



Country Profile of Jordan

A Review of the Implementation of the UN Convention on the Rights of the Child
August 2011



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The Child Rights Governance Programme in Save the Children Sweden's Regional Office for the Middle East and North Africa implemented the activities of the Manara Network: A Civil Society for Child's Rights in the Middle East and North Africa Region.

Work on Child Rights Governance aims to build societies that fulfil children rights by establishing and strengthening the infrastructure necessary for states to effectively implement the United Nations Convention on the Rights of the Child and other child rights obligations. It seeks to support a vibrant civil society pushing children up the political agenda and holding states to account for what they have or haven't done to realise children's rights. It is an effective strategy for impacting at scale the lives of millions of children, resulting in structural and lasting change.

Our long-term vision is that far more children have their rights fulfilled because:

- All states meet their obligations to monitor and implement children's rights
- A strong civil society, including children, holds states and the international community to account for children's rights

To advance this vision the Child Rights Governance Programme will have significantly contributed to two key objectives:

- Strengthened State institutions and mechanisms for the implementation and monitoring of children's rights,
- Increased awareness and capacity among civil society and children to promote children's rights and hold duty bearers to account

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*Save the Children's vision is a world in which every child attains the
right to survival, protection, development and participation.*

*Save the Children's mission is to inspire breakthroughs in the way
the world treats children, and to achieve immediate and lasting
change in their lives.*

*The Manara Network is a regional network focused on coordinat-
ing and promoting information and action on children's rights in the
Middle East and North Africa. Based on the belief that civil soci-
ety can and should play a key role in the protection and promotion of
human rights in general and child rights in particular, Manara aims
to support civil society organisations and children in the MENA
region in their role as advocates and active development partners for
the rights of the child.*

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Foreword

The project “Manara Network: A Civil Society for Child’s Rights” was designed and has been implemented by Save the Children Sweden in a time when the Middle East has experienced an Arab spring.

Our partners, the International Bureau for Children’s Rights and Mizan Law Group for Human Rights, were key in producing this country report, a component of the Manara Network project.

The objective of this innovative project is to assure and contribute to effective development and implementation of policies, strategies and legislation in line with the Convention on the Rights of the Child at the national and regional levels in Middle East and North Africa countries. The overall project aim is to establish a regional child rights network of civil society organisations by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, coordination and networking, advocacy and child rights programme mainstreaming with a high degree of children’s participation. During the year, children across the region have been actively involved in the newly-developed child-led data collection. Based on their findings, the children developed their own animated movies for advocacy purposes, which can be found at www.manaracrc.org.

On behalf of Save the Children Sweden’s Regional Office for the Middle East and North Africa, I am happy to introduce you to one of the key components of the Manara project, the country profile, a report highlighting the commendable practices implemented by government, civil society (parents, non-governmental organisations, media, religious leaders, etc.) and the international com-

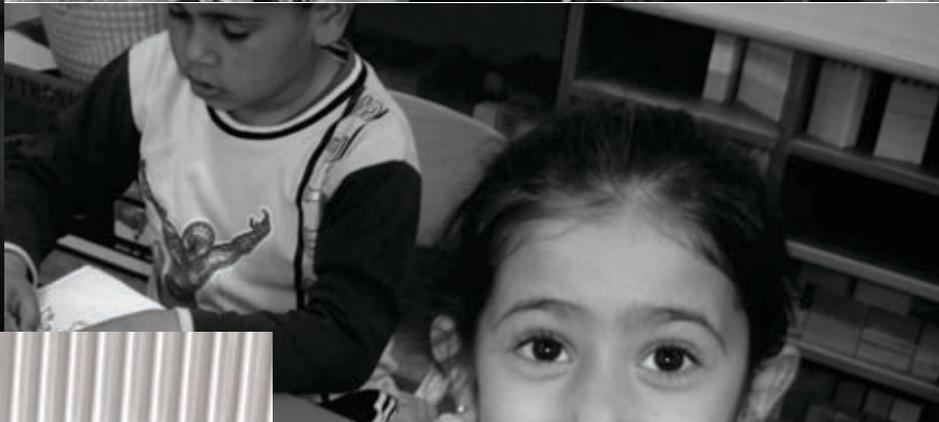
munity (United Nations agencies and international non-governmental organisations) towards compliance with the Convention on the Rights of the Child and its Optional Protocols.

The country profile component of the Manara project is a rigorous and exhaustive report on the status of the implementation of the Convention on the Rights of the Child. It aims to be a resource for identifying gaps and challenges on the status of the implementation of the Convention, to highlight the recommendations of the Committee on the Rights of the Child on specific matters, and to identify commendable practices implemented by the State, civil society and the international community in addressing these issues.

We encourage its use as an inspiration to neighbouring countries, since the exchange of experiences presented in the country profiles can only lead to positive changes in the promotion and protection of children’s rights in the region. I would also like to thank the Swedish International Development Cooperation Agency and their regional office in Cairo who believed in this idea and made the funding available.

Sanna Johnson
Regional Director, Save the Children Sweden

Regional Office for the Middle East and North Africa



Acronyms

CBO	camp based organisation	NCDR	National Committee for Demining and Rehabilitation
CEDAW	United Nations Convention on the Elimination of All Forms of Discrimination Against Women	NCFA	National Council for Family Affairs
CRC	Convention on the Rights of the Child	NCHR	National Centre for Human Rights
CRPD	United Nations Convention on the Rights of Persons with Disabilities	NGO	non-governmental organisation
CBO	Camp-Based Organisation	NTFP	National Team for Family Protection
CSO	civil society organisation	PLO	Palestine Liberation Organisation
ECOSOC	United Nations Economic and Social Council	POEA	Philippine Overseas Employment Administration
GDP	Gross Domestic Product	UNFPA	United Nations Population Fund
HIV/AIDS	human immunodeficiency virus/ acquired immune deficiency syndrome	UNHCR	United Nations High Commissioner for Refugees
IBCR	International Bureau for Children's Rights	UNICEF	United Nations Children's Fund
ILO	International Labour Organisation	UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
IMCI	Integrated Management of Childhood Illness	USAID	United States Agency for International Development
MENA	Middle East and North Africa		
INGO	international non-government organisation		

Introduction

Mizan Law Group for Human Rights

This country profile was written by Mizan Law Group for Human Rights, an independent, non-profit organisation dedicated to ensuring legal protection for victims of human rights abuses, as well as increased respect for, and adherence to, human rights standards in Jordan.

Since its establishment in 1998, Mizan has become a highly respected and effective actor in the human rights field. Notably, Mizan's New Start project offered alternatives to 'protective' custody for women at risk of retribution for perceived honour crimes. This project has significantly reduced the number of women in administrative detention and continues to assist families to find safe and dignified solutions to complex situations. Mizan has initiated a number of awareness raising campaigns to enhance the Jordanian public's awareness of the rights guaranteed to them under domestic law. To this end, it was the first organisation in the Kingdom to disseminate copies of the Jordanian Constitution to citizens, as part of a concerted public awareness campaign about constitutionally guaranteed civil rights. It was also the first organisation in Jordan to establish a legal aid clinic for children in conflict with the law, as well as the first organisation to represent victims of human rights abuses in domestic legal proceedings.

The International Bureau for Children's Rights

Created in 1994 and based in Montreal, Canada, the International Bureau for Children's Rights (IBCR) is an international nongovernmental organisation (INGO)

with special consultative status with the United Nations Economic and Social Council (ECOSOC). IBCR offers its expertise, particularly in the legal sector, for the protection and promotion of children's rights in conformity with the 1989 United Nations Convention on the Rights of the Child (CRC) and its Optional Protocols. IBCR is involved in projects around the world to facilitate the sharing of knowledge and good practices and the development of tools and models to inspire implementation of children's rights. IBCR's expertise also lies in raising awareness about children's rights to persuade decision-makers to adopt laws and programmes that more effectively respect the rights of the child. In recent years, IBCR's main successes include its contribution to the elaboration of the Guidelines on Justice in Matters Involving Children Victims and Witnesses of Crime as well as their adoption by the United Nations Economic and Social Council. IBCR worked with Save the Children Sweden and the various country partners to produce the following country profile.

Save the Children Sweden

Save the Children Sweden was established in 1919 as an independent rights-based non-governmental organisation (NGO) with no religious or political affiliations. The basis of its work is the United Nations Convention on the Rights of the Child (CRC) and the United Nations' Declaration on Human Rights. These build on the principles that all people are equal, children have special rights and everyone has a responsibility - but governments have a special obligation. We believe that children themselves can also fight for their rights, if they are given the chance to do so and if they receive support and encouragement.

Save the Children Sweden works both in Sweden and in eight regions around the world, carrying out its own programmes and in cooperation with other organisations.



It is also part of Save the Children International, comprised of 27 Save the Children organisations. Save the Children's vision is a world in which every child attains the right to survival, protection, development and participation. Its mission is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives.

About This Country Profile

All Middle East and North Africa (MENA) states have ratified the CRC since its adoption in 1989. Following ratification, MENA countries have enacted or proposed the enactment of laws to protect children from violence, abuse, neglect and exploitation. Some states have gone further, putting in place comprehensive mechanisms to prevent violations of children's rights, monitor the situation and ensure justice for victims of violations. However, despite these initiatives, the rights of children in the 17 countries of the region continue to face challenges.

In fact, child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards. The nature and extent of child protection concerns varies from country to country, and includes issues such as violence against children, harmful practices (particularly female genital mutilation and early marriage), juvenile justice, exploitative child labour and birth registration. Children in Lebanon, Yemen, Iraq and the occupied Palestinian territories have been exposed to political violence and conflicts, and have been affected by the deteriorating humanitarian situation. In other countries around the region, children also face violence, abuse, neglect and discrimination. However, all children deserve the full enjoyment of their rights including the right to education, health, housing, and a basic standard of living, as well as the right to express their

views, to be heard and to participate in matters concerning them.

About the Manara Network

Bearing in mind the importance of the role of civil society organisations (CSOs) in ensuring the respect, protection and fulfilment of children's rights, the project "Manara Network: A Civil Society for Child's Rights"¹ was designed and implemented by Save the Children Sweden in collaboration with civil societies from the region.

This innovative project was made possible thanks to the funding of the Swedish International Development Agency.

The objective of the project is to contribute to the effective development and implementation of policies, strategies and legislation in line with the CRC in MENA countries but also at the regional level. The project aims to establish a regional child rights network of CSOs by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, coordination and networking, advocacy and child rights programming mainstreaming.

One of the components of the project is the production of a country profile. This report highlights commendable practices implemented by the government, civil society (including parents, local NGOs, media and religious leaders, among others) and the international community (both United Nations agencies and INGOs) to improve compliance with the CRC and, where applicable, its Optional Protocols.

The country profile component of the Manara project is two-fold: it includes the publication of a credible and

exhaustive report on the status of implementation of the CRC in each country, but also involves strengthening the capacity of local CSOs in conducting research and analysis. To this end, the IBCR provided technical expertise and support to partners. During the project, a one-week training workshop on research methodology on children's rights was given on site to each partner, followed by a complementary training session a few weeks later. Throughout the project, the IBCR provided support in drafting the report in order to ensure its credibility and reliability.

“Child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards.”



Methodology Used

In order to paint a clear picture of the situation of children's rights in its respective country, each partner conducted an exhaustive literature review to identify existing reports and documents on all issues affecting the rights of children, followed by field research involving a series of interviews with identified stakeholders. Key respondents in relevant government ministries and institutions, local and INGOs, academics, unions and professional associations, media, religious authorities and United Nations agencies were contacted and interviewed. These interviews contributed to filling the gaps identified through the desk research. By meeting with relevant stakeholders, partners were able to gather information about the practices implemented by governmental and non-governmental actors following the recommendations of the Committee

on the Rights of the Child in its latest Concluding Observations, as well as the challenges they faced.

The availability of respondents contacted in the course of the research for this project, and their willingness to share their experiences, allowed partners to identify praiseworthy initiatives implemented by a variety of stakeholders, at the same time as noting the gaps and overlaps that may prevent children from the full enjoyment and exercise of their rights. Therefore, the results of the research are based on responses given by a wide range of interlocutors in corroborating and completing data collected from secondary sources, so as to depict as accurately as possible the situation of children's rights in the country.

Research and drafting this country profile was undertaken by Mizan staff, coordinated by Jocelyn Knight with the support of Rula Jabari and Fatima Al-Halabya. Legal experts Amal Hadadin and Lamis Nasser also contributed to information collection and, alongside Mizan's Executive Director Eva Abu Halaweh, reviewed the final draft. Written over a period of nine months, from the middle of 2010 to March 2011, the resulting document reflects information gathered from a broad range of governmental and non-governmental stakeholders in the field of child welfare, protection and participation. Forty-one interviews were conducted with over one hundred representatives from relevant organisations and institutions. Despite concerted efforts to be comprehensive, there are undoubtedly practices being implemented that have not been included in the profile and will hopefully be included in future revisions. In producing this country profile, it is Mizan's intention to provide a basis for coordination and advocacy across the region, in order to support meaningful and lasting improvements in the lives of children.



Country Overview

1. Demographic and Geographic Presentation

Jordan is centrally located in the Middle Eastern region. It is bordered by the Kingdom of Saudi Arabia to the south and east, the occupied Palestinian territory of the West Bank to the west, Syria to the north and Iraq to the north-east. The country has a 26-kilometre strip of coastline on its western border, adjacent to the Gulf of Aqaba. Jordan's territory encompasses a range of geographic contrasts including the fertile Jordan Valley to the north of the Dead Sea, the stark landscape of the North Arabian Desert to the East and the deep *wadis* or valleys that mark the central highlands area south of the border with Syria.¹⁴ It is classified as a “chronically water-scarce” country, with less than 5% of its territory considered arable land.¹⁵ Despite this, the majority of those living in rural areas are engaged in agriculture.¹⁶

While home to an estimated 375,000-400,000 people at the conclusion of the Second World War,¹⁷ Jordan's population has since burgeoned owing, in part, to historically high birth rates.¹⁸ In addition, both its central location and relative stability have contributed to Jordan's popularity as a country of asylum for those fleeing conflict in neighbouring countries, most notably Palestine in 1948 and 1967, Iraq and the Gulf states from late 1990 until 1992 and Iraq again, since 2003.¹⁹ The influx of these refugee populations has had a significant impact on Jordan's demographic profile, contributing to rapid growth that will see the relative size of Jordan's working age population more than double by 2050.²⁰ Both fertility and mortality rates are now falling, presaging future changes to the age structure of the population.²¹

2. Historical Overview

Jordan's central position in the Arab world, at the juncture between the Arabian Peninsula and Africa, resulted in successive conquests by regional empires ranging from ancient Babylon to classical Greece.²² The roots of the modern Jordanian state lie in the creation of Transjordan as a subject of British mandate in 1921, at which time Hashemite Prince Abdullah from Hejaz constituted the emirate of Transjordan.²³

Independence was declared in 1946, when the emirate became a kingdom.²⁴ In 1950, a parliament elected by constituents from both sides of the Jordan River approved the unification of the East and West Bank under the name of the Hashemite Kingdom of Jordan.²⁵ The Palestinian population, including residents of the West Bank and Palestinian refugees in both banks, were granted full Jordanian citizenship.²⁶ This, coupled with the perception that the East Bank held greater opportunities, encouraged high levels of internal eastward migration, especially among youth.²⁷ As a result of the June 1967 war, the West Bank territory up to the Jordan River was occupied by Israel. The presence of armed Palestinian groups in Amman was bolstered by those fleeing the occupation and they came to exert considerable control over areas of Amman. They used Jordanian territory as a staging ground for *guerrilla* attacks on the military forces occupying the West Bank and neighbouring areas, which rendered towns and villages close to the border of the West Bank vulnerable to reprisals. Beginning in 1970, King Hussein ordered the Jordanian Army to carry out a number of operations that eventually led to the expulsion of the Palestine Liberation Organisation (PLO) in 1971.²⁸

In 1988, more than a decade after King Hussein had joined other Arab leaders in recognising the PLO as Palestinians' “sole, legitimate representative”, Jordan severed

General Statistics on Jordan

Official Name	The Hashemite Kingdom of Jordan
Capital	Amman
Official Language/s	Arabic
Type of Political Regime	Constitutional monarchy
Date of Independence	25 May 1946
Date of Admission to the United Nations	14 December 1955 ²
Human Development Index (/182)	82 ³
Total Population	6.5 million ⁴
Youth (under 18)	2,500,000 ⁵
Children (under five)	731,000 ⁶
Density (people per km ²)	64 ⁷
Urban Population (%)	78.5% ⁸
Life Expectancy (male/female)	70.7 / 74.3 ⁹
Fertility Rate	3.7 ¹⁰
Adult (over 15) Literacy Rate	92.2% ¹¹
People living on less than USD 1/day (%)	2% ¹²
Average annual GDP growth per capita 1970-2008 (%)	1.6% ¹³

its legal and administrative ties with the West Bank.²⁹ Also during the late 1980s, Jordan experienced waves of internal upheaval culminating in the “bread riots” in Ma’an in 1989. In response to this, the state began implementing a programme of political liberalisation.³⁰ Martial law, in operation since 1967, was no longer enforced by the time elections were held for the reconstitution of Parliament in November 1989, and was formally repealed in 1991.³¹ Both political and economic liberalisation continued throughout the 1990s and into the new millennium, with the latter particularly prioritised on the succession to the throne of King Abdullah II in 1999. Jordan’s foreign policy likewise underwent significant reformulation during this period, which saw Jordan shift from alliance with Iraq during the 1990-1991 Gulf War to the establishment of formal, peaceful relations with its neighbour and historical foe Israel in 1994.³² Since then, the Kingdom has generally remained a bulwark of stability in the region, despite intermittent regional crises.

3. National Political System

Jordan is a constitutional monarchy currently engaged in an ongoing transition to democracy. The bicameral parliament is subject to dissolution by the monarch.³³ Lower House representatives are elected for four-year terms, while members of the 60-seat Upper House and the Prime Minister are appointed by the monarch.³⁴ Under the Constitution, the monarch is the head of executive, legislative and judicial powers, each of which is concurrently exercised by other specific bodies. The Cabinet, chosen by the Prime Minister on the recommendation of the monarch, exercises executive power and the Parliament enjoys legislative power.³⁵ Cabinet is responsible to Parliament and may be forced to resign following a vote of no confidence supported by two-thirds of parliamentary members.



Elections have a long history in Jordan, first held when the territory was an Emirate under British mandate. While historically, regional and internal instabilities have not infrequently been cited as causes for their delay or cancellation, elections have been held regularly since 1989.³⁶ A temporary election law adopted in May 2010 increased the number of seats in the Lower House from 110 to 120, which were distributed to the most densely populated of the Kingdom's 45 multi-seat electoral districts: Amman, Zarqa and Irbid.³⁷ While women are eligible to run for all parliamentary seats, the same law doubled the number of seats specifically reserved for women from six to 12. It also continued the reservation of nine seats for Christians, nine for Bedouin and three for the minority Circassian or Chechen populations.³⁸ To demarcate electoral constituencies, the Kingdom's 12 governorates, which are grouped into the North, Central and South regions,³⁹ are divided into electoral zones. Zones are comprised of a number of non-geographically specific sub-districts according to the number of seats allotted to the zone.⁴⁰ Political parties were legalised in 1992; prior to this, all candidates ran without official party affiliation, although informal party affiliation was widespread and popularly known.⁴¹

The largest political party is the Islamic Action Front, widely recognised as the political wing of the Muslim Brotherhood in Jordan.⁴² Tribal loyalties continue to have an impact on voting patterns,⁴³ sometimes prompting candidates to emphasise their tribal membership at the expense of their party affiliation.⁴⁴ In the 2007 elections, 68 of the 75 successful independent candidates were tribal chiefs.⁴⁵ Citizen participation in elections is regulated according to a single, non-transferable voting system.⁴⁶ Universal suffrage for citizens over 18 years of age was adopted in 2001.⁴⁷ The last legislative elections took place in November 2010. The parliament elected as a result of those elections was dismissed by royal decree on 1 February 2011.⁴⁸

4. Economic and Social Situation

Officially categorised as a “lower middle-income” country, the Jordanian economy has tended to rely heavily on the export of phosphates and potash, as well as remittances.⁴⁹ Higher levels of taxation have been embraced in recent years as part of efforts to reduce the budget deficit and increase the proportion of government revenues from domestic sources, as opposed to foreign grants.⁵⁰ Foreign grants continue to play a role in supporting government revenues: Jordan was the recipient of the eighth largest funding commitment from the United States Agency for International Development in financial year 2010 and benefitted from the 38th largest funding disbursement from the European Union Official Development Aid in 2009.⁵¹ Since 1992, the contribution of agricultural activity to Gross Domestic Product (GDP) has consistently trended downwards, while manufacturing and services sectors have both shown growth.⁵²

Economic reforms have been a priority in Jordan since the accession to the throne of King Abdullah II in 1999.⁵³ While reasonably steady growth in GDP has resulted from this reform zeal,⁵⁴ it has not been sufficient to reduce the importance of foreign grants and loans to the Kingdom's economy. In addition, studies suggest that the benefits of growth have not been felt by the bulk of the Jordanian population. Indications of this are found in surveys reporting that poverty levels were felt to have increased in the four years prior to 2006, despite statistical evidence that they had actually fallen.⁵⁵ This may be explained by the large proportion of the population living in close proximity to the official poverty line, which remains vulnerable to economic pressures despite being classified as “non-poor”.⁵⁶

Standing at 15%, unemployment is also a significant issue and is most severe among youth.⁵⁷ Moreover, the

“Approximately two million Palestinian refugees are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in Jordan, 45% of whom are under 18.”



the comparison of Jordan's 2007 Gini coefficient of 0.397 with its 1997 score of 0.364.⁶⁰

Migration, for a variety of reasons, has had a strong impact on the growth and demographic structure of Jordanian society. As mentioned above, since 2003, Jordan has received between 450,000 and 500,000 Iraqis fleeing conflict in their country.⁶¹ They join a sizeable list of diverse groups of refugees that Jordan has welcomed in its recent history. Most notable among these are the waves of Palestinian refugees who have entered the Kingdom since 1948. Approximately two million Palestinian refugees are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in Jordan, 45% of whom are under 18.⁶² The majority of Palestinian refugees living in Jordan enjoy living conditions on par with those of other Jordanians; however, the 13% of Palestinian refugees living in camps generally have a measurably lower standard of living than the remainder of the population.⁶³

reduction and removal of government subsidies for consumer goods has contributed to increases in the cost of living.⁵⁸ The influx of Iraqi refugees and asylum seekers since 2003 is also sometimes posited as a factor underlying higher real estate and consumer goods prices.⁵⁹ The regressive effect of such increases in the cost of living is demonstrated in the trend towards greater income inequality, as evidenced in

The Kingdom's relative stability and prosperity also makes it attractive to those seeking work opportunities. The size of the officially registered foreign worker population was 335,707 in 2009, making up 23.9% of the total workforce.⁶⁴ However, it has been suggested that the inclusion of unregistered migrant workers could raise that figure to over 450,000.⁶⁵ The largest groups of migrant workers are from Egypt and south-east Asia and are predominately employed in the building, agriculture, service and domestic labour industries.⁶⁶

Adding to the diversity of this predominately Sunni Islamic country, Jordan is also home to a number of religious minorities that constitute between 5% and 8% of the population. These include various Christian denominations, as well as Druze and Baha'i communities.⁶⁷ While the free practice of any religion is guaranteed under the Jordanian Constitution,⁶⁸ conversion from Islam to another religion is neither permitted nor recognised by the state and converts remain Muslim under the law.⁶⁹ In addition, not all minority religions are recognised by the state. As a result, Druze and Baha'i citizens are officially registered as Muslims and atheists are required to select a religious affiliation for official identification documents.⁷⁰ Informal guarantees have generally ensured the representation of the Christian community in cabinet through the allocation of one or two ministerial positions.⁷¹

Despite, or perhaps because of, the growth of the non-indigenous Jordanian population, tribal identity is an integral facet of society.⁷² Influencing voting patterns,⁷³ employment opportunities⁷⁴ and marriage choices,⁷⁵ tribal networks provide an important social support system and serve as a vehicle for maintaining some of the more conservative elements of Jordanian traditional culture. Strong tribal backing for the Hashemite rulers of Jordan has been reciprocated in valorising rhetoric from successive monarchs, which has reinforced tribal affiliations and



traditions as a unique and positive aspect of Jordanian culture.⁷⁶ Tribal law was abolished in 1976 when the Tribal Control Laws of 1936, which legitimised and regulated the functioning of the tribal courts, were repealed.⁷⁷ However, there are reports that tribal law concepts continue to be applied in some circumstances and traditional norms remain an influence in the formulation of new legislation, particularly in the context of gender issues.⁷⁸

5. General Human Rights Situation

The current Jordanian Constitution, promulgated in 1952, defines the rights and duties of Jordanian citizens. The foundations for the most recent improvements in the general human rights situation within the Kingdom were laid down through the issuance of His Majesty King Hussein's 1989 directives mandating a return to democratic governance processes. Significant steps forward have been made in the recognition, protection and fulfilment of human rights in Jordan in recent years. Strong support for human rights among various legal organisations and other non-governmental groups in Jordanian society has contributed to these positive changes. One example of this is the sustained lobbying by NGOs that prompted both Jordan's ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its publication in the Official Gazette, which rendered it domestically enforceable.

