

Disclaimer

The International Bureau for Children's Rights is pleased to share with the visitors of its official website this draft country profile on the status of the CRC implementation. This draft profile is the preliminary result of the ongoing research project that will eventually cover all the States parties to the Convention.

This draft is based on data that IBCR interns were able to collect from various Internet sources. As the information on the Internet is often limited and may contain inaccuracies, this profile is not meant to be complete or absolutely accurate. Still, IBCR has decided to publicize this draft profile for the purpose of awareness-raising and exchanging of information.

In the meantime, IBCR remains open to any comments, corrections and feedback readers may have. IBCR is seeking additional resources to improve this draft country profile and bring it to the expert level. The reports on Cambodia, Indonesia, Sri Lanka, Timor Leste, and Viet Nam are examples of expert level reports and are available on IBCR's official website thanks to the financial contribution of CIDA. The ultimate goal of this endeavour is to bolster international understanding of children's rights, disseminate knowledge about the CRC and assist Governments in its implementation.

HASHEMITE KINGDOM OF JORDAN

Introduction

Jordan is a constitutional monarchy led by King Abdullah II who took the throne after his father King Hussein's death in 1999. The latter ruled Jordan for almost half a century and was considered by many to be a stabilizing power¹ in a country where pressures from the United States, Russia, Israel and the Arab States were high and where many tensions arose from the presence of the numerous refugees who escaped from Palestine and Iraq. Since taking the throne, King Abdullah has enacted several economic and political reforms aimed at combating poverty, unemployment and debt.

In July 2005 the total population of Jordan stood at 5.7 million and the population growth rate was estimated at 2.56%. High birth rates, increasing net migration, and low infant mortality rates² have contributed to an important increase in the population, as well as to its rejuvenation with 65% of the current population under the age of 25.³ This situation has weighed heavily on the economy and caused a high degree of competition amongst youths, particularly in poor urban areas.⁴

Jordan is a small country with limited natural resources. Clean water is scarce but international projects are aimed at solving the situation.⁵ During the 1990s, oil imports were provided mainly from Iraq. However, since 2003, Gulf Cooperation Council members have been the main suppliers. The CIA World Factbook claims that in 2005 the GDP growth rate was estimated at 5.5 %⁶ and 13.4% of the economically active population was unemployed at the end of 2004. However, unofficially, this same source claims that the unemployment rate might be as high as 30%.⁷ Education and literacy rates and measures of social well-being are relatively high compared to other countries with similar per capita incomes. Literacy over 15 was estimated in 2005 at 89.9%.

With respect to human rights, according to U.S. Department of State, Jordan is making some progress⁸ but more has to be done in the area of women's rights and freedom of association.⁹

¹ "The World Fact Book, Jordan" CIA, available on line at <http://www.cia.gov/cia/publications/factbook/geos/jo.html> (last accessed 1 June 2006)

² The infant mortality rate is the lowest of the North Africa and Middle East region and it has decreased sharply from 26 per thousand in 2000 to 17.35 in 2005.

³ "The World Fact Book, Jordan" CIA, available on line at <http://www.cia.gov/cia/publications/factbook/geos/jo.html> (last accessed 1 June 2006)

⁴ In this last respect, it will be noted that Jordan has rapidly changed over the past fifty years from being a largely agricultural state in the 1950's with an 80% rural population, to becoming highly urbanized in the 1990's with a city population now of amounting to 80%: Safa Halasah "Participation with Jordanian children" 1998. In *Stepping Forward: Children and young people's participation in the development process*. Victoria Johnson et.al. (ed). Intermediate Technology Publications, pp. 143-147, P. 143.

⁵ Supra note 3

⁶ Supra note 3

⁷ Supra note 3

⁸ For example, the king specifically appointed the October 2003 government with the task of promoting human rights and political development and created specific organisms to work on the matter. Id. He also called three women as ministers in the government, situation which had never occurred before in the country. "Background Note: Jordan": U.S. Department of State, 2005, available on-line at <http://www.state.gov/r/pa/ei/bgn/3464.htm> (last accessed 1 June 2006)

Jordanian human rights defenders and lawyers have expressed concerns about an anti terrorist law that was voted in the absence of Parliament, especially given that it places restrictions on freedom of speech and the press. The lack of due process of law in Jordan is also criticized by international human rights organizations. Citizens still do not have the right to change their government even though they may elect representatives of Parliament.¹⁰ Other problems include the perpetration of torture and arbitrary arrests by the police. It is also reported that detainees face mistreatment in detention centers.¹¹ Violence against women and restrictions on their rights still exists and child abuse remains a problem.

