



Alternative Report on the Implementation of the Convention on the Rights of the Child in Jordan

CRCJO Coalition

June 2022

About the CRCJO Coalition

The CRCJO Coalition comprises civil society organizations working on human rights, children's rights, and social issues. It is led by the Information and Research Center – King Hussein Foundation.



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1. Introduction and contextual changes

This Alternative Report examines and provides supplementary information to Jordan's Sixth Periodic Report, submitted in 2019, and covers child rights between 2014 and 2022. It is based on a thorough review of literature including legislation, reports, policy papers, and national statistics and was prepared by the CRCJO Coalition led by the Information and Research Center – King Hussein Foundation.

According to recent demographic statistics, children in Jordan (aged 18 and under) constitute more than 40% of the population. Approximately one-in-three children are of non-Jordanian descent, which is explained by the high number of child refugees in the country.ⁱ Based on the 2016 National Children Survey, more than 75,000 Jordanian children are engaged in some form of labor, with more than half of this number being involved in “hazardous” forms of work.ⁱⁱ Moreover, the findings from recent Demographic Health surveys and courts statistics indicate that child marriage in Jordan is increasing, with this trend being particularly acute for Syrian refugees within Jordan.ⁱⁱⁱ

Despite being a signatory to the CRC, Jordan has reiterated a number of reservations regarding articles 14, 20, and 21 of the Convention. These articles touch on freedom of religion and each signatory state's imperative to ensure alternative care for “deprived” children and the creation of a viable adoption system.^{iv} In response to Jordan's fourth and fifth periodic reports, the Committee on the Rights of the Child released a set of observations in the summer of 2014. Amongst the committee's conclusions were its “appreciation” of numerous Jordanian measures toward enhancing the spirit and letter of the CRC, such as the country's implementation of the two aforementioned optional protocols. However, the committee also expressed its continued dissatisfaction regarding Jordan's reservations and ambiguous enforcement of the above articles.^v

*In April 2022, the Council of Ministers passed the Child Rights Bill, which is considered positive in the framework of promoting and protecting children's rights. It is the first phase of the constitutional phases through which the bill passes, as the government will refer the law to the National Assembly. We hope that the bill will uphold Jordan's international obligations as stipulated in CRC and other related conventions. Respecting these obligations goes in line with the Constitutional Court Explanatory Decision No. 1/2020 considering that CRC was ratified by Law No. 50/2006.

While the government of Jordan has voiced its concerns over potential financial burdens as the country undergoes an economic crisis. A number of organizations such as the National Council for Family Affairs and UNICEF have conducted workshops to create momentum for its implementation. At a two-day conference during the summer of 2021, these and other relevant bodies set out to write a policy paper explaining how it would bring Jordan into greater alignment with the CRC, and thereby enhance the basic human rights of children in Jordan.^{vi}

2. General principles (arts. 2, 3, 6 and 12)

Non-Discrimination

Discrimination against girls

- While Article 6 (i) of the Constitution of Jordan states that ‘Jordanians shall be equal before the law with no discrimination between them in rights and duties even if they differ in race, language or religion’ it does not explicitly prohibit discrimination on the grounds of sex.^{vii} This is reflected in national legislation, which outlines different responsibilities and rights for men and women, and is

translated into societal practices, where girls and women continue to face patriarchal and discriminatory practices that limit their fundamental freedoms.^{viii}

- In January 2022, the constitution was amended. Based on these amendments the title of the chapter two, relevant to the basic citizen's rights, became "Rights and obligations of Jordanian men and women" rather than "rights and obligations of Jordanians". This amendment aims to reinforce equality and is hoped to reflect in ending discriminatory laws and policies. Yet, the government and the legislators have been adamantly clear that equality will not be reflected in the personal status law nor or nationality law. Article 6/5 clearly states that the Law should protect motherhood, childhood and old age and prevent their abuse and exploitation. The said amendments added paragraph 6 to the same article which states "The state guarantees the empowerment and support of women to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity and protects them from all forms of violence and discrimination"
- Gender roles are institutionalized in the Personal Status Law No.15/2019, which maintains the traditional role of women in the domestic sphere as wives and caretakers. Gender roles are also reinfused through Jordanian educational curricula, which limits the role of women to the private sphere. A revision of Jordanian primary school curricula showed that women's roles in these textbooks were misrepresented and limited to the private sphere as housewives and mothers. When they were presented in the public sphere, it was only as teachers and nurses, which are already stereotypical professions. Gender roles are reinfused through the media which in many cases produces content that promotes gender stereotypes and questions women's ability to perform successfully.^{ix}
- Discriminatory social norms and stereotypical gender roles, impact girls' status, right to non-discrimination, access to equal opportunities, and right to development. Research shows that this particularly impacts the most marginalized girls in Jordan who experience limited agency, mobility, and access to services.^x
- The Personal Status Law No.15/2019 mandates an obligatory will by the grandparent to the children of their dead sons who had passed away during the life of the parent. The children of the dead son will inherit up to their deceased father's share of the inheritance. However, this law does not grant the same right to the children of the deceased daughter.^{xi} Despite many advocacy efforts by CSOs, the parliament refused to adopt a law that grants the same right to all grandchildren of sons or daughters.