More generally, NGOs have been integral in building community awareness of human rights.⁷⁹ Government stakeholders have also made genuine efforts to increase respect for human rights, even in sensitive areas such as the practice of torture in detention centres.⁸⁰ Royal support for human rights principles and initiatives has done much to raise the profile of human rights themes among

the general public and popularise support for human rights issues.⁸¹ This has perhaps been most noticeable in the sphere of children's rights, following Her Majesty Queen Rania's appointment as UNICEF's first Eminent Advocate for Children in 2007.⁸²

Despite these promising trends, challenges remain. Incremental progress on gender equality has not yet resulted in a Personal Status Law that treats Jordanian men and women on an equal basis regarding issues of marriage, inheritance, child support and the transmission of nationality.⁸³ Freedom of expression is limited by state ownership of the majority of broadcast media, coupled with sweeping discretionary powers to force the closure of publishers and censor published material.⁸⁴ Freedom of political expression, in particular, is undermined by broadly constructed offences including "belittling the dignity of the state" and "dissemination of false information and rumours".⁸⁵ Civil society organisations (CSOs) are subject to governmental controls requiring them "to admit government officials to [annual general] meetings, and to seek prior approval for any foreign funding."⁸⁶ These areas of concern do not negate the progress that has been made in improving the general human rights situation within the Kingdom but do seem to indicate a relatively greater emphasis on maintaining social and political stability.



A Jordanian girl shows off her work at an educational enrichment class sponsored by Save the Children US. *Courtesy of Save the Children US*

The Children of Jordan

The family is a core institution in Jordanian society, sometimes seen as ‘sacred’.⁸⁷ Indeed, the strength and primacy of extended family network relationships have proven resistant to other social changes. Due to the importance of age as a measure of status, both within the family and in broader social contexts, children have been described as “the most powerless” members of the community.⁸⁸ In another reflection of the significance of family bonds, children are often named after grandparents, in order to honour their memory. While it is not uncommon for parents to regard children as a perpetuation of their own traditional gender and social roles,⁸⁹ the close-knit atmosphere prevailing in the majority of Jordanian families is a valuable support mechanism for children and has considerable positive implications for healthy social integration and development.⁹⁰

1. The Convention on the Rights of the Child and the Optional Protocols

i. General Overview

Jordan ratified the Convention on the Rights of the Child (CRC) on 21 May 1991 and has subsequently submitted three state reports to the Committee on the Rights of the Child (the Committee), beginning with its initial report submitted in 1993. Jordan has also ratified both optional protocols to the CRC.

The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was ratified first, on 4 December

2006, while the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was ratified on 25 May the following year.

The National Council for Family Affairs (NCFA) announced in January 2011 that the drafting of Jordan’s first state report regarding the Optional Protocol to the CRC on the involvement of children in armed conflict, due in 2009, had been completed with the support of the Ministry for Foreign Affairs and technical assistance from UNICEF.⁹¹ The initial state report concerning Optional Protocol to the CRC on the sale of children, child prostitution and child pornography was due in 2008. Neither report had been received by the Committee at the time of writing.

Alternative reports regarding Jordan’s implementation of the CRC were not received by the Committee until the most recent round of reporting in 2006. At that time, alternative reports were submitted by four organisations. The latest Concluding Observations of the Committee were issued on 29 September 2006.

“Due to the importance of age as a measure of status, both within the family and in broader social contexts, children have been described as ‘the most powerless’ members of the community.”

ii. Ratification and Reporting to the Committee on the Rights of the Child by Jordan and Relevant Alternative Report Submissions

	REPORT NUMBER	TYPE OF REPORT	DUE DATE	DATE OF SUBMISSION	CODE OR NAME OF ORGANISATION
Convention on the Rights of the Child Ratified 24 May 1991	1	State report	22 June 1993	25 May 1993	CRC/C/8/Add.4
	1	Concluding Observations		25 April 1994	CRC/C/15/Add.21
	2	State report	22 June 1998	5 August 1998	CRC/C/70/Add.4
	2	Concluding Observations		28 June 2000	CRC/C/15/Add.125
	3	State report	22 June 2003	11 July 2005	CRC/C/JOR/3
	3	Alternative report		CRC Session 43, 11 - 29 September 2006	Human Rights Watch
	3	Alternative report		CRC Session 43, 11 - 29 September 2006	Global Initiative to End All Corporal Punishment of Children
	3	Alternative report		CRC Session 43, 11 - 29 September 2006	National Centre for Human Rights - Jordan
	3	Alternative report		CRC Session 43, 11 - 29 September 2006	Child Helpline International
	3	Concluding Observations		29 September 2006	CRC/C/JOR/CO/3

iii. Reservations

Upon ratification of the CRC, Jordan registered reservations to Articles 14, 20 and 21 “since they are at variance with the precepts of the tolerant Islamic *shariah*.”⁹² Article 14 recognises the children’s right to determine their own religion, while Articles 20 and 21 both relate to arrangements for providing care to children outside of their family environment. The Committee has consistently expressed concern at the “broad and imprecise” character of Jordan’s reservation to Article 14 and described the reservations to Articles 20 and 21 as “unnecessary”.⁹³ An objection to Jordan’s reservations has been registered by the Government of Finland,⁹⁴ which does not affect the operation of the Convention between the two state parties.

iv. Punctuality/Quality of State Report

Jordan submitted its initial report to the Committee almost a month earlier than the stipulated due date. The second periodic report was submitted within two months following the due date; however, the third and most recent periodic report was more than two years overdue. As a result, the Committee has requested that Jordan combine its fourth and fifth periodic reports into one document, which is due in 2012.

Jordan’s most recent report to the Committee was 122 pages in length, with an extensive list of annexed material providing additional statistical information, draft laws and Government policies, strategies and programmes.⁹⁵ While each article of the Convention was mentioned, the Committee noted that “insufficient” information was provided regarding Article 13-7 concerning children’s civil rights and freedoms.⁹⁶ The views of non-governmental stakeholders were included through references to the position

of NGOs. The objectivity of the report was somewhat undermined by an understandable desire to present a favourable impression of the state’s implementation of children’s rights within the Kingdom. This was most clearly evidenced in the descriptions of policy measures undertaken during the reporting period, which lacked information regarding challenges and obstacles impacting on their implementation.⁹⁷ To a lesser extent, the justifications offered in response to the Committee’s concerns, which tended to either downplay the impact of specific issues on children’s rights or point to contributing factors beyond the State’s control,⁹⁸ also reduced the report’s neutrality.

Considered together, Jordan’s state reports to the Committee demonstrate an intention to adhere to the content and style requirements outlined in the Committee’s guidelines. This has resulted in each of the reports submitted by Jordan to the Committee being more detailed than the last and more appropriately structured. The Government’s response to the List of Questions prepared by the Committee was generally comprehensive, although significant information related to children’s health were not included.⁹⁹ The Committee also appreciatively noted the “constructive efforts” of Jordan’s delegation during the dialogue phase of its consideration of the State report.¹⁰⁰

UNICEF is currently providing technical expertise to the NCFCA to facilitate preparation of the initial reports on Jordan’s implementation of the two optional protocols to the Convention, as well as the next report on the implementation of the Convention itself.¹⁰¹ This will combine Jordan’s fourth and fifth reports to the Committee and is expected to be completed by the end of 2011.¹⁰²

v. The Committee's Concluding Observations

Positive Aspects and Progress Highlighted in the Committee's Concluding Observations Regarding the Implementation of the CRC and the Optional Protocols

In its 2006 Concluding Observations, the Committee greeted with pleasure Jordan's adoption of the National Plan of Action for Children for 2004 to 2013, the Early Childhood Development Strategy with the related Plan of Action for 2003 to 2007 and the National Youth Strategy for 2005 to 2009, each of which contribute to making the implementation of children's rights a priority at the strategic planning level.¹⁰³ Importantly, the Committee noted that the National Plan of Action for Children for 2004 to 2013 was the product of a "highly participatory preparation process" and would be subject to ongoing monitoring and evaluation by a dedicated technical committee of the NCFR.¹⁰⁴ The creation of the National Centre for Human Rights (NCHR) in 2002 with dedicated human resources focusing on children's rights was also noted appreciatively.¹⁰⁵ More generally, Jordan was congratulated on its dedication to ensuring universal education and the proportion of the budget allocated to the sector,¹⁰⁶ as well as the introduction of new legislative instruments and amendments that improved the protection and promotion of children's rights during the reporting period.¹⁰⁷ Finally, the Committee commended Jordan on its work to meet the needs of the growing numbers of refugee children and children seeking asylum within its territory.¹⁰⁸

vi. Main Factors and Difficulties Impeding the Implementation of the CRC and the Optional Protocols

The Committee expressed concern regarding the adequacy of measures taken by Jordan to ensure the coordina-

tion of different levels of government in implementing the Convention. It also noted with regret that the NCHR enjoys a restricted mandate in relation to issues connected with the police and military.¹⁰⁹ Additionally, it noted that data collected in relation to several areas covered by the Convention, including child trafficking, migrant children, sexual exploitation of children and children with disabilities, was "lacking or insufficient".¹¹⁰ With regard to budget allocation, the Committee questioned whether the resources allocated to areas like health care were sufficient to meet the needs of vulnerable children outside the capital.¹¹¹ In each instance, the Committee noted the efforts Jordan had made to ameliorate the difficulties to which it referred but recommended that further action was necessary to adequately address them.

“The Committee expressed concern regarding the adequacy of measures taken by Jordan to ensure the coordination of different levels of government in implementing the Convention.”



vii. Overview of the Response of the Government to the Committee

Jordan continued many of the practices noted with appreciation by the Committee in its 2006 Concluding Observations. There is also evidence of governmental efforts to respond to the concerns expressed by the Committee. Importantly, the CRC was published in the Official Gazette in October 2006, rendering it domestically enforceable. Attempts to improve government coordination on cross-sectoral issues have seen the formulation of a number of national strategies and action plans, including the National



Strategy for the Elimination of the Worst Forms of Child Labour (2006), the National Strategy for People Living with Disabilities (2007), the National Strategy on Drugs (2009), the Early Childhood Development Plan of Action 2008-2012 (2010), the National Strategy to Combat Human Trafficking (2010) and the Juvenile Justice Strategic Action Plan (2011). In addition, the creation of new governmental bodies, including the 2007 establishment of the Higher Council for the Affairs of Persons with Disabilities, has improved the coordination of service providers and other stakeholders in specific sectors. Data collection continues to be lacking in some areas; however, the creation of an Anti-Trafficking Unit within the Public Security Department suggests that, at least in that area, more comprehensive data and statistical information may soon be forthcoming. While the quality of services available in rural areas is generally thought to be poorer than that found in more urbanised population centres, plans to expand the reach of the Family Protection Unit to all 12 of the Kingdom's governorates demonstrates an intention to improve protections for vulnerable children outside the capital.¹¹²

2. Applicable International and Regional Human Rights Instruments

i. Overview

Jordan was among the first countries in the Middle East to ratify the CRC. It also has a commendable record of ratifying other international and regional human rights instruments related to children's rights. Regarding international human rights treaties more generally, while Jordan has ratified a number of these, there remain several on which it has taken no action. These include the Palermo Protocol,¹¹³ which Jordan has yet to take action on despite the ratification, succession or accession of 10 other Arabic Islamic countries to the instrument.¹¹⁴



A teenager explains her contribution to the making of an animated film at a workshop conducted by Mizan Law Group for Human Rights. *Courtesy of Mizan Law Group*

ii. Relevant International and Regional Human Rights Conventions and Treaties and their Status of Ratification by Jordan

INTERNATIONAL AND REGIONAL HUMAN RIGHTS CONVENTIONS/TREATIES	STATUS	STATE'S REPORTING RECORD
Admission to the United Nations	14 December 1955	Does not apply
Convention on the Rights of the Child (CRC)	Ratification – 24 May 1991	CRC/C/JOR/3 – 11 July 2005
Optional Protocol to the CRC on the involvement of children in armed conflict	Ratification – 23.05.2007	Not yet submitted
Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Ratification – 04 December 2006	Not yet submitted
International Convention on the Elimination of All Forms of Racial Discrimination	Accession – 30 May 1974	CERD/C/318/Add.1 – 10 October 1997
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Ratification – 1 July 1992	CEDAW/C/JOR/3-4 – 10 March 2006
Optional Protocol to the CEDAW	No action	Not yet submitted
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratification – 28 May 1975	E/1990/6/Add.17 – 5 December 1997
International Covenant on Civil and Political Rights (ICCPR)	Ratification – 28 May 1975	CCPR/C/JOR/4 – 11 March 2009
Optional Protocol to the ICCPR	No action	Not yet submitted
Second Optional Protocol to the ICCPR	No action	Not yet submitted
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Accession – 13 November 1991	CAT/C/JOR/2 – 11 March 2009
Optional Protocol to the CAT	No action	Not yet submitted
Convention on the Rights of Persons with Disabilities	Ratification – 31 March 2008	Not yet submitted
Optional Protocol to the Convention on the Rights of Persons with Disabilities	No action	Not yet submitted

Convention for the Protection of All Persons from Enforced Disappearance	No action	Does not apply
Convention related to the Status of Refugees	No action	Does not apply
Protocol relating to the Status of Refugees	No action	Does not apply
Convention on the Reduction of Statelessness	No action	Does not apply
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	No action	Not yet submitted
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	Accession – 13 April 1976	Does not apply
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	No action	Does not apply
Convention on Consent to Marriage, Minimum Age of Marriage and Registration of Marriages	Accession – 1 July 1992	Does not apply
Convention concerning the Minimum Age for Admission to Employment (C-138)	Ratification – 23 March 1998	Does not apply
Convention concerning the Elimination of the Worst Forms of Child Labour (C-182)	Ratification – 20 April 2000	Does not apply
Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoption	No action	Does not apply
Convention on the Civil Aspects of International Abduction	No action	Does not apply
Convention against Discrimination in Education	Accession – 6 April 1997	Does not apply
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field	Accession – 29 May 1961	Does not apply
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea	Accession – 29 May 1961	Does not apply
Geneva Convention (III) relative to the Treatment of Prisoners of War	Accession – 29 May 1961	Does not apply

Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War	Accession – 29 May 1961	Does not apply
Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts (Protocol I)	Ratification – 1 May 1979	Does not apply
Protocol Additional to the Geneva Conventions Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)	Ratification – 1 May 1979	Does not apply
Rome Statute of the International Criminal Court	Ratification – 11 April 2002	Does not apply
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personal Mines and on Their Destruction	Ratification – 13 November 1998	Does not apply
Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, Supplementing the UN Convention Against Transnational Organized Crime	No action	Does not apply
Convention on Cluster Munitions	No action	Does not apply

3. National Legal Framework and Practices Affecting Children’s Rights

i. The National Legal Framework

The development of the national legal framework has been influenced by international conventions and guidelines; however, it is important to note that until an international legal instrument, such as the CRC, is published in the Official Gazette it cannot be invoked before Jordanian courts, notwithstanding ratification. Concern about the legal status of the CRC was expressed in the Committee’s 2006 Concluding Observations, primarily because the CRC had not been published in the Official Gazette and

because the legislative amendments that had been adopted were not sufficient to bring Jordan’s domestic laws into conformity with the standards outlined in the CRC.¹¹⁵ Practically, this meant that the CRC could not be relied upon in domestic litigation seeking to protect children’s rights. Because of this, there was little incentive for members of the judiciary and legal practitioners to undertake detailed training related to the CRC. This situation was remedied following the release of the Committee’s Concluding Observations with the CRC’s publication in the Official Gazette in October 2006.

Notwithstanding this positive development, the fragmented nature of legal safeguards for children’s rights in Jordan constitutes a persistent impediment to their effective



tive observation, protection and fulfilment. To illustrate: legislation impacting on children's rights includes the Juvenile Act of 1968, as amended in 1983 and 2002. This law provides for the confidentiality of juvenile proceedings and prohibits publication of the personal information of juvenile defendants. In addition, the Labour Code includes provisions regulating the participation of children in apprenticeships and paid employment and Education Act No. 3 of 1994 makes stipulations regarding school attendance and the organisation of educational institutions.

Moreover, a significant set of legislative reforms in the area of children's rights took place in 2002. These included stipulations that children not be detained in adult reform and rehabilitation centres, as well as providing for the creation of specialised bureaux attached to juvenile courts comprised of medical, psychological and counselling experts who may provide guidance to judges deciding juvenile cases and granting judges broad discretion to impose alternative measures to imprisonment.

Additionally, children living in the street were designated as being in need of protection and care. In 2006 a new Juvenile Monitoring Act was issued, prohibiting children from using addictive and hallucinogenic substances, including cigarettes and alcohol, and imposing sanctions on adults who use children to facilitate the sale or purchase of them.¹¹⁶ Since 2006, the Ministry of Social Development has prepared a new draft Juvenile Law, which has been influenced by panel discussions incorporating stakeholders from both governmental institutions and CSOs.¹¹⁷ The Family Protection Act, adopted in 2008, outlines protection mechanisms for women and children affected by violence within the home. More recently, Temporary Personal Status Law No. 36 of 2010 was published, raising the marriage age, establishing visitation procedures for children of divorced parents and providing for better recognition of the best interests of the child. Also in 2010,

amendments were made to the Penal Law that restrict parental discipline to forms that do not cause harm to the child and are in accordance with general custom, as well as stipulating custodial sentences for adults involved in the unsanctioned marriage of a minor.¹¹⁸

The various laws impacting children's rights among this multiplicity of legislative instruments can create confusion and inconsistencies for both governmental and non-governmental service providers, as well as children and their families. This, in turn, reduces the potential for using any of these laws as a basis for holding duty-bearers to account.

A comprehensive Child Rights Act was drafted and submitted to the Lower House of Parliament for consideration in 2004. This Act would have consolidated the various pieces of legislation impacting children into one comprehensive instrument, improving the potential for its effective utilisation as an accountability mechanism.¹¹⁹ After prolonged deliberation, which was ongoing when the Committee on the Rights of the Child reviewed Jordan's implementation of the Convention in 2006, the bill was withdrawn from the Parliament due to concerns that the draft Act had been superseded by the publication of the CRC in the Official Gazette. The NCFCA subsequently led the preparation of a draft Juvenile Law that is currently being considered before Parliament, and plans to return to preparing a comprehensive Child Rights Act in the future.¹²⁰

The continuing lack of a comprehensive law explicitly encompassing the rights of all children in Jordan means that legislative lacunae remain unaddressed. This is perhaps particularly pertinent with regard to the Committee's concerns about refugee and asylum-seeking children. As the Committee noted, despite the conclusion of memoranda of understanding between the Jordanian Government

and the United Nations High Commissioner for Refugees (UNHCR) and its ongoing collaboration with UNRWA, Jordan's decision not to become party to international conventions related to refugees, asylum-seekers and stateless persons continues to leave these children without the protection of a specific legal framework.¹²¹

The Committee noted that Jordan was considering establishing an ombudsperson to monitor implementation of children's rights;¹²² however, no action had been taken to create this position at the time of writing.

ii. The Main Stakeholders on Children's Rights

a. Government Bodies

A variety of government ministries and agencies impact on the implementation of children's rights in Jordan. Broadly speaking, the efforts of all stakeholders in the field of children's rights, including government bodies, are informed by the Jordanian National Action Plan for Children covering the period from 2004 until 2013.¹²³ The ministry most heavily involved in children's issues is the Ministry for Social Development. It administers the National Aid Fund, which provides cash assistance to needy families as well as the families of children and adults living with disabilities through its subsidiary body Handicapped Care Aid. Moreover, it is responsible for regulating the provision of out-of-home care to orphaned and abandoned children, and for overseeing Islamic fostering arrangements (*kafala* and *ibtidhan*). The Ministry of Awqaf and Islamic Affairs also facilitates Islamic fostering arrangements, using different criteria. Other ministries have an impact on the rights of specific child populations, such as the Department for Palestinian Affairs, or on specific areas of children's rights, such as the Ministry of Planning and International Cooperation's support for anti-human

trafficking programmes. Similarly, the Ministry of Labour maintains a specialised unit for the reduction of child labour and facilitates the training of its labour inspectors to better protect children active in the labour market.

In contrast, juvenile justice brings together the efforts of a number of government ministries and departments. For example, besides maintaining the registries where births are officially noted through the Department of Civil Status and Passports, the Ministry of Interior incorporates the Public Security Department. This department includes the Family Protection Directorate and the Anti-Narcotics Directorate, whose officers are often the first to respond to children in conflict with the law, as well as child victims of crimes. The Ministry of Justice oversees the procedural protections for child victims and witnesses of crimes, as well as supporting capacity building for judges and court staff on juvenile justice issues. Finally, the Ministry of Social Development is responsible for the administration of juvenile detention centres. The Ministries of Health and Education lead the implementation of government policy in their respective fields.

Other government bodies include the Higher Council for Youth, in which children are not directly represented. The Council administers 12 youth hostels and 116 youth centres throughout Jordan that cater to children, adolescents and youth between 12 and 24 years of age. Each centre caters to either boys or girls, separately. The centres are staffed by youth workers and directed by a steering committee that includes elected representatives from the centres' youth membership.¹²⁴ While the Council has a mandate to empower children to contribute fully to the political life of their communities, it does not act in a lobbying or policy-shaping role.¹²⁵ Similarly, the Higher Council for the Affairs of Disabled Persons, established in 2007, is still in the process of defining the scope of its role in the dual arenas of service provision and policy for-

mation. It has already had a positive effect on work in the sector, however, with the release of guidelines outlining the criteria that community-based organisations working in the field should meet, and that INGOs should look for when seeking local partners. Together with the fact that all NGOs working in the field now come under the purview of the Higher Council, these guidelines have improved coordination and contributed to the standardisation of service provision, especially regarding the Community-Based Rehabilitation model.¹²⁶ The Higher Population Council and the National Committee for Demining and Rehabilitation likewise work to coordinate stakeholder actions in their sphere of operation. More broadly, all legislation, including that impacting children, is formulated by the Legislative Bureau and must be adopted by the Parliament in order to take effect.

b. National Councils and Independent Human Rights Institutions

Established by temporary law in 2002, and confirmed by the adoption of a permanent law in 2006, the National Centre for Human Rights is Jordan's primary human rights institution. While the Centre does not enjoy budgetary or staffing independence from the government, the Committee on the Rights of the Child noted with appreciation in its 2006 Concluding Observations that the Centre was provided with human resources dedicated to children's rights issues. At the same time, the Committee noted the limited mandate of the Centre regarding police and military matters.¹²⁷

The key role of the family in Jordanian society is underlined by the royal patronage that is often extended to national councils and human rights institutions and organisations. Central among these is the NCFCA, which was founded by royal decree in 2001 and is "a civil society organisation presided over by Her Majesty Queen Rania Al-

Abdullah". Its stated goal is to support the stability of the family unit by coordinating NGOs working in the field of family affairs and protection and fostering strong partnerships both among these organisations and between them and relevant government institutions.¹²⁸ The National Team for Family Protection (NTFP) is one of the mechanisms adopted by the NCFCA to improve stakeholder coordination. Attached to the NCFCA, the NTFP was initiated in 2009 through the adoption of an eponymously-named working paper that outlined the relationship of the Team to the National Council for Family Affairs and established a basis for its work. It also defined the role and mission of the members of the team, as well as setting standards for the coordination and follow-up of their work. It is designed to be a national focal point for all institutions working in the field of family safety and complements the Strategic Plan to Protect the Family from Violence by formulating indicators for each of the activities undertaken pursuant to the Strategic Plan and facilitating their monitoring and evaluation.¹²⁹

The Jordanian National Commission for Women is another illustration of the royal family's support for human rights in the Kingdom. Under the patronage of Her Royal Highness (HRH) Princess Basma Bint Talal, the Commission works to mainstream gender in policy making and

“The media’s growing awareness and promotion of children’s rights issues has been praised by some civil society actors, who describe the media as ‘proactive information seekers... generating their own stories without having to rely on official press releases to start the process.’”

support the changes in social attitudes necessary to realise the benefits of legislative reform.¹³⁰

c. Local Civil Society Organisations and Networks

There are a broad variety of civil society actors working with children in Jordan. These range from large, nationally active organisations like the Jordanian Hashemite Fund for Human Development to localised actors serving specific communities, like the Community Development Centres operating in Palestinian refugee camps. Again, there is a significant element of royal patronage evident among CSOs, including the Jordanian Alliance Against Hunger, established in 2004 with the support of HRH Princess Basma Bint Talal,¹³¹ and the Jordan River Foundation, chaired by Her Majesty Queen Rania Al-Abdullah. The private sector is also involved through initiatives like the “My School” (*madrasati*) programme, established under the patronage of Her Majesty Queen Rania Al-Abdullah, which allows private companies to support the rehabilitation of school infrastructure and the modernisation of educational equipment.¹³² It has been embraced by the Jordanian private sector as a means of visibly fulfilling their corporate social responsibility obligations.

