



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-third session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Concluding observations: JORDAN

1. The Committee considered the third periodic report of Jordan (CRC/C/JOR/3) at its 1188th and 1190th meetings (see CRC/C/SR.1188 and 1190) held on 22 September 2006, and adopted at the 1199th meeting, held on 29 September 2006, the following concluding observations:

A. Introduction

2. The Committee welcomes the submission of the State party's third periodic report as well as the written replies to its list of issues (CRC/C/JOR/Q/3 and Add.1), which allowed for a clearer understanding of the situation of children in the State party. It further notes with appreciation the constructive efforts made by the inter-ministerial delegation to provide additional information in the course of the dialogue.

B. Follow-up measures undertaken and progress achieved by the State party

3. At the level of strategic planning, the Committee welcomes the adoption of several national strategies and plans directly related to the rights of the child, such as:

(a) The Jordanian National Plan of Action for Children for the years 2004-2013 launched in October 2004;

(b) The Early Childhood Development Strategy in Jordan launched in December 2000 and the subsequent Plan of Action for the years 2003-2007; and

(d) The National Youth Strategy for Jordan for the years 2005-2009 adopted in December 2004.

4. The Committee also welcomes strategies and plans aimed at giving priority to children in development programmes and fighting against poverty, including the Strategic Plan of the Ministry of Social Development and the National Assistance Fund for the period 2004-2006 and the National Anti-Poverty Strategy: Fighting Poverty for a Stronger Jordan of 2002.

5. The Committee notes with appreciation the establishment, in 2001, of the National Council on Family Affairs, which strengthens the position of Jordanian families and expands their role in society, and the establishment, in 2003, of the Human Rights and Public Freedoms Division within the Ministry of the Interior to promote and protect human rights and fundamental freedoms, including the rights of the child.

6. The Committee also notes with appreciation the measures taken to address the issue of economic exploitation of children, including the ratification, in 2000, of the Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour of the International Labour Organization (ILO) and the publishing of the Convention in the Official Gazette; the establishment, in 2001, of the Child Labour Unit within the Ministry of Labour; the creation of the data base on child labour; and the adoption, in 2003, of the National Strategy for the Elimination of the Worst Forms of Child Labour.

7. In addition, the Committee welcomes the introduction and/or adoption of many law amendments aimed at protecting and promoting the rights of the child referred to in the concluding observations below.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44 (6))

Committee's previous recommendations

8. The Committee notes with satisfaction the State party's efforts to address various concerns and recommendations (CRC/C/15/Add.125) made upon the consideration of the State party's second periodic report (CRC/C/70/Add.4) through legislative measures and policies. However, some of the concerns it expressed and recommendations it had made regarding, inter alia, legislation, the age of criminal responsibility, non-discrimination, the right to life, ill-treatment in the family, children with disabilities and sexual exploitation, have not been sufficiently addressed.

9. The Committee urges the State party to make every effort to address the recommendations issued in the concluding observations on the second periodic report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations on the third periodic report.

Reservations

10. The Committee is of the view that the State party's reservation to articles 20 and 21 is unnecessary since there appears to be no contradiction between the logic behind it and the

provisions of articles 20 and 21 of the Convention. In fact, the concerns expressed by the State party in its reservation are well taken care of by article 20, paragraph 3 of the Convention, which expressly recognizes *kafalah* of Islamic law as alternative care, and article 21 expressly refers to States parties that “recognize and/or permit the system of adoption”. The Committee also regrets that no review has been undertaken of the State party’s broad and imprecise nature of the reservation to article 14.

11. The Committee reiterates, in the light of article 51, paragraph 2, of the Convention, its previous recommendations that the State party review the nature of its reservations with a view to withdrawing them in accordance with the Vienna Declaration and Plan of Action adopted by the World Conference on Human Rights of 1993. As regards the recommended review of the reservation to article 14, the Committee encourages the State party to study the full content of article 14 paying particular attention to its second paragraph.

Legislation

12. The Committee notes that a draft of 2004 for a comprehensive Child Rights Act has been submitted to the National Assembly. Despite many legislative amendments, the Committee is concerned about the legal status of the Convention in the State party. It regrets that the Convention has not been published in the Official Gazette. The Committee also notes with concern that the domestic legal framework is not yet harmonized with the principles and provisions of the Convention.

