



**Written Submission to the Fourth Cycle of the Universal Periodic Review,
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Introduction:

1. Under the She leads project¹, Plan International (PI) seeks to contribute to the Universal Periodic Review of the human rights situation in Jordan, particularly in matters related to children's rights. PI is keen that its contribution, by submitting this statement to the Human Rights Council, expresses the visions and perspectives of children and adolescents themselves. In preparing this written submission, PI adopted a participatory approach, with the aim that the themes and topics addressed in this submission are chosen by children and adolescents, and that its content should reflect their priorities, concerns and aspirations. PI organized discussion and dialogue sessions with a number of children and adolescents, who were selected based on a gender balance, urban and rural areas, and the various governorates in Jordan. In addition, a training workshop for the group of children and adolescents was held to raise their awareness of the UPR mechanism, to inform them of the recommendations accepted by Jordan in the third cycle of the Universal Periodic Review in 2019, and to train them to prepare and write statements related to children's rights based on these recommendations. Based on the results of these activities, recommendations and related topics included in this submission were agreed upon.
2. This written submission deals with a number of issues related to the situation and rights of children in Jordan, which are related to a number of recommendations accepted by Jordan in the 2019 UPR cycle, namely: the nationality of children of Jordanian women married to non-Jordanians, child marriage, inequality in children's access to education and child labor and its impact on the physical and psychological health of children. The submission then includes a number of recommendations that the children and adolescents who participated in developing this submission hope to adopt in the fourth cycle of the UPR for Jordan. The submission also includes annex about the degree of implementation of the recommendations accepted by Jordan in 2019 related to the topics and issues addressed in this submission.

¹She Leads is a strategic partnership (consortium) led by Plan International Jordan that brings together a number of international organizations, national institutions and civil society organizations. She Leads is funded by the Dutch government and aims to increase the sustained influence of girls and young women on the decision-making process while transforming gender norms in formal and informal institutions.



Nationality of children of Jordanian women married to non-Jordanians:

3. Article (6) of the Jordanian Constitution includes a text dealing with equality and non-discrimination which prohibits discrimination between Jordanians on three grounds: race, language and religion. The constitutional amendments of 2022 added the word “Jordanian women” to the title of the second chapter of the Constitution, to read: “The rights and duties of Jordanian men and women”. It is noticeable that the Constitution did not prohibit discrimination on many grounds other than those mentioned in Article (6), such as age, gender, health status, and economic or social status. The aforementioned text does not explicitly prohibit discrimination on the basis of age or gender.
4. The Jordanian Nationality Law No. 6 of 1954 includes discriminatory provisions affecting children and their protection². The law in Article (3/3) grants the original nationality by virtue of blood to every child born to a Jordanian father, and it did not recognize the same right for women except in an exceptional case³. Jordanian law distinguishes between children born to a Jordanian man married to a foreign woman and those born to a Jordanian woman from a foreign husband. In addition, the law stipulates that in order for a child to acquire the Jordanian nationality of his father, he/she should be born within a legitimate marital relationship. While a child born out of wedlock to a Jordanian mother and an unknown father, or of unknown or no nationality, or whose paternity to his father has not been established, is considered Jordanian. The provisions of the Nationality Act constitute unacceptable discrimination. This is reinforced by the fact that Article (9) of the law affirms that “the children of a Jordanian are Jordanians wherever they are born”. This refers to the children of the Jordanian; that is, male children, but it does not refer to Jordanian children, to include females and males together.
5. It is worth noting that the Jordanian Child Rights Law No. 17 of 2022 stipulates in Article (2/a) thereof that “the provisions of the Personal Status Law, the Civil Law, and any special provisions mentioned in the legislation in force” be considered⁴. This law, although it represented an important step in the path of responding by the Jordanian government to what was stated in the UPR

² The law can be accessed on:

http://cspd.gov.jo/EBV4.0/Root_Storage/Root_Storage/AR/EB_Info_Page/2_%D9%82%D8%A7%D9%86%D9%88%D9%86_%D8%A7%D9%84%D8%AC%D9%86%D8%B3%D9%8A%D8%A9.pdf

³ Article (3/4) of the Jordanian Nationality Law No. 6 of 1954 stipulates that whoever “is considered a Jordanian citizen is someone who was born in the Hashemite Kingdom of Jordan to a mother who holds Jordanian nationality and a father whose nationality is unknown, or who has no nationality, or whose lineage to his father has not been legally proven”.

