**Partners for Transparency Report of 89th Committee on Child Rights in Jordan**

**Preface:**

The Hashemite Kingdom of Jordan signed the Convention on the Rights of the Child on 29th August, 1990, then ratified it on 24th May, 1991. The Kingdom of Jordan submitted its first report to the Committee on the Rights of the Child in 1993, and then released the sixth and last report in conformity with Article 44 of the Convention on the Rights of the Child, for the period of (2014-2018) in June 2019.

This report, by Partners for Transparency, flags Jordan's most essential achievements, then introduces some challenges and infringements during the period named in the report submitted by Jordan. After that, it addresses efforts exerted by Jordan in promoting the Rights of the Child. Finally, it purposes a number of fundamental recommendations to be taken into consideration in order to meet the interests of the Jordanian child.

**Jordan's Achievements in the field of Child Rights**:

Attempting to improve the situation of children through a number of procedures, Jordan established a specialized unit of human rights at the office of the Prime Minister in Dec 2018. This came as part of the composition of the Jordanian government. The Jordanian government endeavoured to reduce infant mortality rates especially neonatal mortality which was decreased by nearly 50% compared to previous years.

It also worked towards reinforcing the Orphan's Fund Develop Foundation's support for orphans, since the number of children benefiting from the foundation and its services reached 64 thousand children in 2018. In order to limit child labour or, in case this occurred, Jordan also worked to provide a suitable work environment and launched the Professional Safety and Health for Child Labour manual in 2018[[1]](#footnote-1).

In 2017, the National Council for Family Affairs, in cooperation with the UNICEF, organized a campaign named "Educate, Don't Educate through Social Medial" aiming to change attitudes and behaviours in society to reduce violence against children. Moreover, in the field of awareness raising, two manuals were prepared, the first was concerned with the best interest of the child, while the other was a training manual on the Protection from Domestic Violence Act in 2019.

Moreover, this cooperation has also highlighted the Child Protection draft law in article 6 which provides that the child has the right to express his/her opinion. The draft also concluded that practicing this right will be applicable in all judicial procedures as well as educational and social measures.

In the framework of legislative procedures, a provision has been added to Child Protection law draft which provides that the authority of parents doesn’t entitle them to punish the child in an abusive way that may lead to physical or psychology harm. It also provides that children shall be protected from inducement to any form of abduction, the sale of or traffic in children, the exploitative use in prostitution, pornographic performances and materials and other forms of sexual abuse[[2]](#footnote-2).

In 29th May 2019, the Jordanian government launched the National Social Protection Strategy, which was supported by the UNICEF in the its implementation with the aim to establish a social safety net contributing to the families of underprivileged children, especially during Covid-19 crisis and its impact on low-income population by providing cash transfers to assist more than 30 thousand children to continue their education and to stay safe during the Corona pandemic.[[3]](#footnote-3)

During the workshop organized by the National Council for Family Affairs in cooperation with the UNICEF in 3-5 December 2020, A group of specialists discussed the need for consolidating efforts to support Jordan’s endorsement of the third optional Protocol to the Convention on the Rights of the Child concerned with conducting periodic mentoring and evaluation to the reports with the aim to meet the best interest of the child.[[4]](#footnote-4)

**Jordan’s Failure to Implement the Convention on the Rights of the Child:**

Despite the aforementioned achievements, this doesn’t deny detecting figures and statistics explaining challenges faced by the Jordanian state in providing decent and secure life for children during the new conditions and challenges imposed by Covid-19 crisis. They are described as the following:

1. 17% of Children under the age of five have not yet received their immunization vaccinations.
2. 23% of child Covid-19 cases did not receive the required medical treatment due to lack of adequate finances[[5]](#footnote-5).
3. In its annual statistical book, the Department of Statistics in Jordan has indicated stable child mortality rates including neonatal mortality and mortality rate of child under the age of 15 between 2018[[6]](#footnote-6) and 2019[[7]](#footnote-7) as the following:

|  |  |  |
| --- | --- | --- |
|  | 2018 | 2019 |
| Neonatal mortality rate (per one thousand living births) | 17 | 17 |
| Mortality rate of child under the age of 15 (per one thousand living births) | 19 | 19 |

Therefore, the stability of rates pertaining neonatal mortality and mortality rate of child under the age of 15 contradicts with the spirit of the second paragraph of Article 24 in the Convention on the Rights of the Child which provides that “state parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: to diminish infant and child mortality….”[[8]](#footnote-8)

1. Only 31% of children have access to internet Wi-Fi and hence, have access to online remote education[[9]](#footnote-9).

This indicates the absence of equal opportunity principle in providing and facilitating the learning process for all. A point that contradicts with the provisions of Article 28 in the Convention on the Rights of the Child which provides that “States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity”[[10]](#footnote-10)

1. 70 thousand Jordanian children in labour market, 45 thousand of them occupy hazardous child labour. [[11]](#footnote-11)

In 11th Nov 2020, the case of the 16-year-old Abdullah who lives in Zarqa was detected. He had to abandon his education and to join labour market at the age of 10. He worked in constructions which caused him health problems. Despite the overwhelming risks the child is exposed to during work[[12]](#footnote-12), no terms pertaining medical treatment are included in his agreement with the employer.