13. The Committee urges the State party to take all appropriate measures, as required by article 4 of the Convention, to ensure that the provisions of the Convention are given legal effect within its domestic legal system and that the Convention is published in the Official Gazette. The Committee recommends that the State party rigorously review all domestic laws concerning children and the relevant administrative regulations with a view to ensuring that they are rights-based and in conformity with the Convention, its Optional Protocols and other international human rights instruments and standards. The Committee also recommends that the State party expedite the enactment of the Child Rights Act and allocate all necessary human and financial resources for the most effective implementation of this Act and other laws and administrative regulations concerning children.

National Plan of Action

14. The Committee welcomes the comprehensive National Plan of Action for Children 2004-2013 which was adopted following the highly participatory preparation process. It also notes with satisfaction the establishment of a technical committee of the National Council on Family Affairs mandated to monitor and evaluate the implementation of the National Plan of Action.

15. The Committee recommends that the State party:

(a) Ensure that all activities related to the National Plan of Action are clearly oriented towards the implementation of the rights of the child as enshrined in the Convention and that the National Plan of Action takes into account the outcome document

“A World Fit for Children” adopted by the United Nations General Assembly at its special session on children held in May 2002 (resolution S-27/2, annex);

(b) Provide sufficient human and financial resources for the full and effective implementation of the National Plan of Action at all levels; and

(c) Continue to ensure the wide participation of civil society, including children and youth, in all aspects of the implementation process.

16. The Committee requests that the State party provide information in its next periodic report on the implementation, outcomes and evaluation of the National Plan of Action.

Coordination

17. While noting with satisfaction the establishment of the National Council on Family Affairs in 2001, which is the main body mandated to monitor and evaluate the implementation of the Convention at the national level, and its Child Welfare Unit, the Committee is concerned that coordination of implementation at governorate and local levels is still insufficient.

18. The Committee recommends that the State party further strengthen coordination between the bodies and institutions working on the rights of the child at all levels in order to ensure uniform implementation of the Convention in all governorates. The Committee also recommends that the National Council on Family Affairs regularly report on the monitoring and evaluation of the implementation of the Convention and that these reports be widely disseminated at all levels of society. The Committee invites the State party to submit information on the monitoring and evaluation activities of the National Council on Family Affairs in its next periodic report to the Committee.

Independent monitoring

19. The Committee welcomes the establishment of the National Centre for Human Rights (NCHR) by temporary law in 2002 and, in particular, its mandate which includes promoting and monitoring the implementation of the rights of the child and receiving individual complaints from children. It also notes with appreciation that human resources dedicated to focus on the rights of the child have been provided to NCHR. While welcoming the adoption of the permanent law on NCHR on 14 September 2006, the Committee regrets that the mandate of Centre is still limited in matters concerning the police and the military. In addition, the Committee notes with interest that the State party considers the establishment of an ombudsperson.

20. The Committee calls upon the State party to ensure that the National Centre for Human Rights (NCHR) is an independent monitoring mechanism in accordance with the Principles relating to the Status of National Institutions (the “Paris Principles”) (General Assembly resolution 48/134, annex). The Committee recommends that the State party further ensure that NCHR is provided with adequate human, financial and technical resources and that it has facilities to monitor and evaluate progress in the implementation

of the Convention at the national and local levels as well as to receive, investigate and address complaints from children. The Committee also recommends that the State party expand the monitoring mandate of NCHR to include all agencies of the Government, including the police and the military. The Committee emphasizes the need to ensure that this mechanism is easily accessible to children. It suggests that the State party expedite the ongoing discussion with regard to the potential establishment of an ombudsperson. The Committee draws the attention of the State party to its general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child.

Allocation of resources

21. The Committee commends the State party's strong commitment to universal education and, in particular, the proportion of the budget devoted to education. The Committee takes note of the State party's efforts to increase national expenditure on support programmes for families and child protection, but it is concerned that the allocated resources, for example regarding health care, remain inadequate, in particular for children with disabilities and other children belonging to vulnerable groups living outside the capital.