Recommendations

- Ensure the implementation of the CRC, in particular obligations to end discrimination against girls, and enable its enforceability in national courts.
- Enact the Child Rights Law and laws that outlaw practices that discriminate based on gender.
- Develop and adopt curricula, teaching materials, and textbooks for educational programs to challenge gender stereotypical roles, instil respect for human rights and gender equality, and promote positive self-image and equal opportunities for girls.
- Amend article 279 of the Personal Status Law No. 15/2019 to end discrimination between children of deceased sons and daughters in the obligatory will.
- Disaggregate data on children by sex and age, urban and rural areas, and by those groups of children who need special protection.

3. Civil rights and freedoms (arts. 7, 8 and 13–17)

Right to nationality

- The Jordanian Nationality Law No.6 of 1954 and its amendments still prevent Jordanian women married to non-Jordanians to pass on their citizenship to their spouses and children. A Jordanian man on the other hand married to a non-Jordanian can automatically pass on his citizenship to his children, and his spouse after several years.^{xii} By not lifting the reservation to Article 9 of the Convention on the Elimination of All Forms of Violence Against Women (CEDAW), regarding the right of women to transfer their nationality to their children and husband, the legislative provisions remain discriminatory and do not extend the same rights to both men and women.
- In 2014, the cabinet issued a decision to ease restrictions on the children of Jordanian mothers married to foreigners by issuing them with a special Jordanian ID card. The card aims to facilitate their access to employment, public education, government health care, property ownership, investment, and acquiring a driver's license. ^{xiii}By February 2018, less than 20% of the estimated number of children of Jordanian mothers married to foreigners were issued ID cards. A large number were unable to obtain the card or were ineligible for the following reasons: a long list of documents required to apply and the cost to collect them, the need to provide certified birth certificates, and needed security clearance from the General Intelligence Directorate.
- Additionally, of those who were able to obtain the ID cards, many stated no noticeable improvement in their situation as government agencies continue to subject them to the same regulations which apply to foreign nationals. The only areas of improvement were noted in health and education.^{xiv} However, a significant improvement was an amendment to the Labor Law which gave the children of Jordanian women married to non-Jordanians the right to work without a work permit^{xv}, children of Jordanian women between 16 & 18 can benefit from this amendment if safeguards stipulated in the Labor Law are available ^{xvi}

Recommendations

- Review and amend Nationality Law No. 6 of 1954 to ensure that a Jordanian mother married to a non-Jordanian man has the right to transmit her nationality to her children equally and without discrimination.
- Lift the reservation to Article 9 of CEDAW.
- Until the Nationality Law is amended, remove restrictions on the process of obtaining ID cards, to ensure that all children of Jordanian women married to non-Jordanians have access to employment, public education, government health care, property ownership, investment, and acquiring a driver's license. Ease the requirements for the children of Jordanian mothers to obtain an ID card. This is considered a form of discrimination against citizenship, mobility, and freedom of movement.

4. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)

School enrollment

- There are several factors that still impact the quality of education as well as children's transition to secondary and tertiary education. To accommodate Syrian refugees living in urban centers, the Ministry of Education (MoE) started a double shift system in many schools. Schools with a double shift system increased from 460 schools in the school year 2013/2014 to 708 schools in 2016/2017. The number of students attending double shift schools also increased from 240,470 to 362,581 in 2016. While this system allowed thousands of Syrian refugees' access to education, it also shortened class time for many students and resulted in overcrowding in already drained public schools.^{xvii}
- School enrollment in secondary education remains lower than basic across different nationalities. 2015/16 gross enrolment rates in basic and secondary education show that enrollment in secondary education remains lower than basic education across nationalities (123% in basic, and 98% in secondary education for Jordanians), but was significantly lower for Syrian students (36.7% in basic, 13.5% in secondary).^{xviii} Moreover, enrollment rates by sex for the school year 2018/19 show that the enrollment rate of girls in secondary education is higher than that of boys (82.9% and 68.7% respectively).^{xix}

Quality of learning

- Students who are attending school in Jordan are not necessarily learning, as learning outcomes, measured by the OECD's Program for International Student Assessment (PISA) test, are among the lowest in the world.^{xx}

Extra-curricular, psychosocial and leisure activities

- Although in 2017, MOE initiated a program aimed at promoting extracurricular activities within the education system, designating 20% of time that children spent in school for extracurriculars, schools have largely been unable to successfully implement the framework.^{xxi} Teachers lack training in specific extracurricular fields, and schools lack the necessary funding.^{xxii} Students are rarely consulted on what extracurricular activities should be offered and are often unaware of what types of support and activities schools could provide.^{xxiii} In cases where extracurriculars are offered, especially sports, there are often gender discrepancies, as research found that girls are 45% less likely to play a team sport than boys.^{xxiv}
- Jordanian schools still fall short in the provision of mental health services and promoting social cohesion. Only 12% of schools offer counseling services, which often provide vocational rather than psychosocial support, and the burden of provision often falls on informal education programs supported by NGOs and civil society organisations.^{xxv} Bullying and violence within schools also remain largely unaddressed, as a Global School-Based Student Health Survey found that 47% of students surveyed reported engaging in a physical fight at least once in the twelve months prior to the survey, and 42% reported being bullied on at least one day.^{xxvi}