International Conventions and Treaties

- Convention on the Rights of the Child (CRC), signed: August 19, 1990; ratified: May 24, 1991
- Optional Protocol to the CRC on the Involvement of Children in Armed Conflict, signed: September 6, 2000
- Optional Protocol to the CRC on the Sale and Prostitution and Pornography of Children, signed: September 6, 2000
- Convention on Consent to Marriage, Minimum Age for Marriage and Registration for Marriages, accessed: July 1, 1992
- Convention on concerning the Minimum Age for Admission to Employment (ILO 138), ratified: March 23, 1998
- Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO 182), ratified: April 20, 2000
- Charter on the Rights of the Arab Child of the League of Arab States, 1997

Children's Rights

In 1995 the Government established a National Task Force for Children (NTFC) which has served as a monitoring mechanism for the implementation of children's rights. While this has offered young Jordanians greater protection, the Committee on the Rights of the Child was still concerned in its 1996 report with the dearth of improved legislation for children. The Government has made some improvements since this time, many of which are detailed in its most recent report to the Committee on the Rights of the child. The report was published in 2005 and the recommendations of the Committee on the Rights of the Child are expected for September 2006.¹² It appears that many internal and external factors have made the implementation of the Convention on the Rights of the Child difficult. The repercussions of the third Gulf War and the occupation of Iraq in particular have resulted in economic hardships, many of which have impacted the lives of children. For example, many families have been obliged to send their children into the workforce in order to gain additional income.

⁹ "Country Reports on Human Rights Practices- Jordan", U.S. Department of State Jordan, 2005, available on-line at <http://www.state.gov/g/drl/rls/hrrpt/2005/61691.htm> (last accessed 1 June 2006)

¹⁰ Ibid

¹¹ Supra note 8

¹² Office of the UN High Commissioner for Human Rights, Jordan, available on-line at <http://www.ohchr.org/english/bodies/crc/crcs43.htm>

Discrimination is another problem that pervades Jordanian society. For example, although the Constitution does not distinguish between people on the basis of race, legal discrimination exists between men and women, especially in employment. Women and girls are also victims of **domestic abuse** but familial and society pressures largely discourage them from complaining. Although Jordanian law does not permit honor crimes, the sentences are not severe enough to have a deterring effect.¹³ Moreover, most of the time, the police will not investigate an honor killing. They might even force threatened girls to undergo a humiliating virginity test at the request of their families.

Sexual abuse in Jordan is quite high. While there have been several laws enacted to prevent such crimes, most of them are inefficient and consequently, prosecutions against perpetrators are rare and convictions low. Moreover, there is a strong societal pattern to keep problems within the family in order to avoid public shame.¹⁴ This means many people will not seek of justice for fear of stigmatizing their child. UNICEF has urged the Government to address this situation by amending Article 97 of its Penal Code which allows the guardian of an abused child to drop charges against the perpetrator.¹⁵ The Government has made some efforts to address abuse through the establishment of a number of governmental and non-governmental bodies aimed at protecting children from abuse, neglect and sexual exploitation. These organizations also work to provide children with basic educational, psychological, social, and health services. More efforts have also been made in the prevention of violence. For example, the testimonies of children are taken into consideration and institutions such as the Family Protection Department provide abused children with medical and psychological support.

The Jordanian Constitution guarantees all children access to **education**. However, the Committee on the Rights of the Child noted in its Concluding Observations that societal discrimination in the form of custom and unwritten practices, especially in rural areas, has made it difficult for girls to fully access the system.¹⁶ Recent UNICEF statistics suggest that there has been some improvement in this regard. For example, it is estimated that from 2000-2004 there was a 99% gross primary school enrolment rate for both girls and boys.¹⁷ Palestinian refugees also appear to have greater access to the system. For example, Palestinian refugees without legal residence have traditionally been denied access to education.¹⁸ However, since 2003 the Government has granted them a five year renewable passport. Although this passport does not grant them nationality, it may provide them with the requirements needed to access to the education system.

While education is free and compulsory up to the age of 16, there are few effective measures to prevent student absences. For example, there are no penalties for guardians who do not send their children to school. Moreover, NGOs have been critical of rural/urban disparities in preparatory schooling. Only 25% of children have access to kindergarten and approximately 72% of all kindergartens are in urban areas. However, efforts are being undertaken to harmonize national legislation with both the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women and to develop

¹³ Supra note 9

¹⁴ Ibid

¹⁵ "Report outlines need to speed up legislative process to protect children's rights", Dalya Dajani, Jordan Times, 19 July 2005, available on-line at www.jordanembassyus.org/07192005001.htm

¹⁶ Concluding observations

¹⁷ "At a Glance: Jordan", UNICEF Statistics, available on-line at http://www.unicef.org/infobycountry/jordan_statistics.html (last accessed 5 June 2006)

¹⁸ Supra note 10

policies for the protection and promotion of child rights especially in early childhood. Such measures include the preparation of a bill for the licensing and establishment of nurseries. Since 2005 there has also been an increase in the number of public kindergartens.¹⁹ The Government has also developed public health clinics in schools which help to reduce service fees.

