination based on sex? Do you play a role in promoting a gender balance in the PA at national and subnational levels, either directly or indirectly?

Have you implemented any specific programmes aimed at improving the gender balance in the public sector or gender equality more broadly? Do you have any future plans?

Are you aware of any challenges in improving the gender balance in the PA, in line ministries or in local government??

What do you think of the paternity leave proposed by JNCW?

Specific questions for women in the CSB and MOPSD

How do you evaluate the working environment at the public sector regarding female employees?

What are the perceptions of gender equality in the PA?

Are there any challenges/problems you have faced as a female within your work in the public sector?

What opportunities provided to female employees?

Questions for Jordanian Women's Union (JWU)

Questions focused on the role of civil society in advocating for increased women's representation in public administration, whether there is any experience in promoting policies of equality in public service, and the general perceptions of JWU regarding the reform process of the public sector.

Focus groups

See Methodology.



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