Local NGOs are regulated by the Law on Societies of 2008 and must register with the Ministry of Social Development.¹³³

d. Media

The media’s growing awareness and promotion of children’s rights issues has been praised by some civil society actors, who describe the media as “proactive information seekers... generating their own stories without having to rely on official press releases to start the process.”¹³⁴ This development has perhaps benefited from initiatives like UNICEF’s Regional Awards for Media on Child Rights,

inaugurated in 2009 under the patronage of Her Majesty Queen Rania Al Abdullah, UNICEF’s Eminent Advocate for children.¹³⁵ The rapid growth of the media sector, especially among on-line news providers, is contributing to the representivity of the reports available for public consumption. Importantly, main mass media outlets, including Jordan TV, Al-Rai newspaper and Jordan Radio, are described as “highly controlled by the government”.¹³⁶

e. Donors and the Diplomatic Community

Jordan receives a significant amount of foreign aid from multilateral and country-to-country donors. Embassies and nationally-based international development agencies contribute to development efforts across a broad range of sectors, including projects and programmes that support children’s rights. For example, the Swedish International Development Cooperation Agency is currently supporting two child rights-related projects: a regional project led by Penal Reform International that is following up on the implementation of children’s rights in five countries through national task forces, and a UNICEF project targeting adolescents entitled “Adolescents’ Positive Change” that aims to broaden the scope of their participation in society.¹³⁷ Both the French and Netherlands embassies are active in supporting locally-designed juvenile justice initiatives.¹³⁸ The United States Agency for International Development (USAID) supports a number of education-related programmes, especially concerning access to early childhood education and development. Sectoral committees under the aegis of various bodies, including the Ministry for Planning and International Cooperation, the United Nations system and the European Union are designed to ensure that international donor funding is coordinated.¹³⁹







Jordanian children gathered at an educational enrichment programme sponsored by Save the Children US. *Courtesy of Save the Children US*

f. Religious Institutions

The centrality of religion in Jordanian society makes religious institutions a particularly effective means of promoting children's rights. The communication channel offered by religious leaders ensures that child rights messages are delivered in a culturally-sensitive fashion to a broad audience. The Ministry of *Anqaf* and Islamic Affairs actively makes use of the resource that religious institutions offer for disseminating information on children's rights, in partnership with UNICEF and other NGOs.¹⁴⁰

g. Children and Youth

The bulk of children's participation in the public sphere is mediated through school-based structures including School Student Representative Councils in public schools and School Youth Parliaments in UNRWA schools. UNRWA is also supporting the participation of children and youth in community-level decision-making through camp-based Youth Steering Committees, which were in the process of being established at the time of writing. The Higher Council for Youth, mentioned above, facilitates children's experience of leadership and electoral systems through youth representative positions included in the Administrative Committee of each Youth Centre. A Children's Parliament was established in 1997 by the Jordanian Women's Union, to serve as a model democratic and participatory forum for children. Its elected membership is constituted by an equal number of girls and boys up to 18 years of age and it is governed by a cross-sectoral Consultative Council.¹⁴¹

b. UN Agencies

Unsurprisingly, UNICEF is the United Nations agency most heavily-involved in supporting the improved implementation of children's rights across all sectors in Jordan. Its work is informed by the CRC and the Millennium Development Goals and its priorities are promoting children's right to education, reducing the incidence of preventable child mortality and enhancing protection mechanisms to guard against discrimination, violence and poverty.¹⁴² Jordan's sizeable refugee populations come under the specific mandate of other agencies: UNRWA for Palestinian refugee children and the UNHCR for refugee children from Iraq and other countries, as well as stateless children.¹⁴³ The United Nations Population Fund (UNFPA) works in partnership with the Ministry of Health to improve reproductive health training, services and education, as well as cooperating with the Jordanian Department of Statistics and other stakeholders, including UNICEF, in the compilation and utilisation of the Demographic and Health Survey.¹⁴⁴

i. International Civil Society Organisations

Jordan's openness to international civil society actors has created the opportunity for a number of INGOs to operate within the Kingdom for the benefit of children. Save the Children cooperates with the Ministry of Education in the implementation of a number of programmes in the formal education sector, while Questscope, a British voluntary organisation, also enjoys the support of the Ministry for its non-formal education programme.¹⁴⁵ CARE International operates a number of programmes targeting women and is also heavily involved in supporting the Iraqi refugee community. Terre des hommes and Penal Reform International are both active in Jordan in the juvenile jus-

tice sphere. Handicap International works both at a policy level and in some local communities on cross-cutting issues relevant to children living with disabilities.

4. Identifying Child Rights Commendable Practices in Light of the CRC's Main Principles

i. The Right to Non-Discrimination (Article 2)

The Government maintains that the principle of non-discrimination is constitutionally guaranteed under Article 6 of the Jordanian Constitution,¹⁴⁶ which states that Jordanians are equal before the law and no discrimination regarding rights or duties is permitted as a result of differences of ethnicity, language or religion.¹⁴⁷ Laws particularly relevant to children, such as Education Act No. 3 of 1994, reinforce the constitutional principle of equality by stipulating that “[e]ducation is a...right for all”.¹⁴⁸

a. Gender

The Jordanian National Charter, formulated in order to support the process of democratisation by “provid[ing] a compass for debate[s]” on key social and political issues,¹⁴⁹ states that “[c]hildren have the right to obtain the best possible level of care and protection from their parents and the government...without any discrimination between male and female.”¹⁵⁰ Moreover, while neither Article 6 of the Constitution nor other domestic laws specifically prohibit gender-based discrimination, a number of laws on diverse topics indirectly contribute to this goal by stipulating that the protections they guarantee apply equally to men and women.¹⁵¹

Despite this, reports persist that community women express a preference for male children and that gender

stereotyping characterises children’s early socialisation.¹⁵² While women from across the country continue to face social obstacles to working outside the home in mixed-gender environments, support for traditional gender roles is thought to be stronger outside the capital.¹⁵³ The perpetuation of traditional gender roles, with the associated emphasis on marriage and homemaking as women’s vocation, has been identified as a contributing factor to girls’ discontinuation of secondary and higher education.¹⁵⁴ Yet, in apparent contradiction, it is among boy children that school attendance decreases most rapidly, especially after the age of 15.¹⁵⁵ This trend is explained as a result of economic pressures forcing families to curtail boys’ education in favour of income-producing activities and, again, points to prevailing social attitudes that conceptualise the world of work as a male domain.

Reflecting all of these factors, the Committee’s 2006 Concluding Observations included concern at the “persistence of stereotypical attitudes” relating to gender issues and noted that these, together with the perpetuation of entrenched traditional gender roles, impeded girls’ exercise and enjoyment of their human rights and fundamental freedoms.¹⁵⁶ A number of positive measures have since been taken by the Government to promote gender equity and improve the status of women’s rights. Chief amongst these was the publication of CEDAW in the Official Gazette in July 2007, which rendered it part of Jordanian law. Early in 2009 the Government lifted its reservation on Ar-

“Early in 2009, the Government lifted its reservation on Article 15 of CEDAW, recognising the equality of women and men before the law and granting women freedom of movement.”



ticle 15 of CEDAW,¹⁵⁷ recognising the equality of women and men before the law and granting women freedom of movement. Both of these actions reflected effective civil society advocacy in support of legal recognition of women's rights.¹⁵⁸ Parallel developments in domestic legislation have included the adoption of the Family Protection Act criminalising domestic violence, which entered into force in March 2008. These developments have the potential to bring the Kingdom's implementation of women's rights closer to alignment with international standards and simultaneously challenge the community attitudes that caused the Committee concern.

b. Birth Out of Wedlock

Officially, regardless of whether they are born to married or unmarried parents, all children are entitled to enjoy "the same rights under the Constitution and the law."¹⁵⁹ While some reports suggest that arranging documentation for a child born out of wedlock is "impossible",¹⁶⁰ relatively recently-adopted procedures provide clear avenues for obtaining the necessary documents. Article 19 of the Civil Code of 2001 provides for the registration of children born to unmarried parents and abandoned children. It stipulates that an abandoned child will be registered on the basis of a communication made to the registry office by the Ministry of Social Development institution to which the child was delivered by the police following a medical check. The secretary of the registry office will choose parent and family names to be attributed to the child. Where the child's mother is unmarried, the secretary of the registry office will choose a father's name for inscription on the birth certificate and unmarried parents will not have both of their names inscribed on the birth certificate unless they make a special written request to that effect.¹⁶¹ This is reflective of the social stigma that surrounds the birth of a child out of wedlock, which is thought to contribute to the approximately 650

abandoned children that join Jordan's orphanages each year.¹⁶² This may be exacerbated by the minimal support that single mothers receive from the State and NGOs.¹⁶³

The 2006 Concluding Observations of the Committee on the Rights of the Child included specific mention of "deep concern" felt by the Committee regarding the *de jure* discrimination faced by children born out of wedlock, including their classification as "illegitimate".¹⁶⁴ This discrimination is sometimes reported to begin prior to birth when, according to some reports, pregnant women are required to present a marriage certificate at the time of admission to hospital.¹⁶⁵ However, no evidence of this practice, or official support for it, was found. The Department of Civil Affairs does request the family book for the purposes of registration of a child in the family record.¹⁶⁶ Children's birth certificates do not describe children born out of wedlock as "illegitimate".

c. Rural/Urban Areas

While significant quality of life differences exist between and within towns and cities,¹⁶⁷ Jordan's rural population faces specific challenges. In 2008, the percentage of Jordanians living in rural areas was calculated at 21.6, totalling approximately 1,274,524 people.¹⁶⁸ Rural Jordanians are overrepresented among the country's poor, with almost one in five (19%) classified as poor.¹⁶⁹ Vulnerable children among the rural population, especially those living with disabilities or at risk of abuse, may have inadequate access to services and experience more difficulty accessing available services compared to their urban counterparts.¹⁷⁰ This reality is illustrated by the decision of a national NGO specialising in child protection to focus awareness-raising activities concerning their telephone hotline on the capital and a small number of other large cities where services are available to children and families wishing to seek assistance.¹⁷¹ Generally, government services that are

available in rural areas, such as those linked to the provision of education and basic health care to children, are thought to be of somewhat poorer quality compared to those offered in more urban locations;¹⁷² this is symptomatic of the understaffing of government directorates in rural areas, and the relative lack of training that staff working in less developed areas receive.¹⁷³

Reflecting this, in its 2006 Concluding Observations the Committee expressed concern at *de facto* discrimination against children living in remote areas,¹⁷⁴ and questioned whether the resources allocated for the delivery of basic services like healthcare were sufficient to meet the needs of vulnerable children outside the capital.¹⁷⁵ Actions specifically targeting children from rural and poor communities include UNICEF's Better Parenting Programme, which is designed to assist the parents of children between the ages of birth and eight years with information and training on nutrition, health and relating to children.¹⁷⁶ In addition, underserved areas have benefitted from new and expanded schools that have helped to reduce overcrowding, eliminate the need for double-shift teaching arrangements and improved the quality of the learning environment.¹⁷⁷ Outreach of NGOs in rural areas is inconsistent owing to low population density, which makes the rural population difficult for NGOs to target and also poses a challenge to the coordination of NGOs working in those areas.¹⁷⁸ Key target areas for NGOs are government-identified "poverty pockets", which include some rural communities.¹⁷⁹ In addition, some larger NGOs do implement a variety of community based projects in a comprehensive fashion in less urbanised regions.¹⁸⁰

d. Refugees, Migrants and Internally Displaced Status

Jordan has a long history of receiving people fleeing conflict in neighbouring countries, as well as being an attractive destination for migrants seeking work. A thorough

examination of these groups benefits from the differentiation of the Palestinian population (which is itself comprised of at least two distinct sub-groups including those who acquired Jordanian nationality and those who did not) from that of other refugees and asylum seekers, and from the separate study of migrant workers and their children. Thus, the following paragraphs comprise separate treatments of each of these three communities.

As of 30 June 2010, over two million Palestinian refugees residing in Jordan were registered with UNRWA.¹⁸¹ Of these, approximately 346,000 live in the 10 official camps with the majority of the remainder living alongside the general population and a smaller number spread among three unofficial refugee camps.¹⁸² The majority of Palestinian refugees living outside the camps enjoy living conditions equal to their Jordanian counterparts. Jordan provides services to all refugee camps through its Department of Palestinian Affairs and in coordination with UNRWA.¹⁸³ These services include supervision of the camps' physical infrastructure, monitoring construction projects and the maintenance of camp-based offices that liaise with UNRWA concerning relief and social services, education and health activities undertaken in the camps.¹⁸⁴

Noting this, the Committee on the Rights of the Child raised concerns about the poor living conditions experienced by camp residents in its 2006 Concluding Observations.¹⁸⁵ Camps are reportedly subject to overcrowding,¹⁸⁶ and some lack adequate waste disposal infrastructure.¹⁸⁷ United Nations agencies have been collaborating with camp-based NGOs to improve service delivery to children living in the camps. As part of this process, UNRWA is gradually building the capacity of camp-based, non-governmental and other organisations to shoulder a greater proportion of work implemented under the framework of the agency's assistance programmes. UNRWA will continue direct service provision, as well as providing these

organisations with technical expertise and capacity building support.¹⁸⁸ This is facilitated through the activities of the UNRWA Camp Based Organisations (CBOs) currently operating in the 14 locations where UNRWA's Relief and Social Services Programme maintains facilities.¹⁸⁹ Each of the CBOs take on field-based coordination responsibilities alongside the implementation of various programmes and direct service provision in their respective camps. Meanwhile UNRWA's technical support bolsters standardisation and enhances inter-organisational strategic alignment.¹⁹⁰ At the same time, CBOs are being encouraged to broaden the scope of their income generating activities and may now receive a maximum of 15% project funding from UNRWA, with the average contribution being approximately 10% of project costs.

Identifying and responding to the needs of vulnerable Palestinian refugee children living outside the



A teenage boy plays an animated movie that he and other young people have created to illustrate issues of child rights. *Courtesy of Mizan Law Group*

camps is recognised as a challenge. To date, there has been no comprehensive data collected about Palestinian refugee children living outside the camps, with most surveys focussing on camp populations or the Jordanian population more generally. This lack of data is the main stumbling block in the provision of targeted services and assistance to vulnerable Palestinian refugee children living outside the camps. Moreover, UNRWA does not use the term “vulnerable” but rather refers to those qualifying for the “Social Safety Net”. This descriptor usually applies to families as a whole and there is no mechanism specifically tailored to identify individual children with heightened vulnerabilities.¹⁹¹ Positively, UNRWA is developing strategies “to mainstream youth work”,¹⁹² including a regional strategy encompassing all of the activities coordinated by the Relief and Social Services units in the Middle East and a national strategy that includes each of the units operating in the Jordan Field Office. They are both scheduled to be finalised in 2011.¹⁹³

The government services to which children living in Jordan have access are determined by their citizenship status. Non-Jordanian children resident in Jordan are not able to take advantage of free educational and subsidised medical services provided to Jordanian nationals; rather, non-Jordanian children are only permitted to enrol in schools following payment of fees, university studies are precluded and residence and work permits must be renewed annually in accordance with “long and complicated legal procedures”.¹⁹⁴ Non-Jordanian children resident in Jordan include those born to Jordanian mothers married to non-Jordanian fathers: a group numbering 65,956 women at the end of 2009.¹⁹⁵ A large proportion of these women are married to men of Palestinian origin,¹⁹⁶ which further complicates the situation of their families and children because, since Palestine is not internationally recognised as a sovereign state, Palestinian-origin children resident in Jordan but without Jordanian nationality may be at risk of

statelessness.¹⁹⁷ According to Article 3(4) of the Nationality Law, children born to Jordanian mothers and unknown or stateless fathers are eligible to acquire Jordanian nationality. However, the nationality status of Palestinian-origin children resident in Jordan is a complicated issue that has been subject to political pressures over recent decades. Because the West Bank had been formally unified with the East Bank as Jordanian territory,¹⁹⁸ the promulgation of a 1954 law immediately granting Jordanian citizenship to Palestinians living within the Kingdom included those living in the West Bank but not residents of Gaza.¹⁹⁹ When Jordan renounced its claim to the West Bank in 1988, Palestinian-origin Jordanians residing there formally lost their Jordanian citizenship, while West Bank-origin residents of the East Bank retained theirs.²⁰⁰ The Jordanian authorities issue two types of identity cards to Palestinian-origin individuals: yellow cards are issued to Jordanian nationals residing in the West Bank, entitling the holder to a Jordanian national number amounting to citizenship, while Palestinians residing in Jordan are issued with green cards, entitling the holder to residency within the Kingdom and a temporary passport to facilitate travel.²⁰¹

International organisations have documented over 2,700 instances between 2004 and 2008 where Palestinian-origin residents had their yellow cards revoked and replaced with green cards.²⁰² While critics denounce the policy as a “withdrawal of citizenship” and akin to apartheid, government representatives explain the policy as a means of fulfilling the requirements of the 1988 disengagement decision and preventing “colonis[ation]” of the West Bank.²⁰³ There are reports that withdrawal of a father’s Jordanian nationality, indicated by revocation of his yellow card, automatically results in the withdrawal of his children’s Jordanian nationality even when their citizenship was acquired by virtue of their birth within Jordanian territory.²⁰⁴ Government sources state that no child born

“In its 2006 Concluding Observations, the Committee on the Rights of the Child expressed concern that asylum-seeking and refugee children did not enjoy easy access to primary education in Jordan, with public schools refusing to accept the enrolment of Iraqi children and private schools restricting enrolment to those children possessing valid residency permits.”



does not monitor cases of Palestinian-origin children from whom Jordanian nationality has been withdrawn on the basis that this would be at odds with its apolitical mandate in the Kingdom and because, in any case, informal estimates by UNRWA staff suggest the number of affected children is very small. Additionally, a number of the camp-based organisations with which UNRWA coordinates provide services to all residents of the camp, regardless of their nationality.²⁰⁹

Governmental action was taken to ameliorate discrimination against children of Jordanian mothers and non-Jordanian fathers with the issuance of a government

with Jordanian nationality has had their Jordanian nationality withdrawn.²⁰⁵

The Committee on the Rights of the Child noted in its 2006 Concluding Observations that domestic law does not recognise the right of women to transmit their nationality to their children,²⁰⁶ and legitimises discrimination against children of non-Jordanian fathers.²⁰⁷ While these laws were subject to review in 2004, the fact that the majority of Jordanian women married to non-Jordanian men are married to Palestinians renders the issue a politically-sensitive one and no action has been taken to amend relevant domestic laws.²⁰⁸ Currently, UNRWA

directive in September 2006 concerning the admission of these children to public schools.²¹⁰ This was followed by another directive in 2008 permitting the free enrolment of Gaza-origin refugee children.²¹¹ These directives must be renewed each school term and, despite the on-going compliance of school administrations, the not-uncommon delay in their issuance until up to one week after the start of the term can cause uncertainty and disruption that negatively affects the educational experience of the students to whom they relate.²¹²

In addition to the Palestinian refugee population, Jordan also hosts a sizeable number of other refugees and asylum seekers. Iraqi refugees have been arriving in Jordan since just prior to the 1991 Gulf War. Especially since 2003, Jordan has received large numbers of Iraqis fleeing the conflict in their country. At the end of May 2010, 32,032 Iraqi refugees were registered with the UNHCR.²¹³ However, the actual number of Iraqis currently residing in Jordan is the subject of some disagreement among researchers and commentators, with wide-ranging estimates available.²¹⁴ This influx has placed considerable strain on Jordanian infrastructure and since 2007, there has been increased lobbying by the Government of Jordan and United Nations agencies for international donor support to fund the delivery of services to the Iraqi refugee population in Jordan.²¹⁵

In its 2006 Concluding Observations, the Committee on the Rights of the Child expressed concern that asylum-seeking and refugee children did not enjoy easy access to primary education in Jordan, with public schools refusing to accept the enrolment of Iraqi children and private schools restricting enrolment to those children possessing valid residency permits.²¹⁶ The next year, in 2007, public schools in Jordan were directed to accept the enrolment of all Iraqi children by royal decree,²¹⁷ and in 2008 a directive was issued requiring that Iraqi children without residence

permits be allowed to enrol in schools and exempted from fees for tuition and textbooks.²¹⁸ The directive is widely observed but must be renewed at the beginning of each school year.²¹⁹

Funding to support the extension of free primary education to Iraqi children in Jordan was provided by multilateral donors, who continue to distribute financial assistance for this programme.²²⁰ In addition, aid agencies and United Nations agencies implemented initiatives aimed at assisting needy Iraqi families by meeting the cost of stationary, uniforms and school transportation. NGOs working with the refugee community facilitate access to health and educational services provided by the Jordanian government to the population at large. Since 2006, access for Iraqi refugee children to Youth Centres and the programmes implemented by the Vocational Training Corporation has become institutionalised in practice, although no legal mechanism has been adopted to assure continuation of this open policy.²²¹ Iraqis accessing health services in Jordan are treated in the same manner as uninsured Jordanians, which permits them free access to reproductive health information and services.²²² Access to specialised psychosocial support for children traumatised by the effects of war or having trouble adjusting to their new environment is also facilitated through referral to other local and INGOs.²²³ NGOs implementing direct service provision typically prioritise the needs of children and female-headed households when distributing cash assistance and non-food items, which include products to support infant and child health and wellbeing.²²⁴ Criteria for service provision and referral to specialised services are generally consistent between NGOs working in the field and the UNHCR; when inconsistencies have arisen UNHCR has generally been accommodating.²²⁵ Multilateral agencies have lobbied the Jordanian Government and donors to provide funding to relieve Iraqi families of their children's educational costs.²²⁶

At the same time as its stability attracts refugees and asylum seekers from across the region, Jordan's relatively strong economy also makes it a destination of choice for migrant workers from Egypt and a number of Southeast Asian nations. The Committee on the Rights of the Child noted in its 2006 Concluding Observations the lack of measures taken to protect the high number of migrant workers in Jordan and their children from abuse, particularly when they are undocumented.²²⁷ The Ministry of Labour points to procedures requiring a migrant worker to obtain a work permit prior to entering Jordan as a key protection against the arrival of child migrant workers, who, in the very rare cases where they are identified by labour inspectors, are deported to their country of origin.²²⁸ A number of embassies representing countries from which significant populations of Jordan's migrant workforce are drawn offer services to support migrant workers facing difficulties in the Kingdom. The Philippine Embassy operates a shelter facility for female migrant workers, many of whom work as domestic helpers. In 2008, the number of women seeking refuge in the shelter exceeded 200, leading the Philippine Government to institute a ban on the supply of domestic helpers to Jordan through regulated labour hire agencies. Practically, this means that, while women from the Philippine continue to seek work as domestic helpers in Jordan, they now do so through informal channels involving transit through third countries, avoiding registration by the Philippine Overseas Employment Administration (POEA). The transfer of the supply of domestic workers to unregulated facilitators has meant the removal of important safeguards, like the POEA's requirement that domestic helpers be over 23 years of age. A number of girls under 18 are reported to be among those housed in the Philippine Embassy's shelter facility.²²⁹ The Indonesian, Sri Lankan and Egyptian embassies also operate shelter facilities for migrant workers facing difficulties in Jordan.