School dropouts

- The Jordan Country Report on Out-of-School Children found that a total of 112,016 children in Jordan were not attending basic education (Grades 1 to 10) in the year 2017/18; of which 54,761 children are

of primary-school-age (6–11 years) and 57,255 children are of lower–secondary school age (12–15 years). The number of children at risk of dropping out is 40,647. Out-of-School rates are higher for children of non-Jordanian nationality. More than 39,800 Jordanians, 50,600 Syrians, and 21,500 children of other nationalities are estimated to be out of school. Nationally, out-of-school rates are higher for boys than for girls, except for Jordanians in the 6–11 age group where girls have a higher out-of-school rate than boys.^{xxvii}

- There is no legal mechanism to enforce the obligatory school enrollment or to impose penalties on parents who deprive children of their basic education.
- Juveniles who are sentenced to Juveniles rehabilitation centers or detained therein, do not have access to a regular education system, only limited access to books and final exams is provided to juveniles who are undergoing the Tawjihi (final exam). During COVID, juveniles were not given access to remote education due to a lack of infrastructure including space, internet, and technological infrastructure.
- Boys are more likely to drop out of school due to poor academic achievements, child labor, and violence at school (violence and bullying). Boys are also more likely to repeat grades and less likely to finish primary school.^{xxviii} For Syrian refugee students, studies have shown that social tension and lack of social cohesion are key factors in dropout rates.^{xxix} Teachers are insufficiently trained in addressing the needs of refugee students and dealing with symptoms related to trauma.
- Although corporal punishment was formally banned in schools per School Discipline Regulation, Instruction No. 4 on School Discipline 1981, issued in accordance with Law No. 16 1964,^{xxx} violence in school and the use of corporal punishment are still prevalent and research indicates that it has become endemic. GAGE research with adolescents showed that boys are twice as likely to experience violence than girls (58% and 25% respectively) and that this violence drives them to leave school. Adolescents are also at high risk of bullying, with some groups more vulnerable than others. Overall, boys are at greater risk than girls (46% versus 38%), younger adolescents are at greater risk than older adolescents (49% versus 33%), and those with disabilities are at greater risk than those without (53% versus 40%). Syrian refugees tend to face verbal violence from host-community members resulting from the resentment towards the changes brought about by the Syrian crisis but are in some cases also subject to severe physical violence.^{xxxi}
- The law does not permit corporal punishment in schools; however, this is not properly organized. The law does not set a disciplinary consequence and process for the teacher who commits violence against students. Parents find themselves having to submit criminal charges of assault to obtain justice for their children, and usually, the criminal course is not optimal, as the child cannot prove the assault in many cases.^{xxxii}
- Financial hardship is one of the reasons leading to school dropout in Jordan. While basic and secondary education is free of charge in public schools for Jordanian and Syrian refugees, school attendance comes with other costs such as transportation, textbooks, school supplies, and uniforms. The UNICEF Out of School Report finds that children from the poorest wealth quintile have a 10% chance of dropping out before completing basic education.^{xxxiii}
- Child marriage is a negative coping mechanism that many families living in poverty resort to; by marrying off their daughters, they reduce their financial burdens. Social norms, including the need to protect the honor of girls, are also drivers of child marriage in Jordan. According to the Supreme Judge Department’s annual statistical report and based on registered marriages, 0.28% of marriages (194) included a male under the age of 18 and 11.8% of marriages (7,964) included a female under the age

of 18 in 2020. The percentage of registered marriages involving underage girls has started to decrease in 2018 but then increased again in 2020: from 13.35% in 2015 to 13.40% in 2016 to 13.43% in 2017 to 11.6% in 2018, to 10.7% in 2019, to 11.8% in 2020.^{xxxiv}

Vulnerable children

- Children from poor socio-economic background, children involved in child labor, refugee children and children with disabilities are at higher risk of being out of school.^{xxxv}
- Children with disabilities also face discrimination within the educational system. Currently, students with disabilities are educated in separate, non-inclusive educational spaces.^{xxxvi} Ministry of Education statistics regarding the 2018/19 academic year find that while 1,396,868 students were enrolled in mainstream school, 21,859 students with disabilities were helped by the MoE. A further 5,859 students with disabilities were aided in institutions associated with the MoE and the private sector in 2018, suggesting that the total number of students with disabilities receiving educational services was approximately 27,694, or approximately 1.9% of the total number of students.^{xxxvii} Research has also shown that males with disability are more likely to attain an education than females with disability.^{xxxviii}
- While the Ministry of Education has on occasion partnered with civil society organisations and NGOs to promote inclusion in classrooms, these initiatives are not institutionalised, and have had little impact on the general education environment.^{xxxix} The UNICEF report on the Situation on Children in Jordan states that the Ministry of Education lacks the necessary financial and technical resources to comprehensively implement inclusive education.^{xl} Similarly, the 2020 Global Education Monitoring Report stated that Jordan acknowledged that the majority of their schools were prepared to practice inclusion, as they had not provided for baseline transportation, access, and curricula needs.^{xli} Refugee children with disabilities are similarly excluded from mainstream education systems. A Humanity and Inclusion 2018 study found that of refugee children with disabilities aged 13 and up in Jordan, 19% did not attend school and are illiterate, compared to 6.7% of those without a disability.^{xlii}
- During the COVID-19 pandemic (during and after the stricter lockdown periods), education transitioned to the online modality. Distance learning became a new routine not without posing serious challenges. The government announced in March 2020, the launch of the online educational platform 'Darsak' which provided educational content for students from grades 1-12- between 7 am and 4 pm. Besides Darsak, two TV channels – Darsak 1 and 2 – were also dedicated to broadcasting lessons for all grades. To facilitate teachers and school management, a web-landing page has been introduced for teachers which provide professional development courses focused on new technological tools and their use. In addition, the government set up 'Noorspace', a learning management system to provide teachers and schools instruments to easily track attendance, monitor student engagement, and set assessments online.^{xliii}
- Many students, especially those from vulnerable groups, were unable to access the platforms because they did not have access to the internet or to a computer, did not have enough internet data, or due to lack of guidance by teachers. Some families were only able to access televised lessons^{xliv}.