22. The Committee recommends that the State party strengthen its efforts to significantly increase the proportion of the budget allocated for the realization of children's rights to the "maximum extent ... of available resources", giving special attention to children with disabilities and other children belonging to vulnerable groups.

Data collection

23. The Committee welcomes the various efforts made by the State party to improve data collection but it notes that in some areas covered by the Convention, for example violence against children, children with disabilities, sexual exploitation of children, trafficking in children, migrant, refugee and asylum-seeking children and children in conflict with the law, data are lacking or insufficient.

24. The Committee recommends that the State party strengthen its mechanisms for data collection by establishing a central database on children. The Committee also recommends that the State party ensure that data are collected on all areas of the Convention and disaggregated, inter alia, by age for all persons under 18 years, sex, urban and rural areas and by those groups of children who are in need of special protection. The Committee further recommends that the State party develop indicators consistent with the Convention and use these indicators as well as collected data to formulate policies and programmes for the effective implementation of the Convention.

Dissemination/training of the Convention

25. While welcoming the efforts that have been made to disseminate information about the principles and provisions of the Convention, for example through the Children's Parliament, the

joint project on human rights education of the Ministry of Education and NCHR and the International Labour Organization/International Programme on the Elimination of Child Labour (ILO/IPEC) based SCREAM Programme (Supporting Children's Rights through Education, the Arts and the Media), the Committee is concerned that these measures have not been effective to the extent desirable to raise awareness on the rights of the child. The Convention is not disseminated at all levels of society and there are regional disparities, in particular regarding the most remote areas. The Committee also notes with concern that the training on the Convention of professionals working with and for children has not been conducted on an ongoing, comprehensive and systematic basis.

26. The Committee recommends that the State party:

(a) Continue to develop creative and child-friendly methods to promote awareness of the content and meaning of the Convention, in particular at the local level, and through the media in order to reach children living in the most remote parts of the country;

(b) Continue to strengthen its efforts to provide adequate and systematic training and/or sensitization on children's rights for professional groups working with and for children, such as judges, lawyers, law enforcement and health personnel, teachers, school and institution administrators and social workers, religious and community leaders as well as journalists;

(c) Introduce and strengthen joint projects on human rights education and include human rights education, and particularly education on the rights of the child, in the curricula at primary and secondary levels of education; and

(d) Continue to seek technical assistance from, among others, UNICEF.

2. Definition of the child

(art. 1)

27. The Committee welcomes article 2 of the draft Child Rights Act, which defines a child "as any person, male or female, under 18 years of age". As regards the minimum age of marriage and the Committee's previous recommendation in this regard (CRC/C/15/Add.125, paras.27-28), the Committee notes with appreciation the amendment of the interim Personal Status Act (Law No. 82 of 2001) which sets the minimum age for marriage at 18 years for both sexes. However, the Committee is concerned that, notwithstanding the law amendment and the media campaigns aimed at raising awareness of the health risks and adverse social effects of early marriage, in some communities girls as young as 14 and 15 may be married with the consent of a guardian and a judge.

28. The Committee recommends that the State party strengthen its efforts to effectively implement the amended provision of the interim Personal Status Act (Law No. 82 of 2001) which sets the minimum age for marriage at 18 years for both sexes. The Committee also recommends that the State party address the poverty related parental pressure placed on girls to marry at an early age and continue to undertake awareness-raising campaigns

concerning the many negative consequences resulting from early marriages in order to fully prevent this practice.

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

Non-discrimination

29. While noting that article 6 of the Jordanian Constitution contains the principle of equality of all Jordanians before the law and that some law provisions emphasize the principle of non-discrimination, the Committee is deeply concerned at de jure discrimination against children of Jordanian mothers on account of their father's non-Jordanian nationality and children born out of wedlock, as well as de facto discrimination against children living in extreme poverty and children living in the remote areas of the country. The Committee is of the view that, in general, a classification of children as "illegitimate" is discriminatory and violates the principles and rights of the child enshrined in the Convention.