⁴ The law can be accessed on: <https://ncfa.org.jo/ar/wrsht-hshd>



recommendations accepted by Jordan in 2019, it nevertheless gave priority in application to the provisions of other legislation in force, which means that the nationality law will have priority in application on this law. In addition, it did not provide for the right of a child to obtain Jordanian nationality from his mother, similar to a child born to a Jordanian father.

6. It should be noted that Jordan maintains reservations on Article (9/2) of the Convention on the Elimination of All Forms of Discrimination against Women, which grants women equal rights with men regarding the nationality of their children. For a Jordanian woman who marries a foreigner, her children cannot obtain Jordanian nationality on the basis of blood, just like the children of a Jordanian who marries a Jordanian woman. It is possible for these children to become stateless when they are unable to acquire the nationality of their father⁵.
7. Although the number of children of Jordanian women married to non-Jordanians is not known precisely and there are no recent figures on their numbers in Jordan, the Ministry of Interior stated in 2014 that there are more than 355,000 non-Jordanian sons and daughters of Jordanian mothers and foreign fathers⁶, however, it is likely that their number has reached (600,000), at a rate of 4 children for every Jordanian woman⁷. As a result of the numerous claims by Jordanian women married to non-Jordanians for the rights of their children, the Jordanian government approved a number of facilities for them in a number of areas such as education, health, ownership, investment, work and driving license. Among the facilities granted by the government is the directive to activate an identification card for the children of Jordanian women married to non-Jordanians. The concerned authorities issued more than 72,000 identification cards in 2018 to the children of Jordanian women, but about 80% of them did not receive them. Moreover, there is an obstacle to obtaining their documents to apply for an identification

⁵ In this regard, it is noted that Jordan did not, on the other hand, make reservations on Article 3 of the International Covenant on Political and Civil Rights, which obliges the state parties to guarantee the equal right of men and women to enjoy all the civil and political rights stipulated in the Covenant, nor on Article 24/3 of the said Covenant, which stipulates the right of every child to acquire a nationality, and to Article 26 of it, which relates to equality before the law, regardless of color, race, language, religion, gender, or religion. The text relating to the child's right to acquire nationality did not go into detail on the nationality of the mother or father, but it did guarantee this right.

Further details can be found on a paper published by Solidarity is Global Institute titled "the nationality of children of Jordanian women married to Arabs and foreigners is guaranteed by the constitution and international agreements". This paper can be accessed on: <https://www.sigi-jordan.org/article/4094>

⁶ Human Rights Watch: "I just want my son to live like the rest of the Jordanian women": Treatment of non-citizen children of Jordanian women, 2018, on: <https://www.hrw.org/ar/report/2018/04/24/316989>

⁷ A policy paper issued by IREX and USAID, entitled: "The Status of Children of Jordanian Women from a Non-Jordanian Husband". The paper can be accessed on: https://pdf.usaid.gov/pdf_docs/PA00XM7J.pdf



card⁸. This has made most of the children of Jordanian women married to foreigners struggle to renew residency and obtain government health care and public education⁹.