Accordingly, this is an infringement to Article 73, Article 74, Article 75, and Article 76 in the Jordanian National Labour Law which establishes its provisions as follows:

* Article 73 provides that, “Taking into consideration the provisions related to the vocational training, no juvenile, not yet reached the age of sixteen, might be employed under no circumstances”. While Article 74 provides that “No juvenile, not yet reached the age of eighteen, might be employed in the dangerous or exhausting occupations or those harmful to health. These occupations shall be specified by decisions issued by the Minister after consulting the competent official authorities.”
* Likewise, Article 75 prohibits the employment of juvenile under many circumstances including the following cases: “No juvenile might be employed in the following cases: First, for more than six hours per day provided that he/she shall be given a rest time no less than one hour after consecutive four working hours; second, between 8 p.m. and 6 am; third, in the religious holidays, public holidays and weekend holidays”
* Article 76 establishes the conditions governing the recruitment of minors. It requires that, “the employer who approved employing any juvenile shall request from him/her or his/her guardian to provide the following documents: original copy of the birth certificate, certificate of health fitness of the juvenile for the required work, issued by a competent physician and approved by the Ministry of Health, and the written approval of the juvenile's guardian regarding the juvenile's working in the establishment. These documents shall be reserved in a special file for the juvenile with sufficient data regarding his/her place of residence, date of his/her employment, the work for which he/she was employed, his/her salary, and leaves”[[13]](#footnote-13)
* The prevalence of Child Labour phenomena is considered, as aforesaid, an infringement to Article 32 in the Convention on the Rights of the Child which provides that, “States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development”.[[14]](#footnote-14)

The following table shows the status of children in Jordan at **The Kids Right Index** launched by **The Kids Rights Foundation** in its 2020 edition.[[15]](#footnote-15)

|  |  |  |
| --- | --- | --- |
| Score | Rank | Sector |
| 0.838 | 81 | Life |
| 0.945 | 52 | Health |
| 0.647 | 112 | Education |
| 0.947 | 49 | Protection |
| 0.583 | 78-87 | Rank Enabling Child Rights Environment |
| 0.777 | **62** | **General**  |

Despite the fact that Jordan has ratified the UN Convention on the Rights of the Child in 1991, no Child Protection Law has been passed in Jordan to date. Thereby, it contradicts with the spirit of Article 4 in the Convention on the Rights of the Child which provides that, “States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention.”

**Recommendations:**

Partners for Transparency recommends the State of Jordan to consider a set of action plans which are deemed essential for achieving a safe and secure life for children in Jordan.

1. Develop a detailed legal procedures and legislations to protect the right of children.
2. Establish a national database to analyse child labour including all the data related to working children like, age, nature of work, payment system, and professional safety.
3. The need to review wages policies and adjust what achieves effective and real implementation of the minimum income in conformity with the high price levels in Jordan.
4. Allow civil society organizations to practice a supervisory role over employers to detect any possible crimes and violations against children and to scrutinize cases of violence against children at schools or educational institutions, or domestic violence against children.
5. The need of Jordan's effective co-operation with international organization concerned to track children's situations.
6. Develop social protection and social subsidy program by which to ensure the delivery of support to those eligible.

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2. المرجع السابق [↑](#footnote-ref-2)
3. UNICEF study highlights plight of children and youth in Jordan during COVID-19, op.cit. [↑](#footnote-ref-3)
4. ورشة لحشد الدعم لاقرار البروتوكول الثالث الملحق باتفاقية حقوق الطفل، الغد، 5 ديسمبر 2020، متاح على الرابط التالي: https://cutt.us/Gdq5o [↑](#footnote-ref-4)
5. UNICEF study highlights plight of children and youth in Jordan during COVID-19, available at: <https://cutt.us/ZtuE2> [↑](#footnote-ref-5)
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10. تفاقية حقوق الطفل، مرجع سابق [↑](#footnote-ref-10)
11. كورونا يفاقم عمالة الأطفال في الأردن: 45 ألفاً معرّضون للخطر، العربي الجديد، 12 يونيو 2020، متاح على الرابط التالي: https://cutt.us/LJt7J [↑](#footnote-ref-11)
12. سلام فريحات، مرح يوسف، أحلام الأطفال أكبر من الجهود التي تبذلها الحكومات، موقع عمان نت، 11/11/2020، متاح على الرابط التالي: <https://cutt.us/7oFkL> [↑](#footnote-ref-12)
13. قانون العمل الأردني لسنة 1996 وتعديلاته، متاح على الرابط التالي: <https://cutt.us/LY8IN> [↑](#footnote-ref-13)
14. اتفاقية حقوق الطفل، مرجع سابق [↑](#footnote-ref-14)
15. The Kids Rights Index 2020, The Kids Rights Foundation, available at: <https://kidsrights.org/research/kidsrights-index/> [↑](#footnote-ref-15)