e. *Ethnicity or Religion*

Islam is Jordan's state religion and 92% of the population identify themselves as Muslim. Efforts by non-Muslims to proselytise Muslims are prohibited. Conversion away from Islam is not officially recognised and converts remain under the jurisdiction of *Shari'a* courts for the determination of personal status, property and family law matters. Minor children of a male convert to Islam are automatically deemed to be Muslim. The vast majority of Jordanians are Sunni Muslims and some reports suggest discrimination against Shi'ites, including forbidding the practice of Shi'ite religious rites and denying permission for the building of a new Shi'ite mosque. This may reflect governmental concern about facilitating a "spill over" of sectarian tension from Iraq by allowing the increased visibility of the Shi'ite community.²³⁰

Christian denominations and the Druze faith are officially recognised and there are no legal forms of discrimination against these communities.²³¹ Members of Christian denominations have recourse to Canonical courts for the determination of personal status and family law matters. There is a small Baha'i minority religious population, who are followers of an offshoot of Shi'ite Islam originating in Iran and worshipping Sayyid Ali Muhammad (the Bab).²³² The Ministry of Justice states that there is no *de jure* discrimination against adherents to the Baha'i faith.²³³ While Baha'is are free to follow their faith in private, the Baha'i religion is not officially recognised by the Jordanian government. As a result, the Department of Civil Status and Passports cannot classify individuals as adherents of the Baha'i faith on official identity cards; instead, they are described as Muslims or the space is left blank or filled by a dash. Moreover, marriages conducted by Baha'i assemblies are not recognised, which can cause difficulties for parents seeking birth certificates for their children.²³⁴ Baha'i schools, places of worship and cemeteries are also

not officially recognised by the government. Furthermore, the lack of official recognition of the Baha'i faith means that Baha'is must appear before the *Shari'a* courts or the tribunal of another officially-recognised religion for the determination of all personal status and family law matters.²³⁵ Islam is a mandatory subject for all Muslim students in public schools but Christian and Baha'i students are not required to attend.²³⁶

Occupying a central place in the history and traditions of the Jordanian people, nomadic Bedouin now comprise a tiny minority. The 2004 census put the proportion of nomadic Bedouins at 0.2% of the population overall, although this rises to 1.8% in the southern regions.²³⁷ Bedouins in the Petra area were compulsorily relocated to a nearby village as part of Government efforts to protect the archaeological site, and some now claim that government services are inadequate to cater for the growing population.²³⁸ A project has been implemented to maintain the unique cultural heritage of the Bedouin communities in Petra and Wadi Rum.²³⁹

f. *Disabilities*

Varying approximations of the number of Jordanians living with disabilities have been proposed, ranging from 2004 census figure of 1.2% to the World Bank's estimate of between 4% and 6% of the total population.²⁴⁰ Other calculations specifically dealing with the number of children living with disabilities put the figure as high as 230,000, or 10% of the youth demographic.²⁴¹ Some of this statistical variance is attributable to different definitions of 'disability', while analysts generally also acknowledge that stigma surrounding people living with disabilities may impede accurate reporting.²⁴²

Despite the lack of accurate statistics concerning the number of people living with disabilities, the most com-

mon disabilities are thought to be Down Syndrome, autism, attention deficit disorder, mental retardation, spina bifida, muscular atrophy, cerebral palsy, hearing and visual impairments.²⁴³ Reflecting the demographic structure of the population at large, the largest proportion of Jordanians living with disabilities falls within the age groups zero to 14 years and 15 to 29 years.²⁴⁴ The National Aid Fund, established by the government in 1986, provides minimal (approximately USD 70) cash assistance to families of children with disabilities through its subsidiary body Handicapped Care Aid.²⁴⁵ In its 2006 Concluding Observations, the Committee on the Rights of the Child expressed its continuing concern about *de facto* discrimination faced by children with disabilities owing to the “inadequate implementation” of the 1993 Law on the Care of the Disabled.²⁴⁶ At the same time as acknowledging that additional services and projects targeting children with disabilities and their families had been planned and implemented pursuant to the first phase of the Jordanian National Plan of Action for Children for 2004 to 2013, the Committee remained concerned about insufficient allocation of resources to ensure that health care and other services were made accessible to children with disabilities, especially those living in poverty or in rural areas,²⁴⁷ and the lack of community awareness about services available to children with disabilities and their families.²⁴⁸

Chief among the steps taken by Jordan to improve the implementation of the rights of children living with disabilities following the Committee’s comments was the adoption of legislation detailing the rights of persons with disabilities in 2007.²⁴⁹ Replacing the 1993 Law on the Care of the Disabled, the new law promotes community integration of people living with disabilities by providing increased employment opportunities, environmental and litigation facilities.²⁵⁰ It embodies a legislative shift towards a rights-based approach to guaranteeing the entitlements of people living with disabilities, which, despite requir-

ing that the capacity of community-based organisations be increased before its effective implementation can be realised, has been welcomed by INGOs working in the field.²⁵¹ Introduction of the new law was accompanied by awareness campaigns and judicial training,²⁵² and coincided with Jordan signing the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

Also in 2007, Jordan issued a National Strategy for People Living with Disabilities incorporating “prevention, early detection and rehabilitation” of disabilities,²⁵³ which seems to continue what the Committee felt was a worrying focus on “prevention, cure and recovery” at the expense of support, counselling and management.²⁵⁴ It is important to note, also, that the National Strategy’s reference to “early detection and rehabilitation” should also be understood in the context of the Ministry of Health’s resistance to supporting any intervention for children living with disabilities until they reach four years of age.²⁵⁵ The strategy, however, did include important targets including increasing the rate of children with disabilities in basic education from 57% to 65%, increasing from 12% to 30% the number of trained and qualified people working with people with disabilities, raising civil society involvement in the sector by 20% and ensuring access to assistance devices and support services for all disabled people by end of 2009.²⁵⁶ Almost USD 20 million was allocated to the Higher Council for the Affairs of Disabled Persons, which coordinates implementation of the strategy, for activities facilitating the integration of

“Chief among the steps taken by Jordan to improve the implementation of the rights of children living with disabilities following the Committee’s comments was the adoption of legislation detailing the rights of persons with disabilities in 2007



children with disabilities into mainstream schools under the Strategy.²⁵⁷ These activities included the establishment of growing numbers of school-based resource rooms, which only served 1.5% of children with disabilities in 2002, and targeted capacity-building training for staff.²⁵⁸ By 2008, 531 school-based resource rooms were serving over 12,460 students.²⁵⁹ While this is a positive step, there is some concern about the nature of diagnosis and testing used to place children in these rooms and the appropriateness of the programmes offered.²⁶⁰ Civil society actors and United Nations agencies have contributed to the better integration of children with disabilities in mainstream educational institutions and social activities through improving physical access to buildings, specialised teacher training courses and promoting awareness of the capacity of children with disabilities to participate alongside able-bodied peers.²⁶¹ A two-year project initiated in 2008 aimed to achieve the same goals in relation to kindergartens, and has now evolved to focus on seven elementary schools in seven different governorates throughout the Kingdom.²⁶² Despite this, accessibility issues continue to impede the attendance of children living with disabilities in mainstream educational facilities. This was highlighted by a survey published in 2010, which found that almost 90% of kindergartens were not ready to receive children with special needs.²⁶³ NGOs are involved in building the capacity of parents of children living with disabilities to lobby for improvements to school infrastructure and enhanced service delivery.²⁶⁴

NGOs and international agencies have also been particularly involved in the implementation of the Community-Based Rehabilitation programme and the administration of dedicated centres for providing services to people with disabilities, the beneficiaries of which are predominantly children.²⁶⁵ UNRWA supports a similar approach in the Palestinian refugee camps through the work of the Community-Based Rehabilitation Centres. The 10

Community-Based Rehabilitation Centres provide rehabilitation programmes, assistive devices, special education, shelter modification and assistance with educational mainstreaming for children, adolescents, youth and adults living with disabilities inside and outside the camps.²⁶⁶ Outreach of these Centres is deepened due to the fact that they are staffed entirely by members of the local communities where they are located.²⁶⁷ In addition, there is evidence that some new community development projects promoting youth inclusion are specifically addressing obstacles to the involvement of adolescents living with disabilities.²⁶⁸

In an attempt to combat the social stigma that sometimes surrounds disabilities, the Ministry of Social Development and the Higher Council for the Affairs of Disabled Persons formed a High Level Media Advisory Committee simultaneously with the establishment of the Higher Council itself.²⁶⁹ This Committee guides the implementation of a community-awareness programme, providing information and education about the causes and means of preventing disabilities, as well as challenging prevailing community attitudes towards people with disabilities that contribute to stigmatisation.²⁷⁰

g. HIV/AIDS

The first reported case of Acquired Immune Deficiency Syndrome (AIDS) in Jordan was registered in 1986 and the National AIDS Programme was established shortly thereafter.²⁷¹ As of April 2006, the National AIDS Programme was aware of 437 reported AIDS diagnoses among the general population.²⁷² Of those cases, 20 were children under the age of 15 and 3.8% of the total number of cases had contracted the disease through mother-to-child transmission.²⁷³ As at the end of 2008, 33 diagnoses of HIV/AIDS had been made in the zero to 19 age group.²⁷⁴ Discrimination against people living with HIV/AIDS in Jordan includes the deportation of

non-Jordanians testing positive for HIV, mandatory pre-employment testing for government workers and the lack of laws prohibiting discrimination against people living with HIV/AIDS, especially regarding access to employment and education.²⁷⁵ Public Health Law requires that all diagnosed cases of AIDS be reported, and a National AIDS Registry exists to document these.²⁷⁶

However, the Committee on the Rights of the Child expressed concern in its 2006 Concluding Observations that HIV surveillance was not systematized and that, therefore, an accurate assessment of the number of people living with HIV/AIDS was not available.²⁷⁷ This is borne out by the fact that over 20% of all HIV/AIDS infections are described as the result of unknown modes of transmission.²⁷⁸ In 2006 the Committee also identified the ‘taboo’ nature of the topic in Jordanian society as an obstacle to awareness-raising efforts regarding the transmission, prevention and treatment of HIV/AIDS in the Kingdom.²⁷⁹ Civil society actors likewise report a “high level of stigmatisation” surrounding those living with HIV/AIDS, which reduces the willingness of people at risk to undertake testing and seek treatment.²⁸⁰ Acknowledging this, in its report to the United Nations General Assembly Special Session on HIV/AIDS in 2009, Jordan reported that 1,233 community and government leaders and health workers had participated in sensitization sessions that year.²⁸¹ The Ministry of Health supports these through the awareness campaigns that it implements in parallel to its provision of a hotline, free counselling and treatment for AIDS patients.²⁸² Since 2009, UNRWA has implemented staff training based on the UN HIV/AIDS Learning Strategy, in order to raise awareness and promote self-protection techniques. Using a training of trainers model, approximately 300 UNRWA staff members had benefitted from training on the topic at the time of writing.²⁸³ Jordanian youth have been identified as particularly at risk of infection due to their lack of access to information about

sexually-transmitted diseases and delays in marriage due to economic hardship, which may increase the likelihood that young people will have a greater number of sexual partners.²⁸⁴ Based on a needs survey conducted in 2008, youth have been designated a secondary target group under the framework of the National AIDS Programme, although no funding has been earmarked to specifically support youth-targeted activities.²⁸⁵ Jordan’s HIV prevention policy targeted at youth includes a stigma and discrimination reduction element, alongside risk education, condom promotion and information about HIV testing and reproductive health. This policy incorporates the provision of information to secondary school students between 14 and 18 years of age, trainee teachers and out-of-school youth.²⁸⁶ While schools in both rural and urban areas provide this information, coverage is not currently nationwide.²⁸⁷ Awareness-raising conducted in schools includes a peer-to-peer element where students, following nomination by a teacher, are trained to disseminate information about HIV/AIDS to their classmates.²⁸⁸ Outreach to out-of-school youth is largely facilitated through NGOs.²⁸⁹ Civil society efforts to support HIV/AIDS prevention and address the needs of high risk groups have been increasing since 2000 and now encompass programmes involving more than 15 non-governmental groups.²⁹⁰ United Nations agencies have also demonstrated their support for national HIV/AIDS related activities through the provision of funding, technical and planning assistance,²⁹¹ some of which targets children directly.²⁹²

ii. The Best Interests of the Child (Article 3)

Legally, there are a number of areas where the best interests of the child are not given the paramount consideration envisaged by the Convention on the Rights of the Child. Partly, this is due to tribally-based traditions that give parents or guardians the right to waive the right



of a child victim to lodge a criminal or civil complaint against the perpetrator of the crime. Statistics indicate that this option is used by the parents or guardians of child victims of sexual molestation in almost a quarter of cases (24%).²⁹³ In cases concerning custody of children following their parents' divorce, the Personal Status Law stipulates that the child may choose whether to reside with their mother or their father once they reach puberty.²⁹⁴

In its 2006 Concluding Observations, the Committee on the Rights of the Child noted legislative amendments adopted by Jordan that enshrined the best interests of the child and remarked upon the encouraging inclusion of the best interests principle in the draft Child Rights Act. The abandonment of that draft Act by the legislature appeared to add weight to the Committee's concerns that the best interests of the child are not "fully applied and duly integrated" into all aspects of policy design and implementation.²⁹⁵ However, Temporary Personal Status Law No. 36 of 2010 does provide for better recognition of the best interests of the child.²⁹⁶ It does this by increasing the financial maintenance obligations imposed on non-custodial parents (typically fathers),²⁹⁷ and reducing opportunities for divorced parents to arbitrarily limit visitation rights for non-custodial parents²⁹⁸ or travel rights for custodial parents.²⁹⁹

In other areas, actions undertaken within the framework of UNICEF's partnership with the Jordanian government are improving the means of allocating resources for children through 'child-friendly budgeting', which is designed to better support the realisation of their rights.³⁰⁰ So far, the project has consisted of a baseline study, the establishment of dialogue with the government on the issue and the production of training materials.³⁰¹

iii. The Right to Life, Survival and Development (Article 6)

a. Health

The health system in Jordan has three tiers: primary, secondary and tertiary. The primary level of health services are provided through health centres administered by Health Directorates in each governorate.³⁰² These are present in every community throughout the Kingdom, regardless of size. Access to primary health care facilities is almost complete, with 2007 data indicating that 99% of Jordanians enjoy access to local health care services.³⁰³ UNRWA administers 24 primary health care centres that are equivalent to those administered by the Health Directorates and provide comprehensive primary health care to registered Palestinian refugees for no cost. Half of these are located in the 10 officially recognised refugee camps, while others are located in underserved areas with high concentrations of registered Palestinian refugees.³⁰⁴ Secondary health services are provided at larger hubs that serve defined catchment areas and allow access to more specialised services, while the tertiary level is represented by hospitals.³⁰⁵ Thirty government-run hospitals provide health services in nine of Jordan's 12 governorates.³⁰⁶ Palestinian refugees in need of secondary or tertiary health care and treatment are referred to government services by UNRWA and in-hospital treatment is provided in accordance with a co-payment scheme whereby the agency meets generally 75% of the cost of treatment, with the refugee meeting the remainder.³⁰⁷ In 2008, 8.7% of total government expenditure was directed towards health, covering 43.4% of total expenditure on health in the Kingdom.³⁰⁸ The proportion of spending on health financed by the government has been declining, reflecting the growing importance of private sector providers.³⁰⁹ There are multiple health insurance options but it is estimated that

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of health workers per 10,000 members of the population has improved in a steady fashion since 2002: reaching 26.7 physicians, 8.5 dentists, 14.1 pharmacists and 3.2 midwives by 2007.³¹³ An Amman-based study of local pharmacists’ knowledge of, and access to information about, medicinal drug information concluded that the quality of drug information resources in local pharmacies is “far from optimal”.³¹⁴

According to a national survey undertaken in 2007, 87% of Jordanian children between 12 and 23 months of age had received all recommended vaccines.³¹⁵ Vaccinations are widely available in all primary health centres, hospitals and universities and are given free to all children, regardless of citizenship status. Mobile vaccination teams extend outreach in poor and underserved areas.³¹⁶ UNRWA health centres and mobile school health teams facilitate access to vaccinations for the Palestinian refugee community for 10 diseases, using vaccinations provided free of charge by the Ministry of Health. As a result, vaccination

between 25% and 40% of the population has no health insurance.³¹⁰ Nevertheless, universal access to subsidised health services, provided by the Ministry of Health (at 15% to 20% of cost), improves accessibility for those from deprived socio-economic groups,³¹¹ and health services are provided free of charge to children under six as well as families receiving financial assistance from public funds through a publicly administered free insurance programme.³¹² The ratio

coverage among Palestinian refugee children reached 99% for 12-month-olds in 2010, and 98.9% for 18 month-olds.³¹⁷ Annual awareness campaigns about the importance of vaccinations are conducted by the Ministry of Health to coincide with World Vaccination Week every April.³¹⁸ While there were some disparities between governorates, vaccination coverage in urban areas was only slightly higher than in rural areas. Vaccination rates were also fairly consistent across wealth quintiles but were positively influenced by mothers’ level of education.³¹⁹ Following an intensive malaria eradication campaign conducted in 1970, by 2008 only 45 cases were reported and all of these were contracted outside the Kingdom.³²⁰ Diarrhoea incidence has trended downwards since 1997 but continued to afflict over 70,000 children under five in 2008.³²¹ Chicken pox rates are unstable, varying from less than 7,000 cases in 2006 to over 11,000 just two years later.³²² Preparation for pilot programmes to support the implementation of Integrated Management of Childhood Illness (IMCI) in 14 health centres in the governorates of Madaba, Balqa and Zarqa was initiated in 2005.³²³ IMCI is an information management technique designed to ensure a comprehensive health record of vaccinations, illnesses and other issues is maintained for all children during their first five years.³²⁴ Over 2006 and 2007, manuals on the topic were adapted to local conditions, training of trainers was undertaken and nurses benefitted from case-management courses.³²⁵ By 2010, IMCI training had been extended to staff in more than 90% of health centres administered by UNRWA as a result of collaboration between government and multilateral agencies.³²⁶ Originally, UNRWA had implemented IMCI with respect to children between the ages of zero and three; however, this age range was expanded to cover children up until the age of five in 2009. After this age, outreach on the health of Palestinian refugee children is largely conducted through four UNRWA school health teams operating in Irbid, Zarqa and North and South Amman. These teams visit UNRWA schools



to give vaccinations, provide health education and medical examinations and follow up on children with chronic medical conditions.³²⁷

In its 2006 Concluding Observations, the Committee on the Rights of the Child commended Jordan for its “well-developed health care system and its continuous efforts to provide all children with access to health care”.³²⁸ It also commented positively on Jordan’s progress in reducing infant and under-five mortality and eliminating and preventing infectious disease. Areas of concern included the small proportion of mothers receiving post-natal care and the high percentage of acute respiratory infections, which was the leading and second leading cause of death among infants and young children respectively.³²⁹ In 2007, the most recent year for which statistics were available at the time of writing, 68% of new mothers received post-natal care.³³⁰ Actions to encourage new mothers to access post-natal care have included awareness campaigns implemented by the United Nations Population Fund in the five “poverty pocket” communities it targets. These highlight the services available at health centres; however, the bundling of post-natal care with the newborn’s first round of vaccinations has proven more effective. This reflects mothers’ perception that the child’s health is more important than their own: a persistent impediment to efforts to increase take-up rates for post-natal care, which currently stand at between 30% and 40% of new mothers.³³¹

Despite noting with satisfaction that most Jordanian adolescents regard themselves as being in good health,³³² the Committee also observed in its 2006 Concluding Observations that dental care in this demographic had not improved and that mental health services targeting youth were scarce and lacked integration with the education system.³³³ Improving the oral health of children and youth is a goal of the National School Health Strategy for the years 2008 to 2012; however, lack of adequate financial

resources to develop and integrate oral health educational material into the curriculum has impeded realisation of this goal. Oral health awareness-raising and service provision to children and youth remain predominately the province of private actors.³³⁴ UNRWA is an exception to this and provides access to dental health care and treatment through 32 clinics located in their health centres, in addition to four mobile clinics that expand outreach to school children to support the provision of preventive dentistry services. Efforts to upgrade and expand dental care are ongoing and resulted in the addition of a new mobile dental clinic in Irbid in 2009.³³⁵ An action to support the better integration of mental health services into the education system has built on the existing presence of school counsellors in all schools throughout Jordan. While these counsellors offer psychosocial support rather than specialised mental health interventions, during 2010 UNICEF implemented a training of trainers project that built the capacity of 30 counsellors from across Jordan to recognise children in need of more specialised mental health assistance, according to established criteria, and to refer them to suitable providers. Each of the participants was tasked with passing on their newly acquired psychosocial support skills to counterparts from their local area.³³⁶ Also in 2010, UNRWA implemented a pilot programme through which 18 youth participants, including equal numbers of boys and girls, received training to act as facilitators in peer-led psychosocial support sessions. The participants worked in pairs, with each pair conducting three support sessions over the months following the training. At the time of writing, the programme was being evaluated with a view to possible future implementation on a broader scale.³³⁷ Mental health services for children are provided by NGOs under the guidance of the World Health Organisation and include educational and therapeutic programmes, as well as awareness-raising.³³⁸

Rates of tobacco use among Jordanian youth aged from 13 to 15 years were examined in 2003, with an estimated 33% of the target population identified as using cigarettes or water-pipe. Tobacco use was found to be higher among boys (37%) than girls (28%).³³⁹ Reports indicate that drug use among young Jordanians is rising, with the growing use of hashish among the 16 to 25 year old age group.³⁴⁰ During 2009, 5,637 Jordanians were involved in drug crimes, while 2,752 Jordanians were involved in drug crimes during the first six months of 2010.³⁴¹

The Committee on the Rights of the Child expressed concern in its 2006 Concluding Observations that, although the proportion of Jordanian youth addicted to narcotics and other substances is small, the number and quality of services available to assist them remained low.³⁴² The police-administered National Anti-Narcotics Centre treated over 350 people for drug addiction in 2009, most for heroin use.³⁴³ The National Centre for the Rehabilitation of Drug Addicts, part of the Ministry of Health since 2000, also provides treatment services for habitual substance abusers, as well as implementing awareness-raising lectures and media campaigns regarding the dangers of drugs which specifically target youth.³⁴⁴ Also in 2009, Jordan adopted a National Strategy on drugs. It encompasses law enforcement, prevention, harm-reduction and rehabilitation components, as well as public awareness-raising activities undertaken by the Anti-Narcotics Department of the Public Security Department in cooperation with government bodies, universities, schools, youth clubs, the media and CSOs.³⁴⁵

b. Nutrition

The most recent statistics concerning children's nutrition in Jordan, based on data collected in 2002, puts the percentage of children under five years of age affected by stunting at 9%, being underweight at 4% and wasting

at 2%.³⁴⁶ Newborn babies are typically breastfed immediately after birth. Almost half of Jordanian mothers stop breastfeeding exclusively during the first two months, and this number increases markedly by the fifth month.³⁴⁷ The low percentage of exclusive breastfeeding by mothers of babies less than six months old (26.7%) was found regrettable by the Committee on the Rights of the Child in its 2006 Concluding Observations;³⁴⁸ however, even this percentage exceeds the 22% figure arrived at by a later 2007 survey.³⁴⁹ This would tend to suggest that only minimal positive benefits resulted from the increase in maternity leave available to public service employees, which, as the Committee noted, was extended from 10 to 14 weeks.³⁵⁰ Labour inspectors are tasked with ensuring that these maternity leave provisions are observed.³⁵¹ The Ministry of Health distributes information about the importance of breastfeeding at all primary health centres, together with advice for new mothers about how to breastfeed successfully. Moreover, primary health centres host free breastfeeding support groups for new and expectant mothers, which are facilitated by midwives.³⁵² The Committee was also concerned about micronutrient deficiencies including iron, Vitamin A and iodine.³⁵³ A study undertaken on the prevalence of micronutrient deficiencies among Bedouin preschool children found that approximately one in five was iron deficient and one in four Vitamin A deficient.³⁵⁴ Since 1999, school meals consisting of a high protein biscuit fortified with Vitamin A, D and iron and a piece of fruit have been delivered to all children in public schools by the government. The initiative was extended to include children attending schools in Jordan's 13 refugee camps in 2008.³⁵⁵ Originally, milk was also provided but this was discontinued due to transport difficulties. The funding allocated to the school feeding programme is USD 28.2 million,³⁵⁶ which is complemented by funding from NGOs.³⁵⁷ Better understanding of micronutrient deficiencies is expected to result from the completion of a national survey implemented in early 2010. Data collected during the

survey assesses the effectiveness of Jordan's national flour fortification programme, which aimed to address iron and Vitamin A deficiencies, as well as the prevalence between Vitamin D, B12 and folate deficiencies among households consuming iron-fortified bread and iodised salt.³⁵⁸ Results were still under analysis at the time of writing.³⁵⁹