Child marriage:

8. Forced and early child marriage constitutes a violation of the basic rights of the child, and it causes an increase in cases of family disintegration, early divorce, and poor health, and physical and psychological conditions for children. Although the Personal Status Law No. 15 of 2019, which was approved after the recommendations of the UPR accepted by Jordan in 2019, raised the minimum age for marriage to (18) years, it is still possible to contract the marriage of a child who has completed 16 years of age if the judge deems that this marriage is within his/her interest¹⁰. Figures from the Supreme Judge Department (SJD) showed that 95% of child marriage applications submitted to the offices of reform and family reconciliation were approved. The statistics of the SJD also indicated an increase in early marriage cases in 2020. The number of marriages for those under the age of 18 reached 7,964 out of 67,389 marriages, meaning that it increased by 11.8% of the total number of regular and repeated marriage contracts¹¹. This increase was 1.2% compared to 2019, when the rate of marriage of minors was 10.6% (7224 contracts) for 2019. On the other hand, the statistical report issued by the SJD for the year 2022 indicated that in 2022 the Sharia courts witnessed a decrease in the percentage of marriage contracts for those who reached the

⁸ Human Rights Watch: "I just want my son to live like the rest of the Jordanian women": Treatment of non-citizen children of Jordanian women, 2018, on: <https://www.hrw.org/ar/report/2018/04/24/316989>

⁹ A report published on the AmmanNet website entitled: "Children of Jordanian Women"...Citizens who do not have the right to actual citizenship,

<http://ammannet.net/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1/%D8%A3%D8%A8%D9%86%D8%A7%D8%A1-%D8%A7%D9%84%D8%A3%D8%B1%D8%AF%D9%86%D9%8A%D8%A7%D8%AA%D9%85%D9%88%D8%A7%D8%B7%D9%86%D9%88%D9%86-%D9%84%D8%A7-%D9%8A%D9%85%D9%84%D9%83%D9%88%D9%86-%D8%AD%D9%82-%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%B7%D9%86%D8%A9-%D8%A7%D9%84%D9%81%D8%B9%D9%84%D9%8A%D8%A9>

¹⁰ Article (10) of the Personal Status Law: "paragraph A: The marriage capacity requires that the fiancée and fiancé be of sound mind, and that each of them has completed eighteen solar years of age. Paragraph B: The chief of judges, after ascertaining the availability of consent and choice, may authorize, in special cases, the marriage of a person who has reached sixteen solar years of age, according to instructions he issues for this purpose, if there is a necessity for the interest in his marriage, and whoever marries accordingly acquires full capacity in everything related to marriage and separation and their effects". The law can be accessed on: <https://sjd.gov.jo/EchoBusV3.0/SystemAssets/PDFs/AR/Jordanianlegislation/%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D8%A3%D8%AD%D9%88%D8%A7%D9%84%20%D8%A7%D9%84%D8%B4%D8%AE%D8%B5%D9%8A%D8%A9%20%D8%B1%D9%82%D9%85%2015%20%D9%84%D8%B3%D9%86%D8%A9%202019.pdf>

See also UNICEF, A Qualitative Study on the Underlying Social Norms and Economic Causes that Lead to Child Marriage in Jordan, 2019. <https://www.unicef.org/jordan/reports/study-underlying-social-norms-and-economic-causes-lead-child-marriage-jordan>

¹¹ Al-Nimri, Nadine, 95% of child marriage requests receive official approval, Al-Ghad newspaper, 8/24/2021.



12. There are a number of challenges that impede the possibility of ensuring sustainable and equal access to education for all children in Jordan¹⁶, as a large part of the students were unable, during the Covid-19 crisis, to access e-learning platforms due to the lack of technological infrastructure in their regions, or the lack of financial capabilities to provide the Internet and devices required to access these platforms. The repercussions of the outbreak of the Covid-19 epidemic "had the greatest impact on the decline of education systems locally as a result of the closures between February 16, 2020 and March 31, 2022". The number of weeks of complete closure of schools in Jordan has reached nearly 44 weeks, and this period was among the highest in the world¹⁷. In addition, a number of children in Jordan do not receive good education, as a great number of them do not possess skills commensurate with their age¹⁸. On the other hand, the infrastructure of many government-educational institutions is not suitable and does not rise to the required level, and is not qualified to receive children with disabilities, which drives them away from schools.
13. Another challenge facing access to education in Jordan is the difficulty of access to education for children of foreigners and refugees, especially if they are unregistered officially in schools. A number of Syrian refugee children do not have access to education. After nearly a decade of their arrival to the country, the majority of Syrian refugee children in Jordan do not have the opportunity to enroll in secondary schools¹⁹. Obstacles to their access to education increase as they progress in school, and the enrollment rate in school education has decreased from about 90% in the primary grades to