With regards to children with **disabilities**, it is difficult to provide a real estimation of the situation because there is still a lack of information and statistics. However, given the recent rise in the population, it can be assumed that the number of disabled children has also increased.²⁰ As part of the Government's strategy to aid children with disabilities, the Ministry of Social Department has established a mobile unit which provides services to remote and underprivileged areas of the country. This same Ministry has also forged partnerships with various organizations focusing on special education.²¹

The Government of Jordan has made improvements to the **health care** sector over the past four years. The main reform involves the provision of free maternal and childcare services during and after pregnancy for every woman regardless of her nationality. Maternal and child care services are equally available in rural and urban areas.

Children born out of wedlock have the same legal rights as other children. Yet, societal discrimination is still exercised against the former given that adultery and premarital sex are highly disregarded. If a man does not acknowledge his fatherhood, a child may be deprived of nationality and correspondingly of various social rights²² Moreover, according to national laws, a Jordanian woman married to a non-Jordanian man does not have the right to give Jordanian nationality to her child. Despite the demand from the NGOs to abolish this law, it still remains in tact.²³

In the past, the **minimum age for marriage** in Jordan was 15 for girls and 16 for boys. However, this law was modified in the provisional Personal Status of Law of 2001 which changed the minimum age to 18 for both boys and girls. In addition, the new law requires the presence of 2 witnesses to prove the consent of the bride to the marriage. As a result of these new requirements the number of married girls under the age of 18 has decreased in the past five years. The Committee of the Rights of the Child acknowledged these efforts made by the Government to combat early and forced marriages.

In 2003 the National Strategy for the Elimination of **Child Labor** was set up after the ratification of major international treaties such as the ILO convention No. 138 (which raised the minimum working age to 18) and ILO law No 182 for the elimination of the worst forms of child labor. The ILO supported the Government with the implementation of the Convention on the Worst Forms of Child Labor and was successful in terms of creating a national child labor act. While such measures have helped to reduce incidences of child labor, poverty has increased the number of child vendors working on the streets. In addition, many labor laws are not

¹⁹ "The Convention on the Rights of the Child Third Periodic Report of Jordan", Committee on the Rights of the Child, 2004, available on-line at http://www.unicef.org/jordan/resources_1949.html (last accessed 5 June 2006)

²⁰ Supra note 9

²¹ "The Convention on the Rights of the Child Third Periodic Report of Jordan", Committee on the Rights of the Child, 2004, available on-line at http://www.unicef.org/jordan/resources_1949.html (last accessed 5 June 2006)

²² Ibid

²³ Supra note 21

enforced in the informal sector and consequently there are still many children in remote areas working for family businesses, agriculture or in domestic service.

With regards to **juvenile justice**, several amendments have been made to put national law in conformity with international treaties. For example, Jordanian legislation considers all juveniles equal before the law, without any discrimination based on gender, race, ethnic origin or religion. The Juveniles Act No.24 of 1968 and its amendments of 1983 and 2002 also provide specific procedures for dealing with children in conflict with the law and children in need of care and protection.²⁴ In addition, a project to protect young offenders will be implemented between the years 2005-2007. These improvements have ameliorated the juvenile justice system but there is still room for greater efforts. According to UNDP, one of the main areas of need is the establishment of an efficient coordination amongst relevant institutions; the reduction of procedural delays; reinforcement of education and psychological monitoring for detainees; and the training of more specific personnel. According to the report of the Committee on the Rights of the Child, juvenile courts only exist in Amman and Irbid, therefore, it recommends that the Government develop ones in other cities.

In total 1.7 million **Palestinian refugees** were registered in Jordan in 2003 by the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRW) - more than any other country in the area. Since the first Gulf War approximately 1-2 million **Iraqi refugees** have also reached Jordan. Most of these Iraqi refugees are not officially acknowledged and only stay temporarily in Jordan, seeking transit to a western country or returning back and forth between Iraq and Jordan. Jordan serves as the starting point for the recruitment of Iraqi migrants for trafficking into western countries.²⁵ The law prohibits trafficking in children but not trafficking in other persons.

The situation of children in refugee camps varies from camp to camp. The Jordanian Government has sought to protect refugee children by providing them with access to basic services. For example, refugee children are provided with access to education in primary and secondary schools and even to universities. The Jordan Government devotes an important part of its budget to provide such services for children. The Government has also helped them by developing programmes such as the Social Security Package.

Regarding **child soldiers**, the voluntary recruitment of male and females into the army is permitted at 17 years of age. Although the Government has pledged that no child under 18 will be used as an object of violence, there are still no laws to this end.²⁶

²⁴ "Project seeks to improve juvenile justice in Jordan", Jordan Times, 27 May 2005, available on-line at www.jordanembassyus.org/05272005001.htm (last accessed 5 June 2006)

²⁵ "New Issues on in Refugee Research: Jordan as a transit country: semi-protectionist immigration policies and their effects on Iraqi forced migrants", Géraldine Chatelard, Robert Schumann Institute for Advanced Studies European University Institute, UNHCR, 2002, p. 31-33

²⁶ Amman Declaration on the use of children as soldiers, 10 April 2001, available on-line at http://www.child-soldiers.org/document_get.php?id=957 last accessed 1 June 2006)