30. The Committee recommends that the State party make greater efforts to ensure that all children within its jurisdiction enjoy all the rights enshrined in the Convention without discrimination, in accordance with article 2, by effectively implementing the existing laws that guarantee the principle of non-discrimination. The Committee also recommends that the State party abolish the discriminatory classification of children as "illegitimate" and adopt a proactive and comprehensive strategy to eliminate de facto discrimination on any grounds and against all vulnerable groups of children, and prioritize social and health services and equal opportunities to education for children belonging to the most vulnerable groups.

31. Despite the efforts of the State party to address the issue of equality between sexes, the Committee notes with concern that the persistence of stereotypical attitudes concerning the roles and responsibilities of women and men still constitute an impediment to the full enjoyment of all human rights and fundamental freedoms by girls. The Committee is also concerned that due to the traditional roles of women and men in Jordanian society, the education of girls is not seen as such a valuable investment as the education of boys.

32. The Committee recommends that the State party continue to address the problems faced by the girl child and to campaign and raise awareness among the population regarding the equality of girls and boys. The Committee suggests that local, religious and other leaders be invited to take a more active role in supporting the efforts to prevent and eliminate discrimination against the girl child and to provide guidance to communities in this regard. The Committee also recommends that the State party promote the inclusive role of women in society, inter alia, by developing school curricula, such as recommended by the Committee on the Elimination of Discrimination against Women in its observations on the first and second periodic reports of Jordan at its twenty-second session in 2000 (A/55/38, paras.139-193).

33. The Committee remains concerned about the de facto discrimination faced by children with disabilities. It also notes with concern the inadequate implementation of the Law on the Care of the Disabled (Law No. 12 of 1993) and its amendments, particularly at the local level.

34. The Committee recommends that, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities held on 6 October 1997 (CRC/C/69, paras.310-339), the State party prevent and prohibit all forms of discrimination against children with disabilities and ensure equal opportunities for their full participation in all spheres of life by implementing the Law on the Care of the Disabled (Law No. 12 of 1993).

35. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention adopted by the State party to follow up on the Durban Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking into account the Committee's general comment No. 1 (2001) on the aims of education.

Best interests of the child

36. The Committee is encouraged by the provisions of the draft Child Rights Act which incorporate the principle of the best interests of the child and it takes note of the legislative amendments which enshrine this principle. However, the Committee is concerned that this general principle is not fully applied and duly integrated in the implementation of the legislation, policies and programmes of the State party as well as in administrative and judicial decisions. For example, the implementation of the Jordanian Nationality Act may result in statelessness of the child.

37. As regards article 3, paragraph 1 of the Convention, the Committee emphasizes that the Convention is indivisible and its articles are interdependent and that the best interests of the child is a general principle of relevance to the implementation of the whole Convention. The State party should ensure that the best interests of the child is a primary concern, taken into account in all revisions of the legislation as well as in judicial and administrative decisions, and in projects, programmes and services which have an impact on children.

Right to life, survival and development

38. The Committee is alarmed by the reported cases of crimes committed against girls in the name of "honour". It expresses its serious concern at articles 340, 98 and 99 of the Penal Code, which provide for a reduction in penalty for the "honour" crime cases. The Committee is concerned about the possibility of further reducing the sentence if the victim's family "waives" its right to file a complaint of the crime (article 99 of the Penal Code). While noting the State party's efforts to provide protection for women and girls who are victims of or at the risk of

“honour” crimes, the Committee is also concerned at the insufficient number of accessible shelters and counselling services.

39. The Committee urges the State party to:

(a) Review the provisions of the Penal Code with a view to eliminating all provisions for reductions in sentence for crimes committed for “honour”;

(b) Undertake public awareness-raising campaigns, involving also religious and community leaders, to combat effectively discriminatory societal attitudes and harmful traditions with respect to girls by demonstrating that such practices are unacceptable;

(c) Provide special training and resources to law enforcement personnel with a view to protecting girls who are in danger of “honour killing” and to prosecuting such cases in a more effective way; and

(d) Increase the number of accessible shelters and counselling services for women and girls who are victims of or at the risk of “honour” crimes.