¹⁶ Child Rights Law No. 17 of 2022 recognizes the child's right to education, and the law requires the Ministry of Education to provide appropriate facilities in educational institutions and to enable the child to use them, including electronic means. According to Article 16 of the aforementioned law, the Ministry of Education takes measures to prevent children from dropping out of education, ensuring the quality of education, providing an adequate number of teachers and counsellors in educational institutions, developing their performance, raising their competence, and developing their capabilities. It is noteworthy that the aforementioned article linked the child's right to education and his right to health, so this article obligated the Ministry of Education to ensure the provision of awareness programs related to the child's growth, health, and physical and psychological development, and to ensure that he is educated and provides health education for him at all educational stages in a way that is consistent with his age and perception and is consistent with religious and social values, and to prevent the child from using narcotic substances, psychotropic substances and stimulants, including tobacco and alcohol. Educational institutions are obligated to enable the child and his guardian or person entrusted with his care to participate in decisions related to the school system and his academic status, to preserve the child's dignity and to prohibit all forms of violence in school, including physical or humiliating punishment and bullying.

¹⁷ Jordan Strategy Forum, World Education Day (the reality of the situation in Jordan) 2023, <https://jsf.org/uploads/2023/01/alywmalalmyllymwaqalhalfyalardn-24kanwnalthany.pdf>

¹⁸ Ibid

¹⁹ Al Hussein, Jalal, *Towards Durable and Inclusive Social Protection Policies for Syrian Refugees in Jordan*, December, 2022. <https://civilsociety-centre.org/node/75750>



25-30% in the secondary level²⁰.

14. The reasons that prevent the integration of Syrian refugee children into education are: expired ID cards, limited capacity of government schools to accommodate, government regulations that prevent enrollment of children who have not attended more than 3 years of formal education, and the poor quality of education in the afternoon shift, the absence of parental support, violence at or on the way to school, and the lack of interest in education in general, especially because of the restrictions imposed on employment opportunities or the lack of opportunities to work outside specific professions, and financial reasons that push parents to make their children work or beg, which is one of the main reasons for leaving school, and sociocultural norms that result in girls getting married at an early age or staying at home to take care of family matters²¹.

Child labor and its impact on their physical and psychological health:

15. Despite the existence of a legal and institutional framework aimed at ending child labor in Jordan²², it has become more prevalent, and children are vulnerable to various forms of exploitation, including sexual exploitation. In addition, child labor would affect a number of their rights, such as education, health and protection from economic exploitation. There is a number of domestic workers who are girls and are subjected to sexual harassment, non-payment of wages, and physical and moral abuse. And if they are migrant workers, their situation gets worse and more miserable²³. The year 2020 witnessed an increase in the number of working children in the country to about 100,000 children, compared to 76,000 in 2016. Among the factors that drive children to work are more than 80,000 people joining the ranks of unemployment, and the decrease in the wages of more than 500,000 workers during 2020 due to the Covid-19 pandemic. Statistics indicate that about 45,000 children in Jordan work in jobs that are classified as hazardous

²⁰ Human Rights Watch, Jordan: Gap in Secondary Education for Syrian Refugee Children, 26/6/2020, <https://www.hrw.org/ar/news/2020/06/26/375589>

²¹ Al Hussein, Jalal, *Towards Durable and Inclusive Social Protection Policies for Syrian Refugees in Jordan*, December, 2022, <https://civilsociety-centre.org/node/75750>