While nutritional inadequacies persist, a 2006 study found that almost one in four children between the ages of six and 12 were overweight and 5.6% were obese. Risk factors for being overweight and obesity included enjoying a monthly family income greater than USD 425.³⁶⁰ A major donor active in the education sector is currently implementing a "Health Competent Schools" initiative at 132 schools, reaching 114,000 students with healthy lifestyle messages including information about nutrition and physical activity.³⁶¹

Food security³⁶² is an issue given Jordan's classification as a chronically food and water scarce country. Government initiatives supported by multilateral organisations include an early warning system to monitor drought, crop and food insecurity risks, an international food price monitoring system and a national food security monitoring system.³⁶³ Civil society activity in the field is coordinated with government and private sector initiatives through the Jordanian Alliance Against Hunger, which largely focuses on awareness-raising and direct service delivery activities.³⁶⁴ Through its implementing partners, the Alliance largely targets female-headed households with children as well as raising the awareness of school children about "hunger issues".³⁶⁵

c. Physical Environment

Almost two-thirds (63%) of Jordan's population has access to wastewater collection and treatment systems.³⁶⁶ Among the camp-based Palestinian refugee population,

99% of camp shelters have access to safe water and 90% have access to sewerage facilities.³⁶⁷ Some contend that the equipment used in Ministry-based environmental monitoring programmes is "deficient";³⁶⁸ however, those working on the ground in the Jordan Valley comment favourably on the equipment and procedures of the Jordan Valley Authority, which is responsible for monitoring water quality and quantity in the area, and the Authority's readiness to provide water data to external stakeholders.³⁶⁹ Significant increases in the emission of suspended particulate matter, sulphur dioxide, nitrogen dioxide, carbon dioxide and lead have occurred during the last 20 years due to growth in the energy supply, construction and extractive industries and higher rates of vehicle ownership.³⁷⁰

The environmental health problems of children resulting from this pollution, as well as inadequate waste management practices were raised as a concern by the Committee on the Rights of the Child in its 2006 Concluding Observations.³⁷¹ The Committee also noted with concern the "scarcity of water supplies and supply frequency",³⁷² with the latter being described in sectoral assessments as "intermittent".³⁷³ This remains an issue, with some rural communities in the Jordan Valley receiving as little as 60-80 litres of water per day and sometimes going without resupply for up to two weeks during summer.³⁷⁴

Friends of the Earth Middle East has been implementing a regional project named "Good Water Neighbours" since 2000 that empowers youth to lead change on environmental issues within their communities.³⁷⁵ In Jordan, eight agricultural communities from the Jordan Valley, all of which have been identified as poverty pockets, are benefiting from the project. In each community, between 30 and 50 children between the ages of 10 and 14 have become "Water Trustees" who work to build community awareness about water scarcity and promote improved practices, as well as undertaking advocacy to municipal decision-

makers regarding infra-structural improvements. Also within the framework of the project, frequent awareness-raising and environmental education activities are conducted through schools in each community, with an average of one activity in each community every two weeks.³⁷⁶ Children are also able to participate in a series of awareness-raising and advocacy events including a number of summer youth camps designed around environmental and conservation themes.³⁷⁷ The project has been subject to both periodic internal and external evaluations and is planned to continue indefinitely at this stage.³⁷⁸ Private sector actors have also specifically targeted youth in their efforts to increase public awareness about the importance of water conservation and simple means of reducing water consumption.³⁷⁹

d. Reproductive Health

Reproductive health information and services are available at all primary health centres. While these are easily accessible, the quality of services provided in rural areas is poorer than that available in larger population centres.³⁸⁰ A study carried out by the Higher Population Council



Jordanian youth work together to develop a storyline for an animated film. *Courtesy of Mizan Law Group*

and released in 2010 demonstrated that almost 20% of the population have no or faulty knowledge about birth control methods, this is perhaps partly linked to the associated finding that 39% of health service providers continue to prescribe ineffective traditional contraceptive techniques to their patients.³⁸¹ Data from 2007 puts overall contraceptive prevalence at 57%,³⁸² which accords with findings that contraceptive use among married women, including adolescents, increased to similar levels over the 1990s.³⁸³ Despite comparatively low levels of contraceptive use, findings that the prevalence of sexually transmit-

ted infections remain extremely low relative to international standards has led some to question the need for screening programmes.³⁸⁴ Other surveys of similar sample populations have found much higher rates of infection, highlighting the lack of systematic data collection in this field.³⁸⁵ Anecdotal evidence from health workers suggests gonorrhoea is ‘quite prevalent’ among the general population and that a considerable number of the approximately 2,000 sexually transmitted diseases diagnosed every month afflict youth.³⁸⁶ This is in line with reports that knowledge about the risks and means of preventing sexually transmitted infections other than AIDS remains meagre among the youth population.³⁸⁷ Awareness of sexually transmitted infections is also reported to be very low among ever married women, with almost one in four described as having “no knowledge” in a 2002 national survey.³⁸⁸ Populations at increased risk of acquiring sexually transmitted infections have been targeted by specific government programmes, including an outreach peer education programme aimed at sex workers.³⁸⁹ Data collected by United Nations agencies shows heterosexual sex as the leading cause of AIDS transmission, with mother-to-child transmission also a significant contributor to aggregated infection rates.³⁹⁰ Efforts to prevent mother-to-child transmission are complicated by evidence that less than 1% of all pregnant women undergo HIV tests.³⁹¹ In contrast, universal screening of non-Jordanian residents is carried out by the Ministry of Health.³⁹²

In its 2006 Concluding Observations, the Committee on the Rights of the Child noted adolescents’ “limited” reproductive health awareness,³⁹³ a concern borne out by recent studies indicating that knowledge of reproductive health among young Jordanians is “limited or inadequate” and that service provision is not perceived as youth-friendly.³⁹⁴ This reflects a persistent view that reproductive health information and services are most appropriately targeted at married people. The Ministry of Health cur-

rently has no procedures for overcoming the perception that reproductive health is a matter solely for married couples.³⁹⁵ United Nations agencies are working to change the internal culture of the Ministry of Health that underpins official resistance to the provision of reproductive health information and services to unmarried young people, including those between 15 and 18.³⁹⁶ Actions to encourage departmental cultural

change include training workshops and the facilitation of open dialogue on the issue among Ministry of Health staff working in health centres, as well as efforts to implement youth-friendly services in health centres. Simultaneously, training workshops have also been targeted at youth service providers, through partnership with the peak national body for youth affairs.³⁹⁷ While unmet need for family planning in the 15 to 19 years age group declined over the 1990s from 22% to 18%,³⁹⁸ national survey data from 2007 indicated that 4% of girls between 15 and 19 had either already given birth or were pregnant with their first child. The likelihood of childbearing in this age group was found to be inversely proportional to educational attainment, with low socio-economic status the next most significant factor.³⁹⁹ To raise awareness about the risks of early childbearing, 17 comprehensive health centres were opened in the North and Central regions of the Kingdom during 2008. All of these new health centres included adolescent health programmes as a component of the women’s health programme and offer services and guidance specifically tailored to this demographic. Special

“Overcoming community resistance to modern contraceptive techniques is thought to be the key element in improving reproductive health, given the already broad and free availability of services.”



protocols have been designed to ensure that expectant mothers under 18 years of age receive regular follow up and support from health centre staff, which includes family planning advice.⁴⁰⁰

Governmental commitment to enhancing reproductive health at the community level is evidenced in the free provision of modern contraceptive techniques to all Jordanian citizens through health centres since 2009,⁴⁰¹ which is funded by the Ministry of Health. Overcoming community resistance to modern contraceptive techniques is thought to be the key element in improving reproductive health, given the already broad and free availability of services. A related obstacle impeding access to reproductive health information and services is the lack of female doctors in rural areas, which discourages women from seeking counselling on the topic. This is exacerbated by the fact that doctors, especially in those rural areas, are often overworked and lack the time to effectively explain reproductive health options to their patients. Efforts to address community resistance to accessing reproductive health services include awareness campaigns to build demand for reproductive health services among women and youth, which are being implemented by a national NGO.⁴⁰² This three-fold action, encompassing health service providers, youth service providers and community members, is being focussed on five selected “poverty pocket” communities, in Amman, Zarqa and Balqa.⁴⁰³ A complementary action specifically focussed on youth is the summer camp programme benefitting members of Youth Centres.⁴⁰⁴ These are gender segregated and run for between six and eight days. The camps have a “Healthy Lifestyle” theme and utilise a reproductive health toolkit that mainstreams reproductive health messages into all camp activities, including good nutrition and hygiene. For the 14-18 age group, messages revolve around the physical and other changes brought on by puberty and informa-

tion on basic life skills is provided. In 2010, a total of 10 camps, benefitting 500 youth were administered.⁴⁰⁵

Reproductive health is also affected by the incidence of consanguineous marriage, estimated at between approximately one third and one half of all marriages,⁴⁰⁶ which heightens the risk of transmitting inherited disabilities to children. To address this, a premarital exam that includes screening for thalassemia was introduced by the Ministry of Health. Take up rates were initially very low with only an estimated 9% of Jordanians in the 15 to 24 age group seeking screening prior to marriage in 2003.⁴⁰⁷ Some doctors and religious leaders cited a widely held belief that the health of future children lies in the hands of God as a factor contributing to the screening being “largely ignored”.⁴⁰⁸ Since 2004, a certificate of screening has been a mandatory requirement prior to marriage.⁴⁰⁹ While couples are not prevented from marrying even when the test reveals them both to be carriers of the disease, the mandatory testing has reduced the incidence of the disease by approximately 50% between 2004 and 2011.⁴¹⁰ Awareness campaigns implemented by the Ministry of Health through all official media, including newspapers and radio, have contributed to this result by highlighting the risk of genetic diseases resulting from consanguineous marriage.⁴¹¹

e. Education

The education system has three stages including two years of kindergarten, ten years of primary education and a further two years of secondary education. Every stage is offered free of charge by the public sector but neither kindergarten nor secondary education are compulsory.⁴¹² The mandatory 10-year stage of basic education generally caters to children between six and 15 years of age.⁴¹³ Jordan is credited with having achieved gender parity in both primary and secondary education.⁴¹⁴ This is reflected in

enrolment rates of 97% for both boys and girls at primary level and 87% for boys and 90% for girls at secondary level.⁴¹⁵ Moreover, Jordan's commitment to education is evidenced in sizeable reductions in the illiteracy rate, from 88% in 1952 and 45% in 1970 to 7.3% in 2009.⁴¹⁶ In 2003, methods of measuring student achievement were diversified to embrace five principle tools: skills, observation, paper and pencil, communication and self-review.⁴¹⁷ These tools allow for performance-based assessment alongside traditional exams,⁴¹⁸ and attempt to reduce repetition and better motivate students to remain in school.⁴¹⁹

Jordan's provision of compulsory, free-of-charge basic education and the government's allocation of 20.6% of public expenditure to education funding were both commended by the Committee on the Rights of the Child in its 2006 Concluding Observations.⁴²⁰ Part of this funding supports public sector schools, which account for approximately 60% of educational facilities and accommodate almost three-quarters of total enrolment. About two-thirds of the remainder of the student population attend schools administered by the private sector. The final third are largely catered to in schools managed by UNRWA, which accommodates about 85% of Palestinian children. A small minority attend schools governed by other ministries or the military.⁴²¹ Recent years have witnessed a measurable shift from private to public schools, despite the widely-held perception that private schools offer a better educational experience, due to rising prices in the private sector.⁴²²

While enrolment rates in the two-year pre-primary education cycle, which comprises KG-1 and KG-2, are significantly lower at 38% for boys and 35% for girls,⁴²³ an upwards trend reflects measures taken to improve access to kindergartens. These include the preparation of a national curriculum for pre-primary education, which was

noted with approval by the Committee,⁴²⁴ and a significant increase in the number of kindergartens.⁴²⁵ Despite this, pre-primary education is dominated by private sector and voluntary providers, especially at the KG-1 level which is yet to be phased in by government providers, leading some to question the accessibility of pre-primary education services to those from lower socio-economic groups or rural areas.⁴²⁶ A 2010 survey of kindergartens carried out pursuant to a partnership between the Ministry of Social Development and an INGO found that more than half of the kindergartens surveyed had neither separate rooms for each age group nor sufficient outside play space. Moreover, 13% were found to lack emergency egress routes and more than a fifth stored cleaning materials within reach of children.⁴²⁷ Save The Children (US) is partnering with state-run kindergartens to improve learning outcomes through teacher training in areas including active learning, classroom management and parental involvement, in addition to working with the Ministry of Education to finalise a quality-assurance mechanism for the kindergartens. To improve accessibility of pre-primary education, the same organisation administers Parent and Child Centres in areas targeted due to the vulnerability of the population, as determined by school enrolment and drop-out rates and other factors. These centres help prepare children unable to attend KG-1 for entering KG-2. In light of the vulnerabilities of the target population, which usually includes a significant proportion of Iraqi refugees, psychosocial and child protection elements are also included in the centres' curriculum.⁴²⁸ UNICEF Jordan's second Early Childhood Development Plan of Action, covering the years 2008 to 2012, was finalised in October 2010 and implementation, involving all government ministries and NGOs working in the field, is planned to commence following acquisition of necessary funding.⁴²⁹ The education programme administered by UNRWA does not include a pre-primary component.⁴³⁰ However, for children living in the Palestinian refugee

camps, early childhood education is typically provided through the Women's Programme Centres operating in cooperation with UNRWA. Provided in order to ensure that mothers of young children are able to participate in Women's Programme Centre activities, early childhood education follows the national curriculum and is provided by volunteer teachers at a nominal fee.⁴³¹

At all levels, Jordan's enrolment rates are higher than regional averages;⁴³² however the Committee expressed concern about drop-out rates in both primary and secondary levels.⁴³³ Joint World Bank and National Council for Family Affairs data analysis from 2007 suggests that 12% of children beginning the first grade of basic education will not complete the 10 mandatory grades.⁴³⁴ Drop-out rates are particularly important in light of regulations prohibiting children from re-entering the formal education system after a non-participation period of three years or more. The publicly administered school feeding programme is a successful example of an attempt to improve retention rates, and has been expanded to benefit

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children from across the Kingdom and broader age groups.⁴³⁵ However, efforts to address this issue are generally demonstrated through Jordan's endeavours to extend vocational training to youth over 16, which were commended by the Committee.⁴³⁶ Vocational education is primarily delivered through the Vocational Training Corporation, which is a statutory organisation tasked with regulating and providing various levels of

vocational training.⁴³⁷ In addition, relevant ministries have formed partnerships with Questscope, a NGO, to support projects that offer non-formal educational alternatives to children currently not attending school, including drop-outs and children living or working in the street. The curriculum restructures the material covered over a number of years in formal schooling into a more flexible 24-month equivalent that prepares students to pursue further studies either in mainstream schools or through a government-funded vocational training centre.⁴³⁸ In 2007, the Questscope initiative was recognised as the official programme for alternative certification of 10th grade completion. A total of 6,000 participants have benefitted from the programme since 2005, with 290 graduates. Costs per year for each participant are approximately USD 350.⁴³⁹ A number of other NGOs administer programmes that provide vocational training/certification or work preparedness courses targeted at out-of-school youth.⁴⁴⁰ Some, such as the Sahab-based Social Support Centre that targets former child workers, facilitate re-entry into the formal education system as well as providing a parallel educational programme and facilitating certification of vocational skills through the Vocational Training Institute.⁴⁴¹ NGOs implementing these programmes predominately operate in urban areas and the results of internal evaluations have indicated that they produce positive outcomes for participants.⁴⁴² In 2008, 31 centres catering for the educational needs of out-of-school children and youth were operating, with over 1,500 enrolled students.⁴⁴³

Some elements of the school environment, including “school shifts, the lack of schooling facilities and equipment, overcrowded classrooms, under-qualified teachers and inadequate teaching methods”, were noted by the Committee as areas of concern relating to the quality of education provided.⁴⁴⁴ The entry of displaced Iraqi children into the Jordanian educational increased the existing strains on the school system in 2006 and 2007.⁴⁴⁵



In response to evidence that the physical condition of educational infrastructure was in need of renewal, the “My School” (*Madrasati*) initiative was launched by Queen Rania in April 2008 with the aim of renovating 500 schools in five years.⁴⁴⁶ The project coordinates partnerships between public schools, private firms and NGOs to facilitate the refurbishment and maintenance of school buildings and the enhancement of the learning environment. Initially including only 100 schools from Amman and Zarqa,⁴⁴⁷ the initiative has since grown and now benefits each of Jordan’s three regions.⁴⁴⁸ In April 2009, the initiative began its second phase and was expanded to encompass 100 schools from across the northern Jordanian governorates of Madaba, Jerash, Ajloun and Balqa. Twelve months later, in April 2010, the third phase was implemented in which 96 schools across south Jordan were targeted for improvement.⁴⁴⁹ Other organisations are also contributing to improvements in school infrastructure, with one donor supporting the construction and expansion of 128 schools between 2007 and 2012, as well as 15 school playgrounds.⁴⁵⁰ This initiative has complemented increased government spending in education, leading to almost three-quarters of schools throughout the Kingdom having access to computers.⁴⁵¹ A number of projects have also aimed to increase the relevance and quality of the curriculum of publicly-provided education, usually with the collaboration of multilateral agencies⁴⁵² but sometimes in partnership with NGOs.⁴⁵³ Curriculum improvements include the addition of life-skills modules and the incorporation of human rights concepts into the content of each subject, which has been undertaken by all schools administered by the UNRWA.⁴⁵⁴

f. Violence Against Children

The Jordanian Penal Code criminalises violence against children. Article 62 of the Code is directed towards parents and prohibits them from using physical force

to discipline children, except when this is in accordance with “general custom”. While the use of physical disciplinary methods on children by non-family members is not permitted by law,⁴⁵⁵ studies indicate that over half of Jordanian children are exposed to physical abuse or other forms of aggressive behaviour as a form of discipline.⁴⁵⁶ This tallies with the finding that the majority of violence directed towards children is imposed by an authority figure; however, high rates of peer-instigated violence indicate that its use is not restricted to purely disciplinary purposes.⁴⁵⁷ The following paragraphs examine the presence of violence against children in schools and penal institutions, within the family and, finally, under the guise of ‘honour’ crimes.

In its 2006 Concluding Observations, the Committee on the Rights of the Child noted the prohibition against corporal punishment as a disciplinary measure in schools and penal institutions.⁴⁵⁸ Nevertheless, reports to the Ministry of Education from 2009 list 84 instances of violence against children in schools over that year, 51 of which involved physical and verbal abuse perpetrated against students by teachers (35 incidents) or school principals and administrative staff (16 incidents). The remaining incidents were referring to peer-to-peer violence. In addition, teachers were found to have belittled and threatened students in some cases.⁴⁵⁹ A broad study incorporating student respondents from both public and private schools, as well as those administered by UNRWA, found that 18% of instances of severe physical abuse of children at schools is the result of peer violence.⁴⁶⁰ This is partially supported by anecdotal evidence collected from Iraqi parents, who complain of their children being bullied by Jordanian students.⁴⁶¹ In response, in 2008 the Ministry of Education established a hotline for the reporting of school violence.⁴⁶² The nationwide Ma’an Campaign, launched by UNICEF in November 2009 and also adopted by UNRWA schools, is being implemented

as part of a broader child protection programme with the goal of encouraging teachers “to adopt nonviolent disciplinary measures”.⁴⁶³ Specifically, the campaign aims to reduce teacher violence by 40% by building the capacity of teachers and school counsellors in behaviour management.⁴⁶⁴ It involves the formation of Advocacy Groups in each participating school, composed of the principal, school counsellor, two teachers, two students and two parents. This group conducts a monthly random survey of 10% of the student population to measure the incidence of teacher violence against students. The findings are discussed at a meeting of all school staff. Twice monthly parents’ meetings contribute to the comprehensive nature of the programme. Together, all stakeholders from the school community participate in the construction of a plan to improve teacher attitudes and reduce violence against students. All schools also participate in a yearly event during which students from grades four to nine formulate and sign a code of ethics for the classroom and receive information on violence against children.⁴⁶⁵ Other UNRWA initiatives have focussed on increasing children’s awareness of, and ability to use, non-violent conflict resolution methods and the publication of a code of conduct to govern relations between teachers and students in all UNRWA schools, which was produced by students through their parliament and unveiled in November 2008.⁴⁶⁶ The national “Safe Schools” project implemented by the Queen Rania Family and Child Centre is also designed to increase awareness about all forms of abuse in schools among parents, teachers and students, as well as building the capacity of all of these stakeholders to respond effectively to incidents of abuse within the framework of strengthened school-community partnerships. Running since 2007, the project reached 4,482 students and teachers during 2010.⁴⁶⁷

In contrast, little information was available pertaining to actions taken to address violence against detained

children. In 2008, the NCHR received 37 complaints from children detained in juvenile reform centres or their guardians alleging torture or battery by members of the Criminal Investigations Department. A further five complaints were tendered relating to allegations of inhuman treatment.⁴⁶⁸ Ongoing measures to improve the treatment of detained children include inspection visits by public prosecutors, which are an element of their routine duties.⁴⁶⁹ Training for the directors and staff of juvenile detention centres on child protection issues has been implemented pursuant to a partnership between a non-governmental provider and the Ministry of Social Development.⁴⁷⁰ There is currently no code of conduct for staff working in juvenile detention centres, however, the development of a code of conduct is one of the proposals being considered by the Ministry of Social Development as part of its Juvenile Justice Reform Programme for the years 2011 to 2013. Included in the same programme are plans to deliver psychosocial capacity-building training to workers at juvenile detention centres, as well as training on child protection issues.⁴⁷¹

While corporal punishment is prohibited in schools and penal institutions, the Committee on the Rights of the Child expressed concern about broad cultural acceptance of physical disciplinary techniques within the family.⁴⁷² This is bolstered by the retention of laws allowing parents to physically discipline their children in the face of considerable lobbying efforts by child’s rights advocates,⁴⁷³ although recent amendments mean that, as noted above, this form of discipline must not cause harm to the child and must accord with “general custom”.⁴⁷⁴ Despite this, Jordan’s “strong commitment” to addressing family-based violence against children was commended by the Committee, which noted the establishment of child protection committees to inquire into suspected cases of child abuse presenting at major public hospitals as well as close governmental cooperation with NGOs working in the



“Both in the governmental and non-governmental spheres, dedicated units designed to support victims of domestic violence, including children, have been established.”



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for example, a gynaecologist in cases of suspected rape).⁴⁷⁶ Work undertaken in the field has benefitted from a higher profile in the community as a result of Her Majesty Queen Rania Al-Abdullah’s public advocacy to stem family-based violence against children.⁴⁷⁷ The Committee did, though, express deep concern that children continue to be subject to violence in the home and that the lack of accurate statistics and research on the issue makes an effective response problematic.⁴⁷⁸ Echoing the Committee’s concerns, child protection workers assert child abuse remains underreported, despite the number of reported cases more than doubling between 2002 (661) and 2004 (1,423).⁴⁷⁹ Other reports put the number of child abuse cases reported annually at between 400 and 500 cases.⁴⁸⁰ Reporting suspected cases of child abuse is a requirement for relevant professionals pursuant to the Family Protection Act adopted in 2008.