Respect for the views of the child

40. The Committee notes with appreciation many efforts made by the State party to promote the participatory role of the child, such as the Children’s Parliament and “Young Voices, Big Thoughts” implemented by the National Centre for Human Rights. It also notes with appreciation that article 3 *d* of the draft Child Rights Act provides for children’s freedom to express their views and for their right to participate in all matters affecting them. However, the Committee continues to be concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children within the family and the community at large. It also notes with concern that the legal and administrative proceedings do not systematically include an active participation of children.

41. In the light of article 12 of the Convention, the Committee recommends that the State party continue to promote and facilitate, within the family, schools and other institutions, in courts and communities, respect for the views of children and their participation in all matters affecting them. In order to promote more active participation of adolescents in society, the Committee recommends that the State party implement the operational objectives of the National Youth Strategy for Jordan 2005-2009 and that it seek assistance in this matter from UNICEF, among others. Furthermore, the Committee draws the attention of the State party to the recommendations adopted on the Committee’s day of general discussion on the right of the child to be heard, held on 15 September 2006.

**4. Civil rights and freedoms
(arts. 7, 8, 13-17, 19 and 37 *a*)**

42. The Committee regrets the insufficient information in the State party’s report on the implementation of civil rights and freedoms.

43. The Committee invites the State party to provide information in its next periodic report on the implementation of civil rights and freedoms of children in accordance with articles 13-17 of the Convention.

Right to a nationality

44. The Committee welcomes the amendment of the Jordanian Passport Act in 2003 according to which women and their children may obtain passports without the written permission of their husbands. However, the Committee notes that children of Jordanian fathers acquire Jordanian nationality at birth, regardless of the child's birthplace, but that Jordanian women cannot transmit their nationality to their children born from a marriage with a non-Jordanian man, except under special humanitarian circumstances. The Committee is concerned that in some cases this may result in statelessness.

45. The Committee recommends that the State party review and amend the Jordanian Nationality Act (Law No. 7 of 1954) in order to ensure that a Jordanian mother married to a non-Jordanian man has the right to confer her nationality to her children equally and without discrimination.

Corporal punishment

46. The Committee notes that corporal punishment is prohibited in schools and institutions and that it is unlawful as a disciplinary measure in penal institutions. However, the Committee expresses its concern that physical punishment in the home is culturally accepted and that article 62 of the Penal Code permits parents to discipline their children within the limits established by "general custom". The Committee regrets that an all-inclusive ban of corporal punishment is not included in the draft Child Rights Act.

47. The Committee reiterates that corporal punishment is not compatible with the provisions of the Convention and inconsistent with the requirement of respect for the child's dignity, as specifically required by article 28, paragraph 2, of the Convention. Therefore, the Committee recommends that the State party prohibit by law all forms of corporal punishment in the home as well as in all other settings, including private and public institutions, and effectively enforce this ban. The Committee also recommends that the State party review the draft Child Rights Act with a view to introducing an all inclusive ban on corporal punishment.

48. The Committee recommends that the State party conduct a comprehensive study to assess the nature and extent of corporal punishment in different settings, including the home environment. The Committee also recommends that the State party sensitize and educate parents, guardians and professionals working with and for children by carrying out public education campaigns about the harmful impact of violent forms of "discipline" and promote positive, non-violent, participatory methods of child-rearing. Finally, the Committee draws the attention of the State party to its newly adopted general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and to the recommendations adopted by the Committee on its day of general discussion on violence against children within the family and in schools held on 28 September 2001 (see CRC/C/111).

**5. Family environment and alternative care
(arts. 5, 18 (1-2), 9-11, 19-21, 25, 27 (4) and 39)**

Parental responsibilities

49. While noting the provisions regarding parents' responsibilities, particularly the provisions of the Penal Code and the Labour Code, the Committee is concerned that parental responsibilities are not assigned equally, under law, to fathers and mothers and that unmarried mothers and their children are not entitled to same benefits as married mothers and children born in wedlock. While noting with concern that the awareness of some parents regarding certain aspects of a child's development is weak, the Committee welcomes the fact that one of the goals of the Early Childhood Development Strategy in Jordan is to improve parental skills. As regards parental responsibilities of both spouses, the Committee commends the State party for promoting family counselling in the case matrimonial breakdown.