²² Article (73) of the Jordanian Labor Law prohibits children under the age of 16 from working, while Articles (74-75) allow children between 16-18 years to work no more than 36 hours per week in occupations that are not classified as hazardous. For further details on this, please access the following link: https://mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D9%82%D8%A7%D9%86%D9%88%D9%86%D8%A7%D9%84%D8%B9%D9%85%D9%84%D8%B1%D9%82%D9%85%D9%84%D8%B3%D9%86%D8%A91996%D9%88%D8%AA%D8%B9%D8%AF%D9%8A%D9%84%D8%A7%D8%AA%D9%87.pdf

²³ The Jordanian Workers House for Studies and Research, Expectations of an Increase in the Number of Working Children in the Time of Corona, 6/12/2020, on: https://static.s123-cdn-static-d.com/uploads/3837866/normal_600d3b289a971.pdf



according to the Jordanian Labor Law²⁴.

16. In fact, the government has taken important legislative and executive measures in order to eliminate or at least reduce child labor, especially since the majority of children who are forced to work are from poor families, work in dangerous conditions, and may be exposed to exploitation by employers. These children are denied the opportunity to attend schools, or they drop out of school. Work affects the social development of the child, as it makes him/her more vulnerable to harmful behaviors such as smoking cigarettes, taking drugs, and acquiring bad behavioral habits. In addition, work often prevents children from continuing to develop healthy feelings during their growth, in addition to their exposure to developmental delays due to high health risks, whether from harsh working conditions, or from performing physical tasks that are not commensurate with their physical structure and young age.

Recommendations for the fourth cycle of the UPR on Jordan:

17. Amending the text of Article (6) of the Jordanian Constitution by adding other grounds for prohibited discrimination other than those mentioned therein, such as gender, age, nationality, and national origin.
18. Withdraw Jordan's reservation to Article (9/2) of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, amend Article (3/3) of the Jordanian Nationality Law No. 6 of 1954 by adding the word "mother", and amend Article (9) by adding the phrase "Children of Jordanian women", counting the number of children of Jordanian women married to foreigners and taking the necessary measures to correct their situation by granting them all Jordanian nationality.
19. Cancellation of Paragraph (b) of Article (10) of the Personal Status Law No. 15 of 2019, which grants the authority to the judge, with the approval of the Supreme Judge Department, to marry those under the age of 18 years and over 16 years old.
20. Amending the text of Article (1/2) of the Jordanian Child Rights Law No. 17 of 2022 by omitting the phrase "taking into account the provisions of the Personal Status Law, the Civil Law and any special provisions stipulated in the legislation in force", and adding a new article recognizing the right of children to nationality from their Jordanian mothers, just like their fathers.

²⁴ Child labor in Jordan... shocking numbers that reflect the deteriorating economic reality, Al-Araby website, 6/15/2021, on: <https://www.alaraby.com/news/>

See also The Jordanian Workers House for Studies and Research, Expectations of an Increase in the Number of Working Children in the Time of Corona, 6/12/2020, on: https://static.s123-cdn-static-d.com/uploads/3837866/normal_600d3b289a971.pdf



21. Provide an appropriate and equal infrastructure to improve the educational environment in all public schools and develop sustainable programs to prepare and train teachers, especially with regard to dealing with students with special needs.
22. Work to adopt a comprehensive, sustainable and integrated nutritional system in educational institutions for all students across Jordan in a way that guarantees them the health of their bodies and their balanced physical, psychological and mental development.
23. Amending Article (77/1) of Labor Law No. 8 of 1996 by increasing the penalty for child labor, considering the use of children in dangerous professions as an aggravating circumstance, and introducing a new article that penalizes parents who push their children to work in a manner that violates the provisions of the law and/or forces them to work in occupations that are hazardous or harmful to their physical and/or psychological health or that interfere with their right to education.
24. Adopting a new child-sensitive legal oversight mechanism, especially in places and business establishments that employ a number of children whose employment is permitted by law, in order to ensure that they are not illegally exploited, and ensuring periodic and effective inspection of those places.
25. Take the necessary and effective measures to put Articles (11) and (16) of the Child Rights Law No. 17 of 2022 into practice to ensure an adequate and equal level of health for all children in Jordan, regardless of their legal status.