The Family Protection Act adopted in 2008 increases protections for children at risk of violence within the home by specifically recognising them as a group to whom the protections provided under the Act apply,⁴⁸¹ at least when their parents are lawfully married or they are being cared

field.⁴⁷⁵ These committees are a mechanism designed to ensure a comprehensive response to suspected cases of child abuse and currently operate in 11 hospitals. When a case of child abuse is suspected, a child protection committee is formed, which comprises of the attending physician, a forensic doctor, social worker, nurse and any other specialists involved in the case (for

for in a *kefala*⁴⁸² or *ibtidhan*, which is a similar arrangement. Article 8 states that all employees and service providers in the social, medical and educational sectors, whether public or private, must report suspected cases of domestic violence. It goes on to require that relevant officials take all necessary measures to ensure the safety of victims of domestic violence. In implementing the Act, the Ministry of Social Development and the Family Protection Directorate take into account the best interests of the child through studies of the family environment carried out by the Social Work Office of the Family Protection Directorate, which follows guidelines for the removal of children from unsafe home environments. Obstacles to the implementation of the Act include the fact that the list of protected persons enumerated in the Act is restricted to residents of the home, as well as the lack of sufficient clarity regarding reporting mechanisms and the means of, and circumstances in which, cases will be referred from the court system to related Reconciliation Committees.⁴⁸³

While five Reconciliation Committees⁴⁸⁴ covering Amman, Zarqa, Madaba and Salt were established in 2010 at the direction of the Minister for Social Development, the lack of a court-based referral system at the time of writing meant they had not yet begun to operate effectively.⁴⁸⁵ Another impediment to the effective monitoring of the Act’s implementation may be the lack of awareness among civil society actors about the existence of guidelines relating to the removal of children from unsafe home environments, which, in itself, would seem to suggest some doubt about their consistent observance and utility.⁴⁸⁶ There is also no mechanism currently operating to identify children presenting at hospital emergency rooms with the frequency and types of injuries that suggest abuse may be occurring.⁴⁸⁷

The Family Protection Directorate of the Public Security Department is the designated focal point for investigating

allegations of violence against children within the family.⁴⁸⁸ The Committee stated concern that this relationship to the security forces could be a deterrent for children wishing to report abuse.⁴⁸⁹ Steps have been taken, however, to provide a child-friendly environment by ensuring that suspected child victims of sexually-based crimes are interviewed by specially-trained, plain-clothed investigators or psychologists. Additionally, the social work office of the Directorate, which operates under the aegis of the Ministry of Social Development was benefitting at the time of writing from capacity-building activities delivered by a national NGO specialising in child protection.⁴⁹⁰ Interviews of child complainants are carried out by personnel of the same gender, which is facilitated by the department's fairly even gender split amongst employees. Moreover, the department embraces a participatory approach and works cooperatively with all relevant CSOs and government departments, including the Ministry of Social Development, to ensure smooth referral procedures.⁴⁹¹ The interview is recorded on video for use during any future trial.⁴⁹² The child is made aware that the interview is being taped and can be used as testimony for evidential purposes during any future trial and their consent for this is sought. If the complaint of violence is against someone from outside the family, the child may choose whether either or both of their parents is present. Usually, seating is arranged so that the child's testimony may not be influenced by any sign or suggestion by the other party present so as to ensure the validity of the information. There is also a complaints and suggestions box within the directorate that is regularly monitored and followed-up. To facilitate reporting, a model form has been designed that can be used when reporting suspected abuse or violence within the family although any form of reporting will be accepted, including written and in-person reports. A facility for internet-based reporting has also been developed. The model form is being updated to include information that facilitates access to the victim

as soon as possible, including the child's address and that of their school. Information about the child's age and the type of violence is also requested to ensure that the complaint falls under the purview of the directorate. The directorate dealt with 710 child victims of violence during the first 10 months of 2010, 302 concerning boys and 408 concerning girls.⁴⁹³

The Committee acknowledged the presence of family defenders providing 24-hour services at police stations across the Kingdom, as well as "successful, multi-sectoral child protection programmes."⁴⁹⁴ These include the Dar Al-Aman safe house, operating since 2002 by the Jordan River Foundation, which the Committee noted for its provision of protection and psychological, medical, social and educational services to abused children and their families.⁴⁹⁵ This safe house receives children subjected to severe abuse and removed from unsafe home environments, often following referral from the Family Protection Directorate, aiming to return children to a safer family environment.⁴⁹⁶ Dar Al-Aman is the only shelter of this type in operation and, with capacity for 32 children, accepts referrals from any area of Jordan. Shelter staff work not only with referred children, who totalled 96 in 2010, but also with their immediate and extended families. This can entail the deployment of teams to cities and towns throughout the Kingdom.⁴⁹⁷ The same organisation instituted a telephone helpline in 2008, which provided consultations to 5,700 children and other family members seeking assistance or referral to other service providers during 2010.⁴⁹⁸ In the same year, this organisation reached 684 beneficiaries through its parenting programme, which is designed to support a positive family dynamic and introduce appropriate disciplinary methods.

Both in the governmental and non-governmental spheres, dedicated units designed to support victims of domestic violence, including children, have been established.⁴⁹⁹

These aim to provide easy access to a combination of psycho-social, legal and medical service providers (governmental and nongovernmental) in one location.⁵⁰⁰ Also, for child victims of abuse and children at risk, a range of opportunities are provided to learn about child protection issues through an interesting suite of projects implemented by Jordan River Foundation's Interactive Mediums Unit. During 2010, 2,653 children benefitted from activities to build their capacity for self-expression through theatre, art and information technology.⁵⁰¹ A regional child safety training centre was launched in 2006.⁵⁰² This centre facilitates the growth of expertise throughout the region by coordinating training workshops and awareness lectures in Jordan and the region and has sent lecturers to Iraq and other countries.⁵⁰³ It has also produced training manuals on child safety and protection issues based on international best practice but tailored to local conditions.⁵⁰⁴ Actions are underway to improve detection of child abuse through extending specialised training to 150 healthcare professionals who will spearhead child-protection committees in 10 hospitals across the Kingdom.⁵⁰⁵ Similarly, in late 2009, 30 medical professionals received "intensive training" to build their skills in responding to identified cases of domestic violence affecting children.⁵⁰⁶

In addition, NGOs have been integral in implementing awareness-raising, training and community mobilisation actions designed to improve awareness of children's rights among the general public, relevant professional categories and children themselves, as well as better protecting children from abuse.⁵⁰⁷ A National Strategic Plan for Family Protection was implemented over the years 2005 to 2009 under the coordination of the National Team for Family Protection, which is attached to the National Council for Family Affairs.⁵⁰⁸ Training of social workers, police officers and school counsellors on child abuse prevention, intervention and rehabilitation has also been increased, and information has been incorporated into

the school curriculum for children between the ages of five and nine to enhance anti-child abuse information and awareness-raising.⁵⁰⁹ The promotion of community based advocacy on child protection issues was supported through the Community Mobilisation Unit of the Jordan River Foundation, which formed community based child safety committees in the North, Centre and South regions of the country. Including representatives from government, civil society and community leaders, the committees mobilise their communities to undertake child safety needs assessments, prioritise desired outcomes and design a yearly action plan to realise these goals. Established in 2006, the Community Mobilisation Unit benefitted 1,090 community members during 2010.⁵¹⁰ Actions to increase community awareness and bolster protection mechanisms for child victims of violence that specifically target the populations of Palestinian refugee camps and adjacent areas have been undertaken by locally based community development centres. These are implemented under the umbrella of the Centres' Child Rights Programme and include awareness-raising among local stakeholders, service providers, social workers, families and youth. Four Legal Advice Bureaus have been established that provide a range of services, including responding to child victims of violence and referring them to specialised service providers where necessary. Although located in areas predominated by Palestinian refugee communities, services provided through the UNRWA CBOs are available to all who seek access to them within the constraints imposed by the CBOs' capacity and expertise.⁵¹¹ Moreover, in 2009 UNRWA and the Family Protection Directorate cooperated to deliver training workshops to all UNRWA staff on identifying victims of abuse and domestic violence and respond appropriately. A pilot project to trial a referral system designed to facilitate effective follow-up in cases of this kind was being implemented in Wehdat camp at the time of writing.⁵¹²

The Committee noted with alarm reports of ‘honour’ crimes committed against girls.⁵¹³ Accurate statistics were not available at the time of writing but a “large proportion” of these crimes are thought to affect girls under 18.⁵¹⁴ Legislative amendments adopted in 2001 modified Article 340 of the Penal Code, which previously allowed perpetrators of these crimes to escape any finding of guilt. In accordance with that article, which is specifically designed for situations of adultery, and another article related to aggravating circumstances more generally,⁵¹⁵ judges remain able to consider the emotional state of the

“Studies indicate that between 2% and 7% of children are sexually abused by their parents or guardians, relatives, siblings, teachers or school administrators, with up to a third of all children exposed to sexual harassment.”



perpetrator as a mitigating factor contributing to a reduced sentence.⁵¹⁶ The Committee expressed grave concern about the continued application of these articles with regard to ‘honour’ crimes, as well as the “insufficient” availability and accessibility of appropriate shelters and counselling for victims and those at risk of these crimes.⁵¹⁷ Local NGOs play a significant role in providing services to girls and women at risk of “honour”

crimes. The “Friendly Homes” project implemented by one such organisation aims to mediate between at-risk girls and women and their families to ensure their safety.⁵¹⁸ The same organisation also works to facilitate the social reintegration of girls and women released from administrative detention, which is used as a “protective” mechanism to safeguard the lives of women and girls facing this sort of risk. Their reintegration is supported through the provision of vocational training and psychosocial support, as well as community-based awareness activities in the

Jordan Valley region to promote community acceptance of, and empathy for, these former detainees. Outreach extends to male perpetrators of gender-based violence, who are targeted through prison-based awareness-raising actions.⁵¹⁹

g. Sexual Exploitation and Abuse

Studies indicate that between 2% and 7% of children are sexually abused by their parents or guardians, relatives, siblings, teachers or school administrators, with up to a third of all children exposed to sexual harassment.⁵²⁰ Severe punishments for perpetrators are provided for in relevant law, including the potential application of the death penalty following conviction for rape of a girl under 15.⁵²¹ A number of both governmental and NGOs work to document allegations of sexual abuse, provide protection to child victims and support to families.⁵²² All professionals working with children, including doctors, nurses, law enforcement officials, teachers, counsellors and social workers, are required by law to report suspected cases of child abuse to the proper authorities. The focal point for reporting is the Family Protection Directorate of the Public Security Department. In practice, pressure and intimidation towards professionals from the child’s family members is recognised as an obstacle to adherence to these reporting requirements.⁵²³

In its 2006 Concluding Observations, the Committee expressed regret at the absence of data concerning commercial sexual exploitation and trafficking in children, as well as the “insufficient” legal protection of boys against commercial sexual exploitation.⁵²⁴ Actions taken in response to the Committee’s concerns include a partnership between government and an INGO, which resulted in the 2007 launching of a project designed to track sexual abusers and provide assistance to children who have been groomed for abuse over the internet. It also incorporated



a study to assess the extent of internet-based sexual exploitation and abuse in Jordan.⁵²⁵

The marriage of children under 18 was also mentioned by the Committee, which remained concerned that legislative amendments raising the minimum age for marriage to 18 for both sexes had not resulted in the elimination of the practice.⁵²⁶ Currently, relevant laws permit marriage of children under 18 when sanctioned by a judge.⁵²⁷ No regulations governing judicial discretion in applications of this type were available at the time of writing, however, the publication of such regulations by the Ministry of Awqaf was expected. The causes of early marriage have not been studied rigorously, however, applications for judicial consent to early marriages are thought to be becoming more frequent despite a drop in early marriage from 20% of total marriages in 1998 to 15% in 2004.⁵²⁸ In 2008, approximately 9,000 marriages involved girls between the ages of 15 and 18. A temporary personal status law adopted in 2010 maintains the authority of *Shari'a* judges to legitimise early marriage.⁵²⁹ Conditions for judicial consent are described as having been “tightened” and both the approval of the trial judge and the Chief Justice is required.⁵³⁰ Statistics suggest wives under 18 are at greater risk of spousal abuse than their of-age counterparts, accounting for more than a quarter of all domestic violence victims.⁵³¹ In 2010, amendments to the Penal Code introduced prison sentences of between one and six months for those holding, or party to, a marriage that contravenes any provisions of the Personal Status Law or other domestic legislation.⁵³²

h. Child Trafficking

Jordan has been described as a destination, transit point and, to a lesser extent, a source for victims of human trafficking.⁵³³ In 1996, allegations were made about the sale of ‘illegitimate’ children believed to have been born to migrant domestic workers to non-Jordanian couples for

‘adoption’.⁵³⁴ The 2006 Concluding Observations of the Committee drew attention to the lack of systemic safeguards against child trafficking.⁵³⁵ Governmental actions taken in response to these concerns include the adoption of the 2008 Anti-Human Trafficking Law, which identifies the targeting of children as an aggravating factor for sentencing purposes.⁵³⁶ Training workshops on the content and application of the new law have been conducted by NGOs, targeting lawyers and law enforcement officials.⁵³⁷ The National Centre for Human Rights has also run a number of training courses for judges and the Public Security Directorate has facilitated the training of its officers, especially those staffing the Anti-Trafficking Unit.⁵³⁸ At the time of writing, there had been no prosecutions initiated under the new law. Authorities also plan to provide a shelter for victims of trafficking, for use prior to victims’ return to their country of origin.⁵³⁹ Most recently, a National Strategy to Combat Human Trafficking (for the years 2010 to 2012) was launched in March 2010.⁵⁴⁰

i. Children Associated with Armed Groups and Forces

Military service obligations are limited to those aged 18 or older.⁵⁴¹ However, laws governing volunteer enlistment allow 16-year olds to join the military as private soldiers and 15-year olds to become cadets.⁵⁴² Despite this, the number of children actually employed in the armed forces is very small, with only 21 children, all aged 17, employed by the military in 2006. Moreover, those under 18 years of age are prohibited from taking part in military operations.⁵⁴³ Government representatives have stated that recruitment of those under 18 years of age is limited to “vocational tasks” that exclude military duties.⁵⁴⁴ The Committee did not comment on this issue in their 2006 Concluding Recommendations.

j. Landmines and Small Arms

Landmines stud approximately 12 square kilometres of Jordan's northern border with Syria in the Northern Highlands, Jordan Valley and Wadi Araba,⁵⁴⁵ continuing to pose a threat to children's "life, physical integrity and development" as noted by the Committee in its 2006 Concluding Observations.⁵⁴⁶ Statistics on casualties from mine-related incidents in 2008 demonstrate the disproportionate impact on children, with nine of the 13 people killed or injured in the first six months of that year being children (seven boys and two girls). The activities of civilian mine victims at the time of their injury are not clearly documented but are thought to largely revolve around farming and animal husbandry.⁵⁴⁷ In 2006, risk education activities reached 4,146 boys;⁵⁴⁸ yet in 2008 boys remained the single largest casualty group nationally,⁵⁴⁹ suggesting they are disproportionately exposed to mine-related risks through their involvement in scrap metal collection. Over 2007 and 2008, 17 communities were targeted in risk education activities supported by six national agencies.⁵⁵⁰ Additional broadly-targeted public exhibitions and information dissemination campaigns aimed to reach indirectly an estimated 75,000 people.⁵⁵¹ An interesting initiative was the production of a play designed to teach children between 11 and 15 how to identify and avoid the risks posed by mines. Implemented over 2008 and 2009, the play was performed nine times in six different locations, directly benefitting approximately 6,000 children. Evaluations based on children's self-reporting indicated greater awareness and changed behaviours as a result of watching the play.⁵⁵²

The National Committee for Demining and Rehabilitation (NCDR) was responsible for coordinating the implementation of the National Mine Action Plan (for the years 2005 to 2009). Limited funding hampered the implementation of the Action Plan and in 2008 efforts were still

directed towards identifying donors and strategic partners.⁵⁵³ The awareness-raising department of the NCDR responds to requests for risk-education lectures from societies, institutions and schools, targeting both girls and boys.⁵⁵⁴ NGOs are active in the provision of psychological and social support to mine-related amputees and their families, as well as enhancing awareness about disability rights and public services.⁵⁵⁵

k. Orphaned, Separated and Unaccompanied Children

At the time of writing, approximately 1,700 children in Jordan were residing in out-of-home care.⁵⁵⁶ A range of institutions exist to care for children whose families are not able to provide for them.⁵⁵⁷ Five of these orphanages are managed by the Ministry of Social Development, two for girls, one for boys and two that are mixed gender. All require judicial approval before accepting a child into their care. Non-governmental institutions, on the other hand, do not require judicial approval when receiving children, and have been encouraged to grow from 23 the number of their care centres.⁵⁵⁸ Orphanages are licensed by the Ministry of Social Development and must meet a specific list of criteria in order to receive this license. Reportedly, the Ministry of Social Development is also mandated to supervise the administration of orphanages, including staffing levels and physical environment.⁵⁵⁹

Approximately half of the 1,300 orphans in Jordan were abandoned. About a quarter of those being cared for in institutions are described as 'illegitimate' because only the mother's identity is documented. Children born to detained women are permitted to remain with their mothers until they reach three years of age, after which they are placed with relatives or, if necessary, in care homes.⁵⁶⁰ Procedures exist to allow these women to resume custody of their children upon release. Some non-governmental service providers do assist women released from detention



to reclaim their children from care homes.⁵⁶¹ However, lawyers and medical experts claim that unmarried mothers in this situation are actively discouraged from claiming their children and are offered little support.⁵⁶²

The quality of services provided in both government and non-government institutions is reported to vary, with the provision of basic needs assured but comparatively less emphasis on psychological and social counselling and recreational needs.⁵⁶³ This is reflected in the 2006 Concluding Observations of the Committee on the Rights of the Child, where concern was expressed that the number of educational and social programmes available for children in out-of-home care was insufficient and that these children were not provided with “adequate development planning.”⁵⁶⁴ A national NGO is currently working with the Ministry of Social Development to improve the services offered in two care homes in Amman, with a focus on psychosocial support for child residents.⁵⁶⁵

The Committee also noted the foster care programme, *kafala*, which is based on Islamic precepts.⁵⁶⁶ It allows an orphaned or abandoned child to be cared for by another family, although the child’s name and family origin are not officially changed.⁵⁶⁷ The Ministry of Awqaf and Islamic Affairs and the Ministry of Social Development have separate criteria for determining the suitability of families for providing *kafala* to orphaned children. There are some inconsistencies between the two sets of criteria but both seek to identify families that are stable, harmonious and have adequate financial resources. The number of children cared for in foster settings is difficult to determine given the varying criteria used by different government departments. The Ministry of Awqaf and Islamic Affairs defines an orphan as any child whose father is no longer alive, while the Ministry of Social Development defines as orphans those children whose mother and father are both deceased. Moreover, the Ministry of Social Develop-

ment not only facilitates *kafala* but also *ibtidhan*, which is a similar arrangement.⁵⁶⁸

l. Birth Registration

Jordanian laws require that parents register newborn children within 30 days of their birth, or within 60 days if birth occurs outside a major population centre.⁵⁶⁹ Failure to do so may result in a fine levied on the child’s father.⁵⁷⁰

“Birth registration is nearly universal, with only 1% of births going unregistered.”



Where parents are unable or unavailable to complete registration, other relatives or, if necessary, a doctor or midwife may undertake registration.⁵⁷¹ Births are registered through the Department of Civil Status and Passports, which has 74 sub-offices throughout

the Kingdom. Evaluations of the Civil Status registration system took place in 2002 and 2007 by means of sample surveys.⁵⁷² Registry offices are easily accessible to the vast majority of Jordanians and 2001 amendments to the Civil Status Law expanded the list of people able to report the birth of a child in order to ensure that birth registration is easy and convenient.⁵⁷³

Birth registration is nearly universal, with only 1% of births going unregistered. Reasons cited for failure to register include “disagreement within the family, poverty and lack of awareness.”⁵⁷⁴ Obstacles exist to registering births of children born of customary marriages or other undocumented marriages because it is necessary to produce a marriage certificate at the time of birth registration.⁵⁷⁵ Often, neither the births nor deaths of children who die shortly after birth are recorded. Similarly, stillbirths are underreported,⁵⁷⁶ although some assertions have been made that there is no obligation for parents to

report stillbirths since the doctor or midwife can provide all necessary information.⁵⁷⁷ Accuracy of birth registration is also thought to be an area of concern, as parents may perceive advantages in registering children as being born in a different month to that in which they were actually born for school enrolment purposes.⁵⁷⁸

m. Children Living/Working in the Street

In its communications with the Committee, Jordan has referred to “street children” as one of the most disadvantaged groups within the juvenile population, pursuant to a 2003 National Study on the Most Disadvantaged Children in Jordan.⁵⁷⁹ However, the State party also pointed out that “[i]n Jordan, there are no children who live in the streets in the sense in which the phenomenon of street children is commonly understood.”⁵⁸⁰ Rather, a report from the National Council for Family Affairs describes such children as “beggars or vendors of small items” and states that they usually have homes and families.⁵⁸¹ Statistics from 2002, the latest available at the time of writing, put the number of children involved in begging at 626, including 134 girls.⁵⁸² However, as noted by the Committee on the Rights of the Child in its 2006 Concluding Observations, there is “insufficient information” regarding the number of this group of children.⁵⁸³ This concern is echoed by NGOs working in the field and, coupled with the paucity of research conducted in the area, renders difficult the design and implementation of programmes that benefit this target group.⁵⁸⁴ While “encouraged” by amendments to the Juveniles Act that define children involved in begging as needing protection and care, the Committee remained concerned about the absence of a broad and coordinated strategy to provide protection to children in this situation.⁵⁸⁵

Children found begging in the street are often returned to their families by police. Guidelines do exist to ensure

that the home environments to which such children are returned are safe, however, it is unknown whether these are consistently observed.⁵⁸⁶ Children may be detained in juvenile centres if they cannot be returned to their families. The Ministry of Social Development established a dedicated detention centre catering for children found living and working in the street in Madaba, a municipality of approximately 65,000 people 30 kilometres south-west of Amman. The centre aims to provide care and protection to children and adolescents, including through their participation in training courses.⁵⁸⁷ The centre also aims to provide adolescents with access to alternative, legal employment. Although the personal details of children accessing the centre’s services are noted by centre staff, there is little follow-up once children leave the centre and no attempt to contact the children’s families.⁵⁸⁸

In 2008, legal penalties for individuals found begging or peddling in the street were increased and the families of children found begging or peddling now face the possibility of reductions to the means-tested financial benefits flowing from the National Aid Fund.⁵⁸⁹ The purpose of this policy is to incentivise the re-enrolment of children in schools, rather than to punish the family, and benefits are only reduced by an amount equivalent to the child’s share of the total.⁵⁹⁰ No statistical information was available at the time of writing regarding the number of instances in which benefits from the National Aid Fund had been reduced as a result of children leaving the formal education system. An interesting civil society initiative in this field is being implemented through the mechanism of the Children’s Parliament. Called “Child to Child”, the project aims to reduce violence among children living and working on the street and is closely linked to similar efforts targeting school children.⁵⁹¹



n. Child Labour

Jordanian labour law states that children under 16 years of age may not engage in paid employment and that working children between 16 and 18 may not engage in work that is “hazardous, strenuous or injurious to health” or work for more than six hours per day or without a rest break after the first four hours.⁵⁹² Employers are required to obtain the written consent of the parent or guardian of child workers prior to engagement, together with a certificate from a registered doctor stipulating as to fitness for work. Detailed records must be kept regarding the child’s working hours and wages.⁵⁹³ Contravention of any of these requirements is punishable by a fine of between USD 420 and 700, which may be increased to USD 1,400 if aggravating factors are identified, including the use of violence, coercion or fraud to induce a child to undertake work. In all cases, fines are doubled for repeat offenders.⁵⁹⁴ The minimum fine stipulated by law was increased from approximately USD 140 to the current level of USD 420 as a result of legislative amendments adopted in August 2008.⁵⁹⁵ Employers of child labourers may incur a prison sentence if convicted of violations of the Labour Law.⁵⁹⁶ Children found working in unsuitable employment conditions are either returned to their families or detained when suspected of involvement in other illegal activities.⁵⁹⁷

Competing claims regarding the prevalence of child labour in Jordan put the number of child labourers (up to 18 years of age) between 29,000 and 52,500.⁵⁹⁸ The disparities between different estimates may in part be explained by the definition used by the Ministry of Labour, which distinguishes child labourers from economically-active children according to work conditions. It states that approximately 80% of economically-active children are engaged in child labour.⁵⁹⁹ The vast majority of this group are boys,⁶⁰⁰ with less than 10% of the total aged under 14;⁶⁰¹ an estimated 13% are subjected to forced labour and

over 16% earn an equivalent of USD 15 to 70 a month.⁶⁰² Statistics from 2001 indicate that 94% of child labourers have completed primary schooling, with almost two-thirds of that group having also completed intermediate level schooling.⁶⁰³ Children of migrant workers have been identified as at heightened risk of becoming child labourers, with girl children of migrant workers also more likely than their peers to discontinue schooling as a result.⁶⁰⁴ Other risk factors include large family size and poor socio-economic position.⁶⁰⁵ A 2006 report on child labour prepared by the Ministry of Labour classified the factors pushing children towards early entry into the labour force under three main headings: family-related factors, including poverty, family breakdown and domestic violence; factors contributing to the school drop-out rate (accounting for approximately 7.7% of children in the work force), including desire to learn a trade and provide material support to the family (both relevant to over 52% of child labourers) and ill-treatment at school (motivating 2.8% of total school drop-outs); and, finally, encouragement from relatives or care-givers to engage in economically-productive work.⁶⁰⁶ The sectors attracting the highest proportions of working children are wholesale and retail trade (36.3%), agriculture (27.3%) and manufacturing (15.8%). Significant inequalities between the participation of boys and girls across employment sectors are most obvious in agriculture (77% of working girls as opposed to 21.5% of boys) and trade (11.3% of working girls as opposed to 40% of boys). An estimated 8.9% of boy labourers work in construction.⁶⁰⁷