Recommendations

- Improve the quality of education by constantly monitoring children's learning outcomes looking at different variables such as ages, nationality, vulnerability, gender etc. This would provide more effective insights for improving the quality of education.
- Support students who have been left behind because of the COVID-19 pandemic by providing them access with financial and social assistance, education-support programs and psychosocial counselling.
- Adopt needed legislation to regulate process of handling corporal punishment in schools including penalties imposed and complaints mechanism.
- Increase the budget for educational programs and to schools. This is fundamental to guarantee a resilient COVID-19 recovery and ensure the right to a proper education to every child.
- Ministry of Education (MOE) should develop flexible curricula for schools providing them with the tools to be able to switch easily between face-to-face and remote learning as needed. It is fundamental to build a future education system able to make better use of online learning models. That will allow to reach all students at their level and to provide more individualized approaches to teaching.^{xlv}
- Train and support faculty members and teachers, to deal with the side-effects of distance learning solutions.
- Enact and implement access to remote education in juveniles' centers. Ensure all children in conflict with the law in juveniles' rehabilitation centers and shelters have access to school education in all its stages.

5. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Sexual violence

Violence against girls and so-called honour crimes

- In 2017, Jordan introduced legislative reforms to the Penal Code, including repealing article 308 which allowed the sexual offenders to be exempted from penalty if they married the victim. Additionally, article 98 which decreases penalties significantly if crimes were committed under an extreme fit of anger was amended, and the amendment excluded crimes where victims were females from being covered under this article. However, Jordan continues to witness an increase in the number of gender-based violence cases. In 2019, Jordan recorded 21 cases of domestic violence-related homicides, an increase of 300% compared to 2018.^{xlvi}
- According to the Ministry of Social Development (MOSD), there are four shelters in Jordan that provide women and girls who are exposed to gender-based violence and are at a threat of being killed by their families, with protection and rehabilitation services. Some provide shelter for girls under the age of 18 and others for women over the age of 18. According to a MOSD spokesperson, 4,527 women and girls were victims of gender-based violence in 2019.^{xlvii}
- The Jordanian Penal No 16/1960 Code does not use the term sexual harassment, but article 306 as amended in 2017 criminalizes whoever displays an indecent act or makes any expressions or makes immoral movement in an indecent manner by words or action or movement explicitly or implicitly by any means.^{xlviii}
- While the Penal Code outlines the penalties for incest relations (article 285), rape (article 292), rape of vulnerable females (article 293), and sexual intercourse with females under the age of 18 (articles 294 and 295). According to the amendments of 2017, the perpetrator loses guardianship over the female victim in case of incest (article 285/b).

- Penalties can be lenient if the father does not file a complaint against the perpetrator which is usually a male family member. For example, in January 2021, a 44-year-old man was sentenced to 7.5 years of imprisonment after he sexually assaulted his 16-year-old daughter around 300 times. The victim was unable to speak for years as she was constantly threatened by her father. This sentence is insufficient and there is no protection mechanism for this victim once her father is out of jail.^{xlix} Therefore lack of personal complaint should not have a lenient impact on the sentence if a crime is committed in the scope of the family.

Domestic Violence

- The Population and Health Survey (2017-2018) showed that 26% of ever-married women aged 15-49 have experienced physical violence since age 15.ⁱ
- A study implemented by the National Council for Family Affairs revealed that 75% of children in Jordan have been subjected to some type of physical violence.ⁱⁱ
- The Penal Code in Article 62 considers that beating of children as a disciplinary measure if committed by parents is not considered an assault crime, provided that it does not cause injuries to the child and is considered within socially accepted norms. This article has been used as a premise to tolerate violence against children, and it fails to recognize that all sorts of violence do in fact cause physical and psychological harm to children. The law also allows for vague interpretation of what is acceptable.
- While the Law on Protection of Domestic Violence No. 15/2017 is considered a major improvement when compared with the previous one, it still has major gaps and fails to provide optimal protection against domestic violence. The law fails to define 'domestic violence' and it does not criminalize all forms of gender-based violence including restriction of girls and women's freedom and choices, economic violence, emotional violence and marital rape. Moreover, the law focuses and prioritizes preserving the family unit rather than protecting the victim.ⁱⁱⁱ