50. The Committee recommends that the State party consider revising domestic laws to ensure that men and women have equal parental responsibilities, regardless of their marital status. It encourages the State party to continue to promote early childhood development and to increase its efforts in developing family education and awareness by, for example, providing support to parents, including training in parental guidance and joint parental responsibilities, in the light of article 18 of the Convention. The Committee also encourages the State party to continue to use and to expand mediation in family law as an alternative form of dispute resolution.

Alternative and institutional care

51. The Committee takes note of the foster care programme which provides with substitute families children in need of care, due to their social status as "illegitimate" children or due to other reasons. As regards children separated from their parents and placed in out-of-home care, the Committee is concerned at the insufficient number of educational and social programmes for these children. In addition, it is concerned that the needs of children residing in out-of-home care are not regularly assessed and that these children are not necessarily provided with adequate development planning.

52. The Committee recommends that, taking into account the recommendations adopted on its day of general discussion on children without parental care held on 16 September 2005 (see CRC/C/153), the State party provide all children residing in out-of-home care, including foster families, public and private residential institutions and care providers, with adequate social and educational services tailored to respond to the needs of these children. The Committee further recommends that the children who are to be placed in such care be provided with adequate social background investigation and written detailed documentation which follows the child through the out-of-home care period. This multidisciplinary documentation should also include an individual development plan.

Violence, abuse and neglect, maltreatment

53. The Committee welcomes the State party's strong commitment to prevent and respond to violence against children and several measures taken to address this issue, including the new strategy of the Ministry of Health for the countermeasures on violence against children and the establishment, in May 2006, of child protection committees at major public hospitals to investigate suspected cases of child abuse. The Committee notes with satisfaction the State party's close collaboration with non-governmental organizations (NGO) in this field and takes note of the successful, multi-sectoral child protection programmes, including the establishment of a safety house, the Dar al-Aman, to provide protection and services for abused and neglected children.

54. Despite many positive steps taken by the State party, the Committee is deeply concerned that children continue to be victims of direct and/or indirect violence in the home. The Committee notes with concern the absence of reliable information and data on domestic violence and child abuse in the family. Notwithstanding the legal framework protecting children from violence and abuse, the Committee takes note of the information that no studies or research have been undertaken to assess the impact of legal measures to address violence against children. It also notes with concern that due to a rather limited number of services provided by social workers, the police usually act as a central contact point in cases of violence against children, child abuse and maltreatment, and in some cases this may hinder children from contacting authorities. However, the Committee takes note of the 24-hour a day service provided by a family defender at the police stations around the country.

55. In the light of article 19 and other relevant provisions of the Convention, and taking into account the recommendations of the Committee adopted on its days of general discussion on State violence against children and violence against children within the family and in schools held respectively on 22 September 2000 and 28 September 2001 (CRC/C/100, para. 866 and CRC/C/111, paras. 701-745), the Committee urges the State party to:

(a) Undertake a national study on domestic violence, ill-treatment of children and child abuse in the home assessing the scope and nature of this problem as well as the impact of legal measures to address violence against children with a view to prohibiting all forms of physical, sexual and mental violence against children, including sexual abuse in the family ;

(b) As a part of the National Plan of Action for Children, develop a comprehensive national strategy to prevent and respond to domestic violence, ill-treatment of children and child abuse, and further adopt adequate measures and policies to contribute to changing attitudes;

(c) Develop and implement an effective system for the identification, reporting and managing of child abuse and ill-treatment cases and strengthen the Family Protection Department to ensure that effective procedures and mechanisms are in place to receive, monitor and investigate complaints, including intervention where necessary, and to investigate and prosecute cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, within a child-sensitive judicial procedure and apply sanctions to perpetrators, with due regard given to protecting the right to privacy of the child;

(d) Facilitate access to appropriate and child-sensitive contact points and ensure that all child victims of violence and abuse have access to adequate care, shelter and/or safe house, counselling and assistance with recovery and reintegration;

(e) Provide support, including financial, technical and human resources, to expand, maintain and raise awareness of the national child helpline and to ensure that it receives a toll-free 3- or 4-digit number so that neither the helpline nor the child needs to pay for accessing helpline services;

(f) Support the Jordan River Foundation in raising awareness with the active involvement of children themselves, in order to prevent all forms of violence against children and to stop child abuse, including sexual abuse, with a view to changing public attitudes and prevailing cultural practices in this respect; and

(g) Seek assistance from, among others, UNICEF and the World Health Organization (WHO).