Surveys indicate that up to one in four children are unable to identify risks associated with work environments, including suitable noise and lighting levels, with that number increasing to over one in three when risks associated with routinely-handling chemicals were raised.⁶⁰⁸ Children’s motivation to enter the workforce is thought to remain

strong, with only high unemployment dissuading children from seeking wage-earning work.⁶⁰⁹

A broader definition of child labour than that embraced by the Ministry of Labour encompasses unpaid family work within the home, which is undertaken by almost a third of Jordanian children (37.6% of girls and 27.1% of boys).⁶¹⁰ Taking this work into consideration reveals a marked gender disparity between participation in wage-earning labour as a proportion of total child workers: 66.6% for boys but only 28.2% for girls.⁶¹¹ Close to three-quarters of children reporting physical abuse in the workplace during a 2007 national survey were unpaid family workers.⁶¹² Sexual abuse is also thought to occur “often” across employment sectors but no research on the issue was found.⁶¹³

Since ratifying the International Labour Organisation (ILO) Convention No. 182 regarding Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2000 and publishing it in the Official Gazette the following year, Jordan has taken a number of measures to address the issue of child labour. In its 2006 Concluding Observations, the Committee on the Rights of the Child noted with appreciation that these measures included the 2001 establishment of the Ministry of Labour’s Child Labour Unit, the creation of a child labour database, the 2002 amendment of the Labour Code raising the minimum age of employment for children working in hazardous occupations to 18 and the formulation of a National Strategy for the Elimination of the Worst Forms of Child Labour in 2006.⁶¹⁴ To follow up on the implementation of this strategy, a Memorandum of Understanding revived the National Commission on the Reduction of Child Labour. It is chaired by the Minister of Labour and includes representatives from the Ministries of Health, Education, Social Development and Justice, as well as the Chamber of Commerce and the In-

dustry Federation of Trade Unions.⁶¹⁵ Despite these steps, child labour has continued to increase, raising the concern of the Committee. The Committee also noted the lack of Labour Code-based protections for children working in the informal sector.⁶¹⁶

Oversight of the nature and extent of child labour is facilitated through the maintenance of the child labour database, which the Ministry of Labour manages in cooperation with the Department of Statistics.⁶¹⁷ The database was established in 2000 at the same time as the Unit for Reducing Child Labour within the Ministry of Labour, and updated in May 2008.⁶¹⁸ In August 2006, a hotline was established for members of the public to lodge complaints about their working conditions and all calls relating to child labour are followed up by the Unit for Reducing Child Labour.⁶¹⁹ The bulk of the efforts of government agencies to enforce the regulation of children’s participation in the workforce are implemented through the “continuous and extensive” monitoring activities of labour inspectors.⁶²⁰ There are 130 labour inspectors, including 41 women.⁶²¹ In 2007, civil society actors working in the field cast doubt on the effectiveness of inspectors and argued that adequate measures to prevent and respond to child labour were not being taken.⁶²² A USD 5.65 million programme implemented in 2009 by the Ministry of Labour and Cooperative Housing Foundation (CHF) International worked to address this by building the capacity of 150 labour inspectors to understand the vulnerabilities of working children and identify workplace hazards.⁶²³ Following that training, 2010 witnessed the resumption of inspections.⁶²⁴

Recent inspection campaigns seem to have been successful: over 900 children were reportedly removed from unsuitable working conditions in the first five months of 2010.⁶²⁵ During 2010, 317 violations by employers were identified and prosecuted, 279 warnings were given to em-



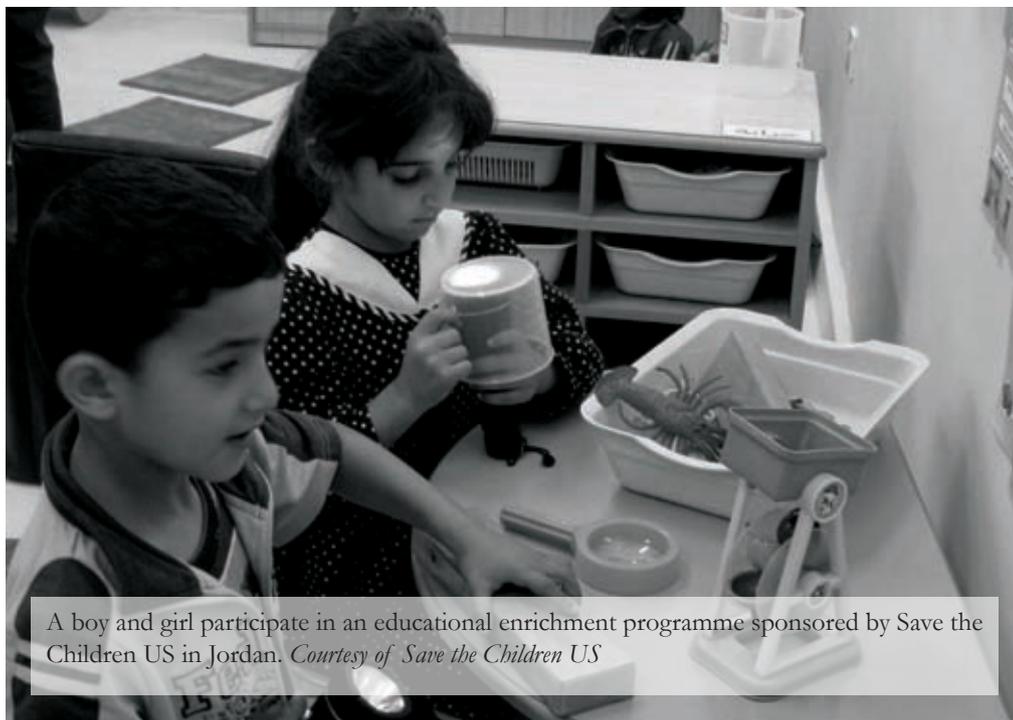
ployers and in a further 1,568 instances advice and guidance provided to both the child worker and their employer.⁶²⁶ Sixteen liaison officers from the Ministry of Labour were appointed to follow up on all issues relating to child workers across a range of departments and make referrals to NGOs engaged in the social and educational rehabilitation of former child workers.⁶²⁷ The capacity-building programme for labour inspectors will run for four years and be complemented by a joint project designed by the Ministry of Labour and the International Labour Organisation, which is scheduled to begin in 2011.⁶²⁸

At a policy level, the NCFI is currently undertaking a study on legislation and policies dealing with child labour as a precursor to the formation of a national framework for the reduction of child labour.⁶²⁹ This action has the

potential to address criticisms of the implementation of the current legal framework governing child labour, which include a 'loophole' allowing children under 16 years of age to be engaged as apprentices⁶³⁰ despite laws stipulating that under-16-year-olds are not to be employed in paid work.⁶³¹

Other actions implemented to improve regulation of children's labour force participation include publication of a voluntary code of conduct by representatives of the private and public sectors for circulation in areas with high prevalence of child labour.⁶³² Local and central government agencies have also partnered with CSOs to improve working environments for working children, combat child labour and facilitate the return of working children to education.⁶³³ Obstacles to this goal include the finding

that only about 4% of child workers express a desire to return to school.⁶³⁴ Rehabilitation of former child labourers in the southern Amman suburb of Sabah is being facilitated through a non-governmental Social Support Centre that provides remedial classes to former child workers, supports their reintegration into the formal education system where possible and, where needed, provides in-kind support to families to bolster their support for their child's withdrawal from the labour market.⁶³⁵ Established in 2008, the Centre was originally supported by the ILO but is



A boy and girl participate in an educational enrichment programme sponsored by Save the Children US in Jordan. *Courtesy of Save the Children US*

now supported by the Ministry of Labour pursuant to a Memorandum of Understanding which was recently extended to run until 2013. The extension reflects the recognition given to the Centre in the National Agenda,⁶³⁶ which included a dedicated budget for focussing on child labour and ensured continuity of the Centre's work. Over the period from June 2008 until October 2010, the Centre received 4750 children, of whom 30% were girls. These children benefitted from access to a two-year educational programme that parallels the 10-year Basic Education curriculum, as well as psychosocial support and extra-curricular activities including life-skills workshops. Children who have been out of school for a year or less are integrated back into the formal school system, if meetings with guidance counsellors suggest that this is appropriate. Provision of these services is set to expand with the scheduled opening of another Social Support Centre in Marka in January, 2011.⁶³⁷ Equally importantly, the Ministry of Labour is working with a NGO to increase employment opportunities for the parents and other adult relatives of working children, to reduce the family's reliance on the child's income.⁶³⁸

a. *Juvenile Justice*

Jordan first adopted a specialised Juvenile Law in 1968, granting judges the option of instituting special measures for the protection and care of juveniles, including placing them under the supervision of their parents or others acting *in loco parentis*.⁶³⁹ While the juvenile justice system in Jordan remained heavily-based on the established procedures for dealing with adults, positive changes have occurred in recent years.⁶⁴⁰ These include the initiation of a Juvenile Justice Reform Programme, which was welcomed by the Committee on the Rights of the Child in its 2006 Concluding Observations.⁶⁴¹ Effective coordination between relevant government ministries and NGOs is recognised as supporting the usefulness of juvenile justice

reform projects and facilitating their implementation. Key challenges have included inadequate funding, occasional lack of clarity concerning proposed project goals, lack of appropriately-skilled staff and lack of parental support for measures designed to support the best interests of children.⁶⁴² Another challenge is sustainably enhancing the capacity of the judiciary on juvenile justice issues.

Prior to their appointment to the bench, prospective judges undergo a two-year training course facilitated by the Judicial Institute.⁶⁴³ This course includes training specifically targeting juvenile justice issues and is supported by a specialised manual on the role of lawyers in juvenile justice, which was published jointly in 2008 by the Judicial Institute and the United Nations Office on Drugs and Crime.⁶⁴⁴ The Judicial Institute also administers in-service training to judges that includes juvenile justice issues. Positively, the higher profile that juvenile justice issues have enjoyed as a collateral benefit of the reforms targeted in that area has increased judges' willingness to work for longer periods of time in the juvenile jurisdiction, rather than seeking to move on at the "earliest opportunity".⁶⁴⁵

Another part of the reform process has focussed on enhanced protective mechanisms for child witnesses of crime. Child witnesses are protected through article 158 of the Criminal Procedure Code which allows public prosecutors and judges to use modern technology to facilitate the testimony of witnesses under 18 years of age. In addition, the current draft Juvenile Law provides for the testimony of minors to be given over video link.⁶⁴⁶ A new Juvenile Law adopted in 2007 requires the consideration of early release for children who have served a third of their sentence, limits the time that children may be detained in police stations from 48 to 24 hours and mandates the presence of a parent, guardian or lawyers during interrogations.⁶⁴⁷ These latter two stipulations are supported by provisions in the Code of Criminal Procedure



that rendered evidence collected through their violation inadmissible.⁶⁴⁸ They build on the procedures outlined in 2002 amendments to the previous Juvenile Law seeking to protect the rights and best interests of children deprived of their liberty, including stipulations that children not be handcuffed at the time of arrest unless necessary, that children not be held for more than 48 hours without charge, that the parents of an arrested child be immediately notified and that the names of arrested children not be published.⁶⁴⁹ Once children enter the court system, they are criminalised to the extent that a permanent file including all relevant details of their history with law enforcement and court personnel is opened by the Public Security Department.

A successful recent initiative, which began in 2005, centres on the training of specialised Juvenile Police Officers.⁶⁵⁰ There are currently four of these officers in Amman, one in Zarqa and one soon to start work in Wadi Seer. The model is based on reconciliation and involves informal resolution of the matter involving the accused minor after he or she is referred to one of these specialised officers at the police station level. This avoids court referral and the opening of any official file on the child at the Ministry of Social Development. Over 250 cases were dealt with through this model by one specialised officer alone during 2009. Recognising the utility of this approach, the Ministry of Social Development plans to train a further 20 specialised Juvenile Officers as part of its strategic plan for juvenile justice reform over the years 2011 to 2013. While there is no legislative basis for the work of these officers, their activities are underpinned by a Memorandum of Understanding between the Ministry of Social Development and the police. This has drawbacks, as implementation then depends on support from police station chiefs. The advantage is that the lengthy process of shepherding legislation through Parliament was avoided.⁶⁵¹

Nevertheless, deficiencies remain, as is reflected in the lack of dedicated juvenile courts. Currently, there are three Magistrates Courts, in Amman, Irbid and Zarqa, that recognise a juvenile misdemeanour jurisdiction. However, only the Amman Conciliation Court deals with juvenile matters exclusively and is presided over by a specialist juvenile judge.⁶⁵² Children in conflict with the law from areas outside the territorial jurisdiction of the three Conciliation Courts appear before First Instance Courts of general (adult) jurisdiction, as do all children accused of participating in criminal activities with adult co-defendants or accused of felonies punishable by more than seven years imprisonment.⁶⁵³ Efforts to ensure that juvenile defendants benefit from special protection are evident in the role of Conduct Monitors, who are constantly on hand at police stations and courts in order to provide assistance to children and their families.⁶⁵⁴ Conduct Monitors are social workers, and are also tasked with preparing background reports about a child's social, familial, educational and economic circumstances in order to inform the judge's response to the child's alleged act. This procedure is thought to be undermined by the lack of training and human resourcing underpinning the Conduct Monitor role: in 2007 there were 82 Conduct Monitors accredited by the Ministry of Social Development and the reports they tendered to judges have been described as "rarely...of a sufficient standard and comprehensiveness" for judges' use.⁶⁵⁵ These shortcomings are acknowledged in the Ministry of Social Development's Strategic Action Plan for the years 2011 to 2013, which aims to establish four dedicated juvenile courts and provide specialised training in juvenile justice and child protection principles to social workers, police and detention centre staff. The draft Juvenile Law also envisages the establishment of juvenile courts and raises the minimum age of criminal responsibility for boys and girls from seven to 12 years,⁶⁵⁶ another issue mentioned with concern by the Committee.⁶⁵⁷

“Efforts to ensure that juvenile defendants benefit from special protection are evident in the role of Conduct Monitors, who are constantly on hand at police stations and courts in order to provide assistance to children and their families.”



assistance if they come into contact with the legal system. In each of the eight juvenile detention centres administered by the Ministry of Social Development, free legal advice and counselling is provided by an NGO pursuant to a Memorandum of Understanding concluded with the Ministry.⁶⁶⁰ However, prior to detention, and especially when children come from socioeconomically deprived or single-headed households, many children do not benefit from legal advice or representation during their interaction with the legal system.⁶⁶¹ A limited number of NGOs are able to provide access to legal assistance for children in conflict with the law.⁶⁶² While the Bar Association Law does stipulate that lawyers are required to provide *pro bono* professional services at least once a year,⁶⁶³ which may include the provision of legal advice or representation, this obligation is not monitored. Moreover, the lack of training and experience that many lawyers have in the field of juvenile justice undermines their capacity to effectively protect the interests of juvenile clients.⁶⁶⁴ Recognising this, the Ministry of Justice is working in partnership with CSOs to provide juvenile justice capacity-building train-

One issue that remains unaddressed is the concern noted by the Committee in 2006 that not all children in conflict with the law are provided with legal assistance free of charge.⁶⁵⁸ Currently, only defendants (of any age) charged with offences that may be punishable by the death penalty are entitled to publicly-funded legal assistance.⁶⁵⁹ The 2007 Juvenile Law does not address this and includes no requirement that children be provided with legal as-

ing to local lawyers, as part of the many training courses it offers on all human rights-related topics.⁶⁶⁵ Targeted juvenile justice capacity-building training is also provided independently by non-governmental and community-based organisations working throughout the Kingdom,⁶⁶⁶ including in some Palestinian refugee camps.⁶⁶⁷

Other areas of concern to the Committee included the lack of provision for non-custodial sentences,⁶⁶⁸ which is reflected in the imprisonment of over 3,500 children each year including approximately 1,200 aged between 12 and 15.⁶⁶⁹ Recovery and social reintegration services for detained children were also described by the Committee as “not...adequate” in 2006, particularly those targeting girls.⁶⁷⁰ This area remains one in which little, if any, activities are undertaken, primarily because of challenges relating to inter-organisational and institutional coordination.⁶⁷¹ Also of concern is the fact that the majority of detained children are in pre-trial detention rather than serving sentences. In 2008, for example, of the 3,438 children spending some time in detention centres only 439 were held in accordance with a judicially-imposed sanction.⁶⁷² This is an outcome of the procedure followed when a child is arrested: the child is deposited with the Ministry of Social Development and then transferred to a detention centre appropriate to their age, gender and the crime of which they are accused.⁶⁷³ A draft Juvenile Law currently under review by the Legislative Bureau gives judges the option of imposing a range of non-custodial sentences as an alternative to detention,⁶⁷⁴ these include police reprimand, delivery to parents or guardians, compulsory public service, access to vocational training, probation and restricted movement orders.⁶⁷⁵ It is thought to be unlikely that the draft law will be adopted earlier than the second half of 2011, in light of the already crowded legislative agenda of the Parliament newly-elected in 2010.⁶⁷⁶ This may perhaps allow time to overcome the significant hurdles that would otherwise impede imple-



mentation of these non-custodial options, specifically the current lack of institutional mechanisms needed to support community-based programmes. While there are probation officers, their role does not typically include the close supervision necessary in a juvenile context, such as home visits.⁶⁷⁷ NGOs are already involved in the design of programmes that would allow non-custodial sentences to be imposed,⁶⁷⁸ while others are awaiting the results of a UNICEF-supported research study being carried out on the topic.⁶⁷⁹ Terre des hommes - Lausanne has undertaken actions focussing on judicial sensitisation, which will continue under the strategic plan for juvenile justice reform over the years 2011 to 2013 coordinated by the Ministry of Social Development. The plan also includes the establishment of a pilot Day Attendance Centre catering for children and adolescents at risk of coming into conflict with the law, as well as those convicted of petty offences. It is designed to accept referrals from parents and school counsellors in addition to police officers and judges. Promisingly, it is also expected to contribute to the rehabilitation and reintegration of children and adolescents released from juvenile detention centres.⁶⁸⁰ Moreover, NGOs have implemented a number of training workshops regarding the needs and vulnerabilities of children in conflict with the law, in collaboration with relevant ministries and in coordination with the ongoing training provided by the Jordanian Judicial Institute.⁶⁸¹

This is indicative of a sustained trend towards cooperation and coordination between government institutions and multilateral and nongovernmental organisations in the juvenile justice sphere, which the Committee welcomed.⁶⁸² While this cooperation appears strong, as illustrated in the delivery of a number of projects and programmes since 2006, coordination both within the non-governmental field and between NGOs and governmental institutions remains challenging. A number of task forces have been established in recent years but they tend to be ineffective

and ultimately stop functioning. This is due to a variety of reasons including competition between organisations involved in the task forces, inhibiting candour and cooperation, as well as difficulties finding an arrangement that utilises the influence of United Nations agencies without overwhelming smaller, locally-based NGOs. A committee tasked with monitoring progress made under the three-year Juvenile Justice Reform Plan is currently being formed and the clarity of the committee's mandate is anticipated to contribute to its effectiveness.⁶⁸³

iv. The Right to Be Heard/Child Participation (Article 12)

a. *Participation in All Contexts*

In its 2006 Concluding Observations, the Committee on the Rights of the Child referred to both the “Young Voices, Big Thoughts” programme implemented by the NCHR and the Children’s Parliament established by the Jordanian Women’s Union as examples of the “many efforts” made by Jordan to facilitate children’s participation in all spheres.⁶⁸⁴ This is also evident in the Palestinian refugee camps in which UNRWA provides services, where members from the local communities administering all 14 of the Women Programme Centres have received training building their capacity to strengthen adolescents’ participation

“The Ministry of Education reported in 2008 that the traditional, teacher-centric pedagogical method had been discarded in favour of more ‘modern’ methods that emphasised the independent role and responsibility of individual students in developing their learning style.

and mainstream their perspectives during programming.⁶⁸⁵ Additionally, CBOs in the camps implement a youth programme supporting civic education and engagement, as well as providing “friendly spaces” for open dialogue and discussion among adolescents and youth. Moreover, youth are empowered to conduct peer-to-peer outreach and awareness-raising on child protection issues.⁶⁸⁶ Similar opportunities are provided by the “safe spaces” created by the Women’s Programme Centres and Community-Based Rehabilitation Centres in all 10 officially-recognised Palestinian refugee camps in the Kingdom.⁶⁸⁷ The Youth Programme implemented by the Jordan River Foundation is another example of specific youth targeting by a national civil society actor. Implemented by the Queen Rania Family and Child Centre, the programme aims to empower youth to participate in their communities. It includes a summer vacation programme in which an average of 150 youth volunteers from different parts of Amman identify a particular community services project that they design, lead and implement, as well as another multi-phased project aiming to build leadership skills among youth participants.⁶⁸⁸ The Children’s Parliament, facilitated by the Jordanian Women’s Union, continues to train children on democratic behaviour and citizenship values to enhance their ability to contribute to the strengthening of democracy in Jordan and respect for human rights within the Kingdom.⁶⁸⁹ Youth are also exposed to electoral mechanisms through involvement in the Youth Centres supervised by the Higher Council for Youth, which facilitate youth participation in the Centres’ administrative committees through periodic elections.⁶⁹⁰

Youth have recently participated in events involving public advocacy for legislative amendments to increase legal protections for children at risk or abuse.⁶⁹¹ In addition, there is successful work being done to build children’s advocacy capacity in the field of environmental protection and conservation. A long-running regional programme

works with groups of children in eight communities in the Jordan Valley region to train them to identify environmental problems impacting their community, design solutions and then carry out activities including community awareness-raising and municipality-level advocacy to promote change. Municipal leaders have generally reacted positively towards child-led advocacy and there is evidence in some areas of an increased readiness to involve children in community decision-making fora. National and regional conferences and workshops for children are organised under the framework of the same project, offering children the opportunity to be heard by a broader audience.⁶⁹² Wider efforts to foster civic-mindedness among children and youth are also being undertaken. One such programme, which began in 2008 and is implemented in the capital, is designed to promote youth volunteerism and build the capacity of youth to design and establish regular voluntary activities in their local community.⁶⁹³

Children’s participation at school is largely mediated through student councils. A 2006 study by the Ministry of Education indicated that more than half (58%) of all schools have a student council. Following release of that study, guidelines to strengthen children’s participation in student councils were developed.⁶⁹⁴ Importantly, a 2006 Ministry of Labour report mentioned programmes designed to foster student participation in curriculum design and delivery to enhance student interest and engagement in the educational process. The Ministry of Education reported in 2008 that the traditional, teacher-centric pedagogical method had been discarded in favour of more ‘modern’ methods that emphasised the independent role and responsibility of individual students in developing their learning style.⁶⁹⁵ In a similar vein, a NGO-implemented programme focussing on the Basic Education stage (grades 1-10) and targeting Iraqis and vulnerable Jordanians also promotes children’s participation in improving their educational experience. Implemented in public



schools, the programme uses a child-to-child methodology that allows children to identify protection and education issues and present these to adults, with whom they then work to identify and implement solutions. Community-based Protection Committees support this work in the schools (four are currently operating), as well as examining protection issues in the broader community.⁶⁹⁶ Nevertheless, the Committee expressed concern that entrenched socio-cultural attitudes regarding children's role within the family and the broader community continued to "limit" children's participation. This concern is shared by NGOs, who report that the procedures and by-laws of "most organisations" reinforce traditional gender and age biases.⁶⁹⁷ A similar approach is evident in legal and administrative proceedings where, as noted by the Committee, the active participation of children is not systematically sought.⁶⁹⁸ For instance, although Jordanian law does provide for the children of divorced parents to choose which parent they wish to reside with once they reach puberty,⁶⁹⁹ establishing a strong legal basis for their participation in custody proceedings, this is not routinely done in practice. While Article 3(d) of the proposed Child Rights Act would have stipulated children's right to express their views on all matters concerning them, the withdrawal of the draft Act and the lack of progress towards a comparable substitute indicate little action in this area at the time of writing.