Harmful practices /child marriage

- According to Article 10 of the Personal Status Law No. 15/2019, the minimum age of marriage is 18 for men and women, however a judge may permit girls and boys as young as 15 to marry if it is deemed to be within their interest after getting the approval of the Supreme Judge and according to regulations issued by him..^{liii}
- Regulations were adopted to regulate the process and conditions for granting the judicial permission for persons over 15 years old and under 18. The regulations mandated that the judge verifies that the child's interest is fulfilled by the marriage, and that her/his education will not be impacted, the regulations also mandated that the court refers the case to a committee to conduct a case study and recommend the best course of action. However, statistics show that 95% of overall requests for permissions were granted. A legal analysis to the regulations found that the regulations discriminate in the processing of the request on the basis of gender of the child that is intended to be married, so decisions to grant the permission of early marriage are to be reviewed by a higher panel if the child was male, while decisions to grant permission would not be reviewed

if the child was female. In fact, decisions to disallow the marriage would be reviewed by the higher panel. Additionally, the process did not in fact protect the right to education.^{liv}

Access to Justice

- Juveniles' la No. 32/2014 in Jordan specifies that children have access to legal aid in felonies, but this right is not granted in misdemeanours, and it does not cover the police investigation stage.^{lv} Additionally, this right is not properly implemented before the prosecution, as lawyers are only appointed in felonies that are punishable by ten years or more in accordance with the criminal procedures law. In cases where lawyers are appointed by court, there is no proper quality control to ensure that such lawyers are trained in juveniles justice or to supervise their legal work.
- Juveniles are prosecuted before the State Security Court in Drugs and Narcotics cases despite the provision in the juveniles' law that mandates that all children be tried before specialized juveniles courts. The court applies the criminal procedures code governing detention not the juveniles' law which translates to juveniles being detained for long periods in violation of the juveniles' law.
- Investigation in crimes like terrorism and drugs are undertaken by the drugs and narcotics police or by the intelligence department, not by the juveniles' police which contradicts the mandate of the juveniles' law. Lawyers are not allowed to be present during such investigations in most cases.
- Article 3(2) of the Criminal Procedures Law No.9 of 1961 states that 'If the victim of the crime is below the age of fifteen or he/she is mentally impaired the complaint shall be submitted by his/her legal guardian. If the crime is committed against the property of such person then the complaint shall be submitted by the custodian or the protector of such person.' This article specifies the age of those who can file a complaint and limits it to those over the age of 15.

Recommendations

- Repeal articles in the penal code that allows corporal punishment against children by amending article 62 of the penal code.
- Enhance efforts to combat all forms of gender-based violence against girls, including domestic and sexual violence, paying particular attention to marginalized groups.
- Enact legislation to specifically define and criminalize all forms of gender-based violence against girls and women, and address the prevention of violence, protection of victims and prosecution and punishment of perpetrators.
- Amend the Law on Protection from Domestic Violence No. 15/2017 to expand its scope of application to include all aspects and forms of gender-based violence exercised by all current and former family members
- Amend article 10 of the Personal Status Law so that the marriage of underage boys and girls is not allowed even in special circumstances.
- Until the Personal Status Law is amended, amend the procedures and regulations governing child marriage to make them clearer and more effective, and increase resources to ensure that the exception that is mandated in the law is in fact handled like an exception and not the rule.
- Ensure that juvenile justice is enforced in all criminal procedures that involve children in conflict with the law.

- Ensure that all juveniles are prosecuted and tried before juveniles' court including drug and terrorism cases.
- Improve the legal aid system for juveniles and ensure that quality legal representation is provided to all children in criminal procedures from the moment of arrest.
- Guarantee access to legal counsel during pretrial stages including police investigations.
- Amend Penal Code to ensure that perpetrators do not receive lenient sentence due to the absence of personal complaint in crimes that are committed in the scope of the family.

6. Family environment & alternative care (arts. 5, 9–11, 18 (1&2), 20, 21, 25 & 27 (4))

Alternative care for children born out of wedlock

- Based on an extensive and inclusive participatory action research with children born out of wedlock, a knowledge, attitudes, and practices study with society in Jordan, and a legislative, literature, and review of media coverage; followed by a mass media and advocacy campaign with various government and civil society stakeholders, the agreed upon name for children born out of wedlock is now children 'deprived of family ties.' It is recommended that both the Secretariat and the State recognize this as the official term to reduce the social discrimination faced by children and youth born out of wedlock. A request to make the term official was sent to the Prime Ministry's Office in 2019 from the King Hussein Foundation, based on the recommendation of the Ministry of Social Development, however no response was received. By practice though, both the media and civil society now only use the term 'deprived of family ties.'^{lvi}
- There are no regulations or instructions in Jordan related to child adoption, but there are special instructions issued by the Ministry of Social Development to find an alternative family for the child so that s/he grows in normal conditions. According to the Ministry of Social Development, the number of adoptive children (alternative family care) reached 1,551 boys and girls.^{lvii}
- In a positive step, the last amendment to the Jordanian Personal Status Law of 2019 included the use of DNA testing to prove lineage and gave powers to Sharia judges in assessing that, as it became more flexible in cases of proving lineage for newborn children.^{lviii} Such amendment is very important because it entails many rights such as alimony, custody and inheritance, and most importantly the child's right to live within a family not care in foster homes, but the law still demands the existence of a marriage contract to prove lineage

Non-custodial measures for juveniles in conflict with the law

- The Juveniles Law of 2014 referred that the non-custodial alternative measures can be used in two cases, first: pre-trial of the juvenile and before the case reaches the court; when the complaint is brought before juvenile police, including specific cases such as offenses and felonies that have a maximum punishment of two years with the consent of the parties to the conflict to the settlement. The second case: non-custodial alternative measures post the referral to trial through the juvenile judge, if the offense was a misdemeanor, not a felony. Article 24 of the law refers to a range of measures the judge may use, such as censure and reprimand, custody,

obligation to serve the public interest, and enrolling the juvenile in vocational training or rehabilitation programs.

