

Document #1445541

HRW – Human Rights Watch

Jordan: Small Step for Non-Citizen Children

October 7, 2018 12:00AM EDT

Removal of Barrier to Obtain Identification Card

(Amman) – Jordan’s (<https://www.hrw.org/middle-east/n-africa/jordan>) cabinet on September 10, 2018 removed a barrier to services for non-citizen children of Jordanian women, Human Rights Watch said today. The measure does not ensure full equality in citizenship laws for Jordanian women and their children.

The change enables more children to benefit from a 2014 reform which purported to ease restrictions on their access to basic economic rights and government services by eliminating a requirement that their mothers must live in Jordan for five continuous years. But this step will not dramatically improve the lives of non-citizen children without further reforms that ensure full equality.

“Allowing more non-citizen children of Jordanian women access to the identification card is a small step recognizing that their current situation is unacceptable,” said Sarah Leah Whitson (<https://www.hrw.org/about/people/sarah-leah-whitson>), Middle East director at Human Rights Watch. “But none of these half-measures are a substitute for full citizenship for children of Jordanian mothers and non-citizen fathers.”

Children born to Jordanian mothers and non-Jordanian fathers struggle to get basic rights and services in Jordan (<https://www.hrw.org/news/2018/04/24/jordan-biased-law-leaves-non-citizen-children-adrift>). Due to a blatantly discriminatory law that denies equality for women in ensuring citizenship for their children, these children are treated as foreign nationals all their lives, with no permanent right to live or work in the country.

In 2014, Jordanian authorities appeared ready to recognize these children as a specific class of people without citizenship who would nevertheless be entitled to certain services. The cabinet issued a decision to ease restrictions on their access to jobs, public education, government health care, property ownership, investment, and driver’s licenses by providing a special identification card to be used for these services.

The decision fell far short of expectations, however, as many non-citizen children faced barriers to getting the cards, and individual ministries kept many of their restrictions in place.

To address that concern, the cabinet’s September 10 decision not only eliminated the five-year

continuous residency requirement for the mothers, but also made clear that the identification card would be considered a valid ID by government agencies.

Human Rights Watch research in 2017 identified (<https://www.hrw.org/report/2018/04/24/i-just-want-him-live-other-jordanians/treatment-non-citizen-children-jordanian>) the five-year residency requirement as a major barrier to obtaining the cards. Previously, if a Jordanian mother left the country for more than six consecutive months during a five-year period, it was considered an interruption in her residence and she would have been required to wait another five years before qualifying again. Jordan's National Commission for Women declared its opposition (<https://www.hrw.org/report/2018/04/24/i-just-want-him-live-other-jordanians/treatment-non-citizen-children-jordanian>) to this requirement in 2015, stating that it was a form of discrimination against women as well as a violation of a woman's freedom of movement.

But even for those who have obtained the identification cards since 2014, Jordanian government agencies had continued to subject them to the same laws and regulations that govern provision of services for foreign nationals.

Individuals Human Rights Watch interviewed also said that a cumbersome process for annual renewal of residency permits remained a problem as well as significant legal and regulatory barriers for people who needed work permits for jobs for which they were otherwise qualified. Others said that they succeeded in building successful careers despite these restrictions but were constantly at risk of losing these hard-earned gains due to the legal uncertainties that threatened their jobs and limited professional mobility.

In 2016, the Central Bank announced (<http://royanews.tv/news/97688>) that the identification cards would not be valid for monetary transactions, meaning that the children could not use their identification cards to engage in banking and financial affairs. The September 10 decision may make the identification cards valid for banking, but implementation had not occurred at this writing, and local activists told Human Rights Watch that Jordan's Driver and Vehicles Licensing Department had not yet accepted the identification cards as sufficient to obtain driver's licenses.

It remains unclear if individual ministries will consider the identification card a substitute for other forms of identification. Also, residency and work permits will still be required.

By depriving Jordanian women and their children of equality in citizenship laws, Jordan violates both international law and its own constitution, which guarantees all Jordanians equality before the law. International human rights bodies, including the UN Committee on the Rights of the Child (CRC) and the UN Committee on the Elimination of Discrimination against Women (CEDAW), have also found Jordan's nationality law discriminatory.

Algeria, Egypt, Morocco, Tunisia, and Yemen all provide equal rights to women and men concerning citizenship of their children. Iraq and Mauritania grants citizenship to children, born in the country, of women with foreign husbands.

“As Jordan continues to tinker with rules pertaining to non-citizen children many will continue to lose

opportunities to improve their lives, Whitson said. “Jordanian authorities can swiftly and meaningfully remove all barriers to services by changing the nationality law to eliminate discrimination entirely.”

ecoi.net summary:

Article on services for non-citizen children of Jordanian women

**Country:**

Jordan

Source:

[HRW – Human Rights Watch](#) (</en/source/11207.html>)

Original link:

<https://www.hrw.org/news/2018/10/07/jordan-small-step-non-citizen-children> (<https://www.hrw.org/news/2018/10/07/jordan-small-step-non-citizen-children>)

Document type:

Appeal or News Release

Language:

English

Published:

7 October 2018

Document ID:

1445541 (former ID [367739](/en/document/367739) (</en/document/367739>))

Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