56. In the context of the Secretary-General's in-depth study on the question of violence against children and the related questionnaire sent to Governments, the Committee acknowledges with appreciation the written replies of the State party to this questionnaire and its participation in the Regional Consultation for the Middle East and North Africa held in Egypt from 27 to 29 June 2005 as well as in the Regional Follow-up Consultation held in Egypt from 25 to 28 March 2006. The Committee recommends that the State party use the outcome of these regional consultations as a tool for taking action, in partnership with civil society, to ensure that every child is protected from all forms of physical, sexual or mental violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.

57. In addition, the Committee would like to draw the States party's attention to the report of the independent expert for the United Nations study on violence against children (A/61/299) and to encourage the State party to take all appropriate measures to implement the overarching recommendations and setting-specific recommendations contained in this report.

6. Basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1-3))

Children with disabilities

58. The Committee acknowledges that the Jordanian National Plan of Action for Children 2004-2013 covers children with disabilities and welcomes the community-based rehabilitation projects, although their number is still limited. However, the Committee notes with concern that due to the fact that children with disabilities and their families are not aware of all available services, only a small percentage of children with disabilities actually benefit from these services. The Committee also notes that the focus of these services is more on prevention, cure and recovery than on psychological support and counselling and that the services provided to children with learning difficulties or behavioural disorders are insufficient. Despite the establishment of mobile units to provide services for children with disabilities living in the most

remote and disadvantaged regions, the Committee is concerned that many children with disabilities live in poverty and have limited access to social and health services and education.

59. The Committee further recommends that the State party:

(a) Ensure that in the implementation of the Jordanian National Plan of Action for Children 2004-2013 attention is paid and adequate resources are allocated to the special needs of children with disabilities and that the various aspects of disability are taken into account in all relevant policymaking and national planning;

(b) Provide children with disabilities with access to adequate social and health services, including psychological and counseling services, and tailored services for children with learning difficulties and behavioural disorders, and raise awareness about all services available;

(c) Ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers are adequately trained; and

(d) Continue its collaboration with, among others, UNICEF and WHO.

Health and health services

60. The Committee commends the State party for its well-developed health care system and its continuous efforts to provide all children with access to health care services. The Committee is encouraged by the notable progress achieved by the State party in the reduction of infant and under five mortality, despite the fact that there are regional disparities in this respect, and in the elimination and prevention of infectious diseases. As regards maternal health, the Committee shares the State party's concern at the relatively low number of mothers receiving post-natal care. While noting the initiative to extend the length of a maternity leave in the public sector from 10 to 14 weeks, the Committee regrets the low percentage (26.7 %) of exclusive breastfeeding. The Committee notes with concern the high percentage of acute respiratory infections and that those infections are a leading cause of death among infants and the second leading cause of death among young children. The Committee is also concerned about micronutrient deficiencies, such as iron, Vitamin A and iodine, among children.

61. The Committee recommends that the State party:

(a) Ensure that appropriate resources are allocated to the health sector, and continue to develop and implement comprehensive policies and programmes to improve children's health;

(b) Strengthen its efforts to provide access to quality pre- and post-natal health services and facilities, paying particular attention to the rural areas of the country;

(c) Take targeted measures to reduce the incidence of acute respiratory infections among infants and young children;

(d) Encourage exclusive breastfeeding for six months after birth, inter alia, by extending the length of a maternity leave and implementing the practice of a breastfeeding hour for working mothers, and take measures to improve the nutritional status of children through education and the promotion of healthy feeding practices; and

(e) Continue its cooperation with UNICEF and WHO.