- The alternative measures mentioned in Article 24 were applied in 2019 and 2020, as 89 and 102 juveniles were referred respectively, despite the issuance of the law in 2014. On the ground, there is a weakness in establishing institutional procedures to implement the non-custodial measures referred to in the Juveniles Law. In addition to the lack of regulations and directives implementing Article 24 of the law. To date, there are no criteria for partnership between government institutions and community service institutions to effectively implement the alternative sentences.

Juvenile aftercare

- The responsibility to reintegrate juveniles as productive members of society with a participatory and integrative approach rests with the government and civil society organizations. The Aftercare System was issued in 2016 under article 41 of the Juveniles Law, but was not implemented, whereas Article 41 of the Juveniles Law requires “providing aftercare to juveniles after their release from the Juvenile Education Institution or the Juvenile Rehabilitation Institution to guarantee their re-integration into the society and to protect them from delinquency...” The Juvenile Aftercare System emphasized the support of the juveniles to ensure their integration in society and follow up on their educational and vocational status. In addition to protecting them from returning to delinquency through promoting their positive behavior and their social environment.
- According to the statistics published by the Ministry of Social Development, the number of juvenile recidivists of the total juveniles in Juvenile Education/ Rehabilitation Institutions in 2019 was almost 23%.

Alternatives to shelters for children with disabilities

- Ending the shelter system for people with disabilities in shelters to day-shelters, through alternative families or reintegrating them into their natural families lead to the re-integration of people with disabilities and their independent living in a family environment and an inclusive community environment. Statistics indicate the presence of (1471) males and Females enrolled in residential institutions, including (883) children, and there are currently (34) residential institutions involved with people with disabilities. In order to respect the best interests of the child, care systems must be reformed, and all children with disabilities must move to a community and family environment, instead of being in secluded centers and being deprived of independent living.
- During the previous two years, the Higher Council for the Rights of Persons with Disabilities actively worked with the relevant institutions to issue a system demonstrating the process of transferring children with disabilities from shelters. The Prime Ministry issued the “Alternatives to Shelters and Support Services for People with Mental Disability for 2021” System in July 2021.
- During the past two years, the Supreme Council for the Rights of Persons with Disabilities worked closely with the relevant institutions to issue a system showing the process of transferring children

with disabilities from shelters, as the system “Shelter Alternatives and Support Services for Persons with Mental Disabilities for the year 2021” was issued by the Prime Ministry in July 2021. During the past year, the Council issued and published the national strategy for alternatives to governmental and private shelters for people with disabilities in Jordan. It is necessary to monitor the executive plans, effectively coordinate among all the relevant institutions, and find sufficient financial resources to achieve the strategic objective thereof.

Recommendations:

- Urge the Prime Ministry to make the name of children and youth ‘deprived of family ties’ official for all children and youth born out of wedlock in Jordan (this was requested in 2019 based on the recommendation of the Ministry of Social Development to the King Hussein Foundation however there was no response). This would eliminate the use of all other terms such as ‘illegitimate’, ‘unknown origin,’ etc.
- Urge the Ministry of Social Development to complete and publish the draft National Strategy for Orphans Deprived of Family Ties, which has been discussed since 2016, and remains incomplete and unpublished in 2021.
- Work on implementing non-custodial measures during the juvenile pre-trial (detention).
- Urge juvenile judges to sentence non-custodial measures in all misdemeanor cases provided for in Article 24 of Juveniles Law.
- It is essential to implement the Juvenile Aftercare System for 2016 after their release from the Juvenile Education Institution or the Juvenile Rehabilitation Institution to guarantee their re-integration into the society, follow up on their educational and vocational status, and protect them from returning to delinquency or repetition.
- Work on amending the application of non-liberty-depriving penalties for 2015 to include additional criteria for the selection of bodies/ institutions where non-liberty-depriving penalties are enforced.

7. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1–3) & 33)

Disability

- According to recent statistics from the 2018/2019 academic year, only 1.9% of the total 1.4 million children enrolled in primary education were children with special needs. In 2020, UNICEF claimed that there were approximately 112,016 children aged 6-15 who were out of school in Jordan. This percentage is even higher for children with any form of disabilities with a non-Jordanian nationality. Most of them are Syrian children. In contrast to the 39,800 Jordanians and 21,5000 from other nationalities, 50,600 are Syrian.^{lix} There are several factors behind the low levels of enrollment in schools for children. Amongst the most prominent are bullying, negative stigmas, family expectations, a lack of accessible learning materials, and physical barriers.^{lx}
- Many schools lack money and support from the government. This is particularly true for public schools. According to UNESCO, over the past five years, only 13% of the government budget was

spent by the MoE and consequently, for educational programs targeting children with disabilities. Most of the funds invested in such programs are heavily provided by international agencies.^{lxi} In particular, articles 17 through 22 tackle the educational rights of students with disabilities. However, they still lack legislative enforcement mechanisms. For example, vague expressions such as '*lack of reasonable accommodations*' leave different bureaucracies to define the meaning of the word "*reasonable*".^{lxii} Also, roles and responsibilities are unclear, considering that the MoE is responsible for the inclusion of students with disabilities in schools, while support and consultation to ensure appropriate and free educational opportunities fall under the purview of the Higher Council for the Rights of Persons with Disabilities (HCRPD). On the one hand, sharing responsibilities amongst different ministries and governmental entities might provide some benefits. This bureaucratic division of labour requires very accurate coordination and collaboration in order to reach the set goals. Thus, despite their progressive nature, existing laws are often unable to provide clear directives, procedures, or standards for the effective implementation of inclusive practices.^{lxiii}