b. Knowledge About the Convention

Various government bodies and NGOs have undertaken efforts to improve awareness about the Convention on the Rights of the Child, a fact acknowledged and welcomed in the Committee's 2006 Concluding Observations.⁷⁰⁰ In succeeding years, those efforts have continued with measures including children's rights capacity-training targeting teachers, parents and students,⁷⁰¹ as well as the incorporation of the Convention's principles into law schools at Jordanian universities⁷⁰² and its inclusion in the

“Promisingly, six of the Youth Centres administered by the Higher Council for Youth conduct training on children's rights, two centres each in the north, central and south regions.”



ongoing training provided to judges and public prosecutors through the Judicial Institute and to court administrators and the staff of juvenile detention centres by NGOs.⁷⁰³ Now, a typical component of all projects implemented by the National Centre for Human Rights regarding children's rights is a preliminary survey regarding the level of training and awareness that participants already have concerning the Convention.⁷⁰⁴ An intensive round of training is planned to accompany the anticipated adoption of the draft Juvenile Law by the Parliament.⁷⁰⁵ Greater emphasis has also been placed on the public education role of official media on *inter alia* children's issues, leading to increased coverage of children's rights-related topics.⁷⁰⁶ The incorporation of human rights concepts into school curricula from grades one to 12⁷⁰⁷ was initiated in 2001 with the preparation of a "Conceptual Log Frame on Human Rights and Common Universal Values". This document was integrated into learning content during 2002, in accordance with the Ministry of Education's adoption of the Education Reform for a Knowledge Economy (ERfKE) strategic policy. The revival of human rights education during the second stage of curriculum development, covering the years from 2010 to 2015, is evidence of concrete measures implemented to increase children's awareness of the importance of human rights.⁷⁰⁸ Children have also been directly involved in assessing the effectiveness of the Convention's implementation in Jordan, through a forum of 25 students drawn from all governorates of the Kingdom that was organised jointly by the NCFR and UNICEF in early 2011.⁷⁰⁹

A number of partnerships between institutions at different levels of government, multilateral organisations and both local and INGOs have been formed to further these activities, which have targeted school pupils, religious and community leaders, teachers and educational and legal experts.⁷¹⁰ An interesting initiative is the “Better Parenting” campaign, conducted nation-wide, which trains imams on the principles of child care, respect, protection, and non-discrimination between girls and boys. Imams are then equipped to disseminate this information to parents, especially fathers. Running since 2000 and supported by the Ministry of *Awqaf* and Islamic Affairs, UNICEF and other NGOs, the programme has so far trained more than 600 imams for the benefit of over 130,000 families.⁷¹¹

Notwithstanding these actions, not a great deal of evidence is available concerning efforts to address the “regional disparities” in knowledge about the Convention that were identified by the Committee in 2006, especially with regard to remote areas.⁷¹² Promisingly, six of the Youth Centres administered by the Higher Council for Youth conduct training on children’s rights, two centres each in the north, central and south regions. There are plans to expand the provision of this training to all of the 116 Youth Centres throughout the Kingdom by 2015.⁷¹³ Additionally, all of the Women’s Programme Centres working in collaboration with UNRWA incorporate children, adolescent and youth-targeted programmes, which currently include the provision of information and education sessions on human rights for service providers, children and their families and other community members.⁷¹⁴ Another area of concern to the Committee was Convention-based training targeted at professions, which the Committee described as not having been conducted on an “ongoing, comprehensive and systematic basis”.⁷¹⁵

c. Space Given to Children in Society

A number of the concerns expressed by the Committee on the Rights of the Child in their 2006 Concluding Observations related to allocation of resources and budget expenditure. Positively, a workshop jointly facilitated by UNICEF and the NCFI addressing “Child-Friendly Budgeting” was implemented over three days in early 2009. It aimed to build the capacity of representatives from government departments, local and international CSOs, academia and parliament to ensure identification and responsiveness to children’s needs in public policy design, implementation and evaluation.⁷¹⁶ This initiative has so far consisted of a baseline study, the establishment of dialogue with the government and the production of training materials.⁷¹⁷ Local government institutions in the capital have also drawn upon the expertise of regional organisations in the field of children’s rights to implement training courses for municipal representatives and children’s institutions as part of the “Child Friendly City” initiative.⁷¹⁸ In addition, some civil society actors specifically target youth: most notably the Queen Zein Al-Sharaf Institute for Development, which is affiliated with the Princess Basma Youth Resource Centre. This Centre runs a number of civil engagement programmes, provides children and youth with access to modern technology and builds the capacity of child and youth members to utilise a variety of media to express their views and participate in community affairs.⁷¹⁹ Youth targeting by a civil society actors could increase following a Memorandum of Understanding concluded between the Ministry of Political Development and the Higher Council for Youth in early 2010, which established a basis for greater youth participation in the national political sphere and prepared the way for CSOs to increase their practical support for the contribution of youth in public affairs.⁷²⁰



Concluding Remarks and Way Forward

As the data gathered and presented in this report indicates, a variety of actions across almost all sectors have been implemented by government and civil society stakeholders since the issuance of the Committee's Concluding Observations in 2006. The impact that these actions have had on the recognition, protection and fulfilment of children's rights within the Kingdom should not

“Government-led and coordinated actions have significantly increased protections for children against violence and abuse and increased children's access to health and education services.”

be underestimated. The concern felt by members of the royal family for children's issues and their leadership in this field has also promoted improved practices and facilitated the provision of resources. At the same time, it is necessary to acknowledge that relatively few of the actions undertaken by the majority of stakeholders have been explicitly linked with children's rights, as opposed to their (perceived) needs. Almost without exception, the organisations most consistently seeking to align their activities with a child rights-based agenda are international NGOs. Their partnerships with local civil society actors are one pathway through which the mainstreaming of child rights programming may become more common in the future. This would seem to reflect a still-nascent understanding of children as rights holders in Jordanian society, which, while not

detracting from genuine and far-reaching efforts to ensure an improved quality of life for children in Jordan, will continue to constitute an impediment to children's participation in the public sphere and their ability to have their voices heard in decision-making at the family, community and national political levels.

Government-led and coordinated actions have significantly increased protections for children against violence and abuse and increased children's access to health and education services. In practice, though, the willingness of government bodies to engage with children's rights issues and the extent to which they are prioritised varies considerably between ministries and agencies. This is evident in the field of juvenile justice, in which a number of government ministries and agencies are involved. The Ministry of Social Development, which is responsible for the administration of juvenile detention centres, has demonstrated effective engagement with CSOs. This is illustrated by the Memorandum of Understanding it has concluded with a non-governmental provider of legal services, facilitating the provision of *pro bono* legal aid to children in detention, as well as in cooperation with a broad range of multilateral organisations, including the World Bank, and NGOs under the framework of the Juvenile Justice Reform Strategy for 2010 to 2013. In contrast, while the Ministry of Interior is generally positively disposed towards juvenile justice issues, cooperation with external stakeholders currently takes place through a variety of different contact people specialising in different fields of activity. A single focal point for juvenile justice issues would contribute to strengthening coordination with non-governmental stakeholders. For other ministries, the costs of reform constitute a stumbling block to embracing positive change. For example, the Ministry of Justice tends to prefer encouraging juvenile justice reform through support

for judicial training and capacity-building activities, rather than the more costly establishment of specialised Juvenile Courts.⁷²¹

While it is likely that the different approaches of these government ministries act as a drag on juvenile justice reform, in other areas it is the large number of civil society actors that contributes to a fragmented policy environment. This is perhaps epitomised by the education sector, where the receptivity of the Ministry of Education to project proposals from non-governmental stakeholders could be interpreted as creating a somewhat diffuse set of strategic policy objectives. Nevertheless, examples of the Ministry of Education's institutionalisation of successful projects implemented by non-governmental stakeholders demonstrate the benefits of this policy. The alignment of Questscope's work with former child labourers and out-of-school youth with both the Ministry of Education and the Ministry of Labour is one such example. Overall, the sheer proliferation of non-governmental stakeholders can render effective coordination challenging and attempts to promote improvements in this area have generally been unsuccessful, which can result in fragmented service delivery.

Similarly, the large number of single-country and multilateral donors makes coordination both necessary and challenging. The Ministry of Planning and International Cooperation organises 11 sectoral committees to enhance coordination among donor stakeholders and between donors and government bodies. Multilateral donors including the United Nations system and the European Union also facilitate similar committees in an attempt to build coordination among donors. None of these various coordination committees is dedicated to children's rights. However, education is represented in each committee system

and human rights are generally also included. The success of these committees in building donor coordination has not been established. As with coordination efforts among civil society actors, time constraints and heavy workloads are an obstacle to maintaining coordination structures after their establishment.⁷²² The alignment of the Juvenile Justice Coordination Group with the 2011-2013 Juvenile Justice Reform Programme may offer a model for more successful coordination; however, this remains to be seen.



Endnotes

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²⁸⁸ Meeting between Mizan and Dr. Mohammad Tarawneh, Director, Department of Non- Infectious Diseases; Dr. Lina Atiyat, Psychological Counsellor, Ministry of Health, Amman, Jordan, 25 January 2011

²⁸⁹ Communication between Mizan and Dr. Bassam Hijawi, Ministry of Health, Amman, Jordan, 11 February 2011

²⁹⁰ These include Queen Zein Al-Sharaf Center for Youth, Noor Al-Hussein Foundation, the Hashemite Development Foundation, the Princess Basma Women’s Research Committee, and others. Most importantly, eight organisations are now working directly with high risk groups, including Jordan Red Crescent, Family Guidance and Awareness Centre, Khawla Bintul al Azwar Society, Jordan Association for Family Planning and Protection, Questscope, Horizon Strategic Studies Centre, Child and Jordanian National Forum for Women/Children and Women Aqaba Centre and Caritas: Family Health International, “Jordan Final Report: June 2000 - September 2007”, 2007, pg 9-10, available on-line at <http://www.fhi.org/NR/rdonlyres/evj65dppjpn524p5vprugepq6s2shf4gxdceyzncpfmyuj6bai6or65ylkpyqk73qr64awmti3ccc/IMPACTJordanFinalReportHV.pdf> (last accessed 5 August 2010)

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²⁹⁷ Article 169 provides for wages to be paid to breastfeeding mothers for up to two years; article 178 provides for child care wages to be paid to custodial mothers until the child reaches 12 years of age; article 180 stipulates that a non-custodial father is responsible for ensuring that the custodial mother and child/children are suitably housed, if this is outside the means of the custodial mother

²⁹⁸ Article 183

²⁹⁹ Article 177

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³¹⁵ These comprise one dose of bacillus Calmette-Guérin (BCG) targeting tuberculosis, a measles inoculation, and three doses each of the combined diphtheria, polio and tetanus vaccine



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⁴⁴⁴ Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 17

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⁴⁴⁶ “A Queen Rania Initiative: Madrasati”, available on-line at <http://www.madrasati.jo/site.html> (last accessed 14 November 2010)

⁴⁴⁷ “A Queen Rania Initiative: Madrasati”, available on-line at <http://www.madrasati.jo/site.html> (last accessed 14 November 2010)

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⁴⁴⁹ “A Queen Rania Initiative: Madrasati”, available on-line at <http://www.madrasati.jo/site.html> (last accessed 14 November 2010)

⁴⁵⁰ USAID Education Briefing Document, pg 2, supplied through communication with Susan Ayari, Education Team Leader, USAID, Amman, Jordan, 17 February 2011

⁴⁵¹ Rania Al-Abdullah, “Education for All – ‘A Global Imperative’” in Jordan Times, 7 December 2007, available on-line at <http://www.jordan-times.com/index.php?news=4165> (last accessed 8 August 2010)

⁴⁵² UNICEF and the Ministry of Education have been implementing ‘Integration of Life Skills Based Education into the Jordanian Curricula’ since 2005, which has a strong focus on teacher training and monitoring (Diego F. Angel-Urdinola, Amina Semlali and Stefanie Brodmann, “Non-Public Provision of Active Labour Market Programs in Arab-Mediterranean Countries: An Inventory of Youth Programs” in SP Discussion Paper No. 1005, July 2010, pg 63, available on-line at http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2010/07/16/000334955_20100716043918/Rendered/PDF/556730NWP010050Box0349463B01PUBLIC1.pdf (last accessed 2 August 2010)). World Bank has planned a USD60 million, five-year project covering a number of education sectors (Primary education (25%); Secondary education (25%); Pre-primary education (20%); Public administration- Education (20%); Vocational training (10%)) with the ‘project development objective’ of “students enrolled in all streams of pre-tertiary education in Jordan will have increased levels of skills necessary for participation in the knowledge economy.” (World Bank, “SOPE-FY09”, pg 2358, available on-line at <http://www1.worldbank.org/operations/disclosure/SOPE/FY09/SOPE-FY09.pdf> (last accessed 25 July 2010))

⁴⁵³ For example, the INJAZ programme brings mentors from the private sector into classrooms to introduce business skills and concepts directly to children. The programme is run through public schools and targets children over 12. It has been subject to external evaluation by the World-wide Institute for Research and Evaluation (Diego F. Angel-Urdinola, Amina Semlali and Stefanie Brodmann, “Non-Public Provision of Active

Labour Market Programs in Arab-Mediterranean Countries: An Inventory of Youth Programs” in SP Discussion Paper No. 1005, July 2010, pg 40, available on-line at http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2010/07/16/000334955_20100716043918/Rendered/PDF/556730NWP010050Box0349463B01PUBLIC1.pdf (last accessed 2 August 2010)). Radio Al-Balad, Naseej and Save the Children implemented “Radio Training: School Radio” in 2008, providing media skills/production training to 505 youth participants (Diego F. Angel-Urdinola, Amina Semlali and Stefanie Brodmann, “Non-Public Provision of Active Labour Market Programs in Arab-Mediterranean Countries: An Inventory of Youth Programs” in SP Discussion Paper No. 1005, July 2010, pg 64, available on-line at http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2010/07/16/000334955_20100716043918/Rendered/PDF/556730NWP010050Box0349463B01PUBLIC1.pdf (last accessed 2 August 2010))

⁴⁵⁴ Communication between Mizan and Sae Osawa, Project Officer (Education), United Nations Relief and Works Agency for Palestine Refugees in the Near East, Amman, Jordan, 6 December 2010

⁴⁵⁵ Meeting between Mizan and Dr. Rana Ajwa, Director of Human Rights and Family Affairs, Ministry of Justice, Amman, Jordan, 22 November 2010

⁴⁵⁶ This study was conducted by UNICEF: Associated Press, “Middle East: UNRWA moves to combat violence in its schools”, 26 November 2008, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=81666> (last accessed 22 July 2010)

⁴⁵⁷ UNICEF, “Violence Against Children Study in Jordan: Summary 2007”, 2007, pg 5, available online at http://www.unicef.org/jordan/VAC_Study_English_FOR_SCREEN.pdf (2 August 2010)

⁴⁵⁸ Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 10

⁴⁵⁹ Khetam Malkawi, “84 Cases of School Violence Reported Last Year - Ministry” in Jordan Times, 22 January 2010, available on-line at <http://jordantimes.com/?news=23388> (last accessed 28 July 2010)

⁴⁶⁰ Wafa Samara, “New Campaign Seeks to Combat Violence in Schools” in Jordan Times, 10 November 2009, available on-line at <http://jordantimes.com/?news=21457&searchFor=CHILDREN> (last accessed 28 July 2010)

⁴⁶¹ Women’s Refugee Commission, “Living in Limbo: Iraqi Young Women and Men in Jordan”, 2009, pg 5, available on-line at [http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/VVOS-7ZMTLV-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2009.nsf/FilesByRWDocUnidFilename/VVOS-7ZMTLV-full_report.pdf/$File/full_report.pdf) (last accessed 22 July 2010)

⁴⁶² Associated Press, “Middle East: UNRWA moves to combat violence in its schools”, 26 November 2008, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=81666> (last accessed 22 July 2010)

⁴⁶³ Economic and Social Council, Draft Country Programme Document: Palestinian Children and Women in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory, 06/04/2010, E/ICEF/2010/P/L.14, pg 7

⁴⁶⁴ Meeting between Mizan and Hasan Bahjat (RSS HQ), Reema Masoud (RSS HQ), Kirstin Lange (PSCU HQ) and Thomas Holyoake (JFO) at UNRWA HQ, Wadi Seer, Jordan, 8 November 2010

⁴⁶⁵ Meeting between Mizan and Fatime Mughrabi, Programme Officer, UNICEF, Amman, Jordan, 30 November 2010

⁴⁶⁶ Associated Press, “Middle East: UNRWA moves to combat violence in its schools”, 26 November 2008, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=81666> (last accessed 22 July 2010)

⁴⁶⁷ The Queen Rania Family and Child Centre is a unit of the Jordan River Foundation: Jordan River Foundation, “Capacity Statement: 2011”, pg 2

⁴⁶⁸ Kristin Fadul, *Il-taqir il-duri il-khamis l-il itihad il-janaheen wa il-atfal il-marideen il-khatar hawal il-ma’amila il-aqabiya*”, National Centre for Human Rights, n.d., pg 2-3

⁴⁶⁹ Meeting between Mizan and Dr. Rana Ajwa, Director of Human Rights and Family Affairs, Ministry of Justice, Amman, Jordan, 22 November 2010

⁴⁷⁰ Meeting between Mizan and Taghreed Jaber, Regional Director Middle East and North Africa, Penal Reform International, Amman, Jordan, 30 November 2010

- ⁴⁷¹ Meeting between Mizan and Alice McGrath, Regional Technical Advisor - Juvenile Justice, Terre des homes - Lausanne, Amman, Jordan, 30 November 2010
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- ⁴⁷³ See Article 62 of the Penal Code: National Council for Family Affairs, “Children in Jordan: Situation Analysis 2006/7 - Summary”, pg 37, available on-line at http://www.crin.org/docs/Summary_situation_analysis_jordan_eng.pdf (last accessed 26 July 2010)
- ⁴⁷⁴ Meeting between Mizan and Dr. Rana Ajwa, Director of Human Rights and Family Affairs, Ministry of Justice, Amman, Jordan, 22 November 2010, quoting Article 62 of the Penal Code
- ⁴⁷⁵ Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 12
- ⁴⁷⁶ Meeting between Mizan and Buthayna Al-Khatib, Programme Officer - Early Childhood/Child Protection, UNICEF, Amman, Jordan, 30 November 2010
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- ⁴⁸⁰ Khetam Malkawi, “Health Officials to Focus on Child Victims” in Jordan Times, 6 November 2009, available on-line at <http://jordantimes.com/index.php?news=21364&searchFor=children> (last accessed 28 July 2010)
- ⁴⁸¹ Article 3(a)
- ⁴⁸² A voluntary undertaking to provide for the maintenance, education and protection of a minor that bestows parental authority but preserves the child’s original family origin: adapted from International Reference Centre for the Rights of Children Deprived of Their Family, “Fact Sheet No. 51”, available on-line at www.crin.org/docs/Kafalah.BCN.doc (last accessed 27 December 2010), pg 1
- ⁴⁸³ Meeting between Mizan and Hanan Daher, Policies and Legislation Officer, National Council for Family Affairs, Amman, Jordan, 5 December 2010
- ⁴⁸⁴ Reconciliation Committees are designed to investigate cases lodged by abused family members, organise referrals to specialists, where necessary, and liaise with the public prosecutor’s office. Rana Hussein, “Despite Positive Changes, More Remains to be Done” in Jordan Times, 30 December 2010, available on-line at <http://www.jordantimes.com/?news=33047> (last accessed 25 January 2011)
- ⁴⁸⁵ Meeting between Mizan and Amal Hadadin, Legal Officer - National Legislation and International Conventions, Jordanian National Commission for Women, Amman, Jordan, 29 December 2010
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- ⁴⁸⁷ Meeting between Mizan and Zeina Abu Innab, Psychosocial Services Manager, Jordan River Foundation, Amman, Jordan, 6 February 2011
- ⁴⁸⁸ National Council for Family Affairs, “Children in Jordan: Situation Analysis 2006/7 - Summary”, 2008, pg 37, available on-line at http://www.crin.org/docs/Summary_situation_analysis_jordan_eng.pdf (last accessed 26 July 2010)
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- ⁴⁹⁰ This is the Jordan River Foundation. Meeting between Mizan and Zeina Abu Innab, Psychosocial Services Manager, Jordan River Foundation, Amman, Jordan, 6 February 2011
- ⁴⁹¹ Meeting between Mizan and Major Thair Monthir Milli, Director - Family Protection Directorate, Amman, Jordan, 16 December 2010

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- ⁴⁹⁶ Associated Press, “Jordan: Child safety centre a “role model in the Middle East””, 26 July 2005, available on-line at <http://www.irinnews.org/report.aspx?reportid=25302> (last accessed 22 July 2010)
- ⁴⁹⁷ Meeting between Mizan and Zeina Abu Innab, Psychosocial Services Manager, Jordan River Foundation, Amman, Jordan, 6 February 2011
- ⁴⁹⁸ Jordan River Foundation, “Capacity Statement: 2011”, pg 3
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- ⁶⁴⁹ Law No. 52 of 2002
- ⁶⁵⁰ The project is implemented by Penal Reform International in coordination with UNICEF and the Ministry of Social Development. Meeting between Mizan and Taghreed Jaber, Regional Director Middle East and North Africa, Penal Reform International, Amman, Jordan, 30 November 2010

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- ⁶⁵² Terre des hommes - Lausanne in Jordan, "Assessment of the Juvenile Justice System in Jordan", 2010, pg 37.
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- ⁶⁵⁵ Terre des hommes - Lausanne in Jordan, "Assessment of the Juvenile Justice System in Jordan", 2010, pg 39.
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- ⁶⁵⁸ Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 21-2
- ⁶⁵⁹ Meeting between Mizan and Dr. Rana Ajwa, Director of Human Rights and Family Affairs, Ministry of Justice, Amman, Jordan, 22 November 2010, referring to Article 208 of the Code of Criminal Procedure
- ⁶⁶⁰ This memorandum was concluded with Mizan Law Group for Human Rights
- ⁶⁶¹ Her Excellency Asma Khader, "Technical Report on Institutionalization of Legal Aid for Children in Conflict with the Law", 2006, pg 9
- ⁶⁶² These include Mizan Law Group for Human Rights and Legal Aid.
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- ⁶⁶⁴ Her Excellency Asma Khader, "Technical Report on Institutionalization of Legal Aid for Children in Conflict with the Law", 2006, pg 10-11
- ⁶⁶⁵ Meeting between Mizan and Dr. Rana Ajwa, Director of Human Rights and Family Affairs, Ministry of Justice, Amman, Jordan, 22 November 2010
- ⁶⁶⁶ Mizan Law Group for Human Rights is one such organisation.
- ⁶⁶⁷ The Community Development Centre in Zarqa implemented juvenile justice capacity building training for local lawyers in early 2011. Communication between Mizan and Rahme Maine, Director, Community Development Centre (Zarqa), Amman, Jordan, 22 December 2010
- ⁶⁶⁸ Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 21-2
- ⁶⁶⁹ Terre des hommes, "Jordan: Restorative Justice in Amman", 9 June 2010, available on-line at <http://tdh.ch/en/news/jordan-restorative-justice-in-amman> (last accessed 11 August 2010)
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- ⁶⁷³ Meeting between Mizan and Major Thair Monthir Milli, Director - Family Protection Directorate, Amman, Jordan, 16 December 2010
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- ⁶⁸² Multilateral collaborating partners include the United Nations Office for Drugs and Crime and UNICEF. Committee on the Rights of the Child, Concluding Observations: Jordan, 29/9/2006, CRC/C/JOR/CO/3, pg 21-2
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- ⁶⁸⁵ Economic and Social Council, Draft Country Programme Document: Palestinian Children and Women in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory, 06/04/2010, E/ICEF/2010/P/L.14, pg 7
- ⁶⁸⁶ Communication between Mizan and Rahma Maine, Director, Community Development Centre (Zarqa), Amman, Jordan, 22 December 2010
- ⁶⁸⁷ Meeting between Mizan and Manal Fataftah, Women’s Programme Officer, UNRWA JFO, Amman, Jordan, 27 February 2011
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- ⁶⁸⁹ Meeting between Mizan and Hana Jabire, Projects Coordinator, Jordanian Women’s Union, Amman, Jordan, 17 January 2011
- ⁶⁹⁰ Meeting between Mizan and Essam Al-Dayyat, Head of Youth Centres, and Atallah Khraishas, Head of Youth Camps and Hostels, Higher Council for Youth/Youth Affairs Directorate, Amman, Jordan, 6 January 2011
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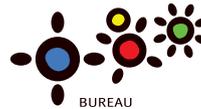
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