- In Jordan, people with disabilities, including children and adolescents, should be fully covered by Social Health Insurance^{lxiv}. Yet, according to a report from ESCWA^{lxv}, the vast majority of children and families are facing several problems accessing the healthcare they need. For instance, challenges related to transportation and building access still represent a hurdle for numerous people with disabilities. Therefore, caring for a child with a disability remains an extreme burden to the family^{lxvi}.
- Culture and social norms play a huge role in shaping perspectives on disabilities. As a result, they carry significant implications for service delivery as well as the quality of life for children with disabilities and their families. Negative attitudes towards disabilities and the belief that PWDs are burdens or shameful for society remain deeply entrenched. Furthermore, most people tend to use the term "disability" in common parlance for describing visible physical impairment, ignoring all the other different forms of disabilities, such as mental disabilities. Despite some recent efforts to reduce the negative stigma and the feeling of shame surrounding people with disabilities, there is still a lot of room for improvement.^{lxvii}
- There is not enough data and evidence to prove the effectiveness of the mainstreaming efforts made for children with special needs in the educational sector as well as in any other sectors. This is a highly understudied field that needs to be analysed and carefully monitored to reach desired results. The lack of recent and reliable statistical data on students with disabilities also represents a huge problem since it hampers the efforts of governmental and non-governmental agencies in serving students with special needs as well as their families. Having no accurate data on children with disabilities, from more severe cases to less visible and less frequently undiagnosed disabilities (such as learning disabilities, attention-deficit or hyperactivity, mental or behavioural disorders) remains a challenge that exacerbates the inherent difficulties of allocating budget or personnel resources on specific projects.^{lxviii}

Child and maternal mortality

- In 2019, infant mortality rate for Jordan was 13.4 deaths per thousand live births.^{lxix} Large gaps in the data on neonatal mortality, especially early mortality, remain. The main reason is that neonatal deaths are highly underreported. This is due to a weak and biased reporting system with

no reliable and standardized registration and administrative data. Moreover, according to legislation in Jordan, it is the responsibility of the family to register births and deaths rather than health facilities and institutions.^{lxx} According to studies, about 30% of children under 5 years old do not hold a birth certificate and, therefore, parents do not usually issue a death certificate in case of neonatal deaths.^{lxxi} In addition to that, disadvantaged women and newborns have poor access to quality healthcare services.^{lxxii} Statistics illustrate that the mortality rate of children under 5 is almost three times higher among children coming from the poorest households.^{lxxiii}

- Refugees in Jordan are still highly vulnerable to health-associated risks, especially since the cost of healthcare is exceptionally high. Considering that refugees in Jordan already struggle to feed their children and cover basic expenses such as rent, paying for healthcare is beyond their attainment.^{lxxiv}

Adolescent health: mental health and psychosocial wellbeing

- Adolescents are at risk of adopting several negative coping mechanisms and unhealthy behaviours such as tobacco use, alcohol abuse, drugs and violence. They are also at risk of mental health problems including depression and anxiety.^{lxxv} Despite the fact that some schools in Jordan sponsor discussions on mental health issues, research shows that students do not have sufficient knowledge about mental health.
- Mental health problems are often mistreated, and adolescents face immense social pressure to conform with existing social norms. A 2018 study conducted with 2,349 Jordanian adolescents aged 12–17 from all across the country showed that the majority of the adolescents suffering from such problems were females (59%) and 67% were between 15-17 years old. Around 14% of them reported having at least one chronic health problem, while 15% reported having a mental health problem. 25% reported academic difficulties. In addition to that, 8% reported having received a psychiatric diagnosis, while 22% sought psychological support. The study reported depression as a common phenomenon among adolescents, particularly for girls, adolescents ages 14-15 years, and those from lower socio-economic brackets.^{lxxvi}
- Societal perceptions toward mental health remain negative. As a result, adolescent's ability to navigate mental health issues and risks are precarious.^{lxxvii}
- The COVID-19 pandemic also had an impact on adolescents' well-being. Research shows that 59% of adolescents are scared of the virus, with an increase of moderate/severe depression among young people. People coming from a lower socio-economic bracket are also experiencing less support from their households, leaving them to deal with their issues by themselves.^{lxxviii}

Adolescent health: sexual and reproductive health

- Several young people in Jordan still face multiple challenges in addressing their sexual and reproductive health (SRH) needs regarding issues related to the prevention of unintended pregnancy and sexually transmitted infections, as well as early marriage and sexual coercion and violence.^{lxxix}
- Jordanian youth lack access to reproductive health-related support, information and services. Jordanian society remains conservative on these topics, and therefore, discussions on sexual

relations are often perceived as inappropriate or unacceptable.^{lxxx} Sexual relationships outside of marriage are often prohibited. More broadly, there is a culture of silence surrounding sexuality. Young adolescents do not have basic knowledge related to reproductive health nor do they know how to find a trustworthy provider.

- The Jordanian health system is not doing enough to meet the reproductive health needs of youth. The sexual and reproductive health needs of young people are largely understudied because of fears surrounding the sensitive nature of discussing these topics with youth.^{lxxxi}
- Menstruation is also a topic that is not discussed. As a result, many girls shy away from discussing this topic and some associate it with shame. This is true for girls in remote areas, who end up missing school while on their period, not only because they feel embarrassed, but also because of the anxiety of changing the sanitary pad in their school.^{lxxxii} Girls from marginalized families are the most affected. Their living conditions are inadequate because of the limited access to basic hygiene facilities, water, and sanitation. There are few programs tackling such issues and that provide girls the opportunity to openly discuss this issue. In Jordan, there is still little, or no information provided to girls before they reach puberty. There are no discussions with boys.^{lxxxiii}

Recommendations

- It is, therefore, fundamental to improve the registration and the reporting system of neonatal death for tracking improvements.
- For this reason, it is essential to constantly monitor the psychosocial and mental health of young people and promote adolescents' well-being in order to prevent also physical and mental health issues later on in adulthood.
- The education system should address these sensitive issues through a clear plan widespread around the country and not only in some small and private schools in the main cities. It is crucial to understand that sexual and reproductive education is a strategic asset against diseases and bad health behaviours for the country's present and future.

Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking and refugee children

While all refugee children need special protection, there are four groups of refugees in Jordan who are particularly vulnerable:

- **Refugee children living in Azraq Camp's Village 5:** Azraq camp was officially opened in April 2014. It is characterized to have stronger surveillance than other refugee camps in Jordan and is in a remote and secluded location. Azraq camp is home to 36,298 Syrian refugees, most of which are children (61%).^{lxxxiv} Refugees who are considered a security risk are sent to 'village 5', which is a confined area fenced with barbed wire. Residents of village 5 are not allowed to leave before undergoing a security screening, which in some cases takes a very long time. In addition to those who are considered a security risk, any refugees living in host communities who are found to be

lacking documentation or working illegally are also forcibly relocated to village 5.^{lxxxv} Children living in village 5 are deprived of their fundamental rights as their mobility, access to services, psycho-social wellbeing and educational opportunities are all compromised for being confined in and stigmatized as a resident of village 5.

- **Refugee children living in Informal Tented Settlements:** many Syrian refugees who are not residing in official camps and are unable to afford housing in host communities end up living in informal tented settlements (ITS). These settlements are usually located far from urban centers, and often fall outside the scope and reach of many organizations targeting refugees. They are usually set up near farming land, and their residents are often engaged in agriculture. Children living in ITS are among the most vulnerable, mostly because they tend to be working for pay, in agriculture and under harsh conditions (extreme hot and cold weather, in plastic houses). A survey with adolescents in Jordan, found that 58.3% of older adolescents living in ITS were working for pay in the last year. Their engagement in labor often means that their education is interrupted and their access to leisure, psycho-social and extra-curricular activities is very limited (in some cases non-existent). The mobility and agency of children living in ITS, especially girls, is also compromised. Many girls end up marrying under the age of 18, and their marriages in some cases are unregistered, leaving them with no legal protection.^{lxxxvi}
- **Refugee children living in Gaza camp:** Gaza camp, known as Jerash camp, is home to 29,000 stateless Palestinian refugees.^{lxxxvii} It is the poorest among the 10 official camps for Palestinians in Jordan, with 52.7% of its residents living below the national poverty line. Children living in Jerash camp are the third generation of stateless refugees in Jordan to live in poverty with no end in sight.^{lxxxviii} Due to lack of citizenship, stateless Palestinian refugees in Jerash camp have very limited employment opportunities. They are restricted from working in several professions.^{lxxxix} Most men in the camp work in the vocational or industrial sectors, lacking social security and safety requirements. Statelessness compounds the reasons that many Palestinian refugee children drop out of school by the age of 15, with only 55% progressing to secondary education.^{xc} A lack of citizenship means that many boys and girls also do not make it university-level education, for two main reasons: the fees payable by non-nationals are unaffordable for most families; and most university-level jobs are inaccessible to refugees.^{xc}
- **Refugees forcibly deported to Rukban:** Rukban is an informal camp located in an isolated and inhospitable border area known as ‘the berm’ at the Jordan-Syrian border, hosting around 10,000 residents who are currently lacking sufficient and affordable food, clean water and medical care. On August 10, it was reported that at least 16 Syrian refugees, including 8 children aged 4-14 were forcibly relocated to Rukban. Children stranded in Rukban are in desperate need of services and protection.^{xcii}

- Refugees should be protected from illness and receive medical treatment when they need it.
- School-aged children should have access to quality educational resources; they should be able to develop age-appropriate literacy, numeracy, and social and emotional skills.
- Draw on international bodies to upgrade joint national efforts to ensure meaningful gender considerations in humanitarian action and aid, including by increasing knowledge about and access to specialized and confidential services to Syrian refugees who survivor of gender-based violence.

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