62. While noting the State party's efforts to address the issue of road traffic safety, including by launching the National Traffic Awareness Campaign in April 2005 and developing a national strategy on road safety, the Committee continues to be alarmed by the high number of road traffic accidents resulting in the death of children or in serious injuries.

63. The Committee recommends that the State party strengthen its efforts to prevent road traffic accidents by adopting and implementing a multidisciplinary national strategy and plan of action on road safety. It also recommends that the State party continue its public campaigns to increase traffic safety awareness among children, parents, teachers and the public in general.

Adolescent health

64. The Committee notes with satisfaction that the majority of Jordanian adolescents consider themselves to be in good health. However, it notes with concern that adolescents have a limited knowledge of reproductive health issues and that their dental care has not improved. The Committee takes note of the Interim Juvenile Conduct Monitoring Act (Law No. 51 of 2001) which prohibits the use of alcohol and tobacco by adolescents and the role of the Anti-Narcotics Directorate to prevent substance abuse and to raise awareness of its dangers. Despite the fact that the number of children addicted to narcotics and drugs in Jordan is quite low, the Committee is concerned about the quality and number of services available for them. In addition, the Committee notes the scarcity of mental health services and the lack of integration of these services with, inter alia, education.

65. The Committee recommends that the State party strengthen its efforts to promote adolescent health, including sex and reproductive health education in schools and in other appropriate places frequented by children. It recommends that the State party take all necessary measures to strengthen dental health care services for adolescents. The Committee also recommends that the State party conduct a study to find out the exact figures of substance abuse in Jordan and based on the results of this assessment provide children addicted to narcotics and drugs with adequate services. It further recommends that the State party expand and integrate its mental health services for adolescents. Finally, the Committee draws the attention of the State party to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child.

HIV/AIDS

66. The Committee notes with appreciation the implementation of the National AIDS Programme (NAP) and the low HIV/AIDS prevalence rate in the State party. However, due to

the lack of systematic HIV surveillance in the country, the Committee is concerned that the available figures do not reflect the actual situation of HIV/AIDS incidence. In addition, the Committee is concerned that raising awareness on HIV/AIDS in terms of transmission channels, treatment and preventive measures remains a “taboo” subject in the State party.

67. The Committee recommends that the State party:

(a) Strengthen its efforts to implement the National AIDS Programme in order to prevent the incidence and spread of HIV/AIDS, for example, by providing adolescents with accurate and comprehensive information about HIV/AIDS, its transmission channels, treatment and preventive measures, in schools;

(b) Prevent discrimination against children infected with and affected by HIV/AIDS and ensure these children have access to adequate social and health services;

(c) Ensure that children have access to child-sensitive and confidential HIV/AIDS counselling with full respect for the child’s privacy when requested; and

(d) Seek technical assistance from, among others, UNAIDS.

68. Furthermore, the Committee draws the attention of the State party to the Committee’s general comment No. 3 (2003) on HIV/AIDS and the rights of the child and the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37).

Environmental health

69. The Committee reiterates its concern about environmental health problems of children arising from the pollution and contamination of the environment, including inadequate practices in handling hazardous waste, such as household solid waste, industrial and health care waste. Scarcity of water supplies and supply frequency also give cause to concern.

70. The Committee recommends that the State party continue to take appropriate measures, including through international cooperation, to prevent and combat the damaging effects of environmental pollution and contamination. It also recommends that the State party expedite the implementation of the Environment Protection Law. The Committee further recommends that the State party strengthen its efforts to provide sufficient drinking water to all the population, with special attention to remote areas. Finally, the Committee recommends that the State party increase children’s knowledge of environmental health issues by introducing environmental health education programmes in schools.

Standard of living

71. The Committee notes with appreciation the measures taken by the State party to reduce the impact of poverty on the population and to achieve sustainable economic growth, for example by implementing the Poverty Alleviation Strategy (PAS) and several programmes aimed at reducing poverty and unemployment, such as the Social Safety Net Package, the

National Aid Fund and the Development and Employment Fund. Notwithstanding the declining national poverty levels over the past few years, the Committee remains concerned at the very low standard of living of many children, especially in the governorates of Mafraq and Zarqa, north-east of Amman, some districts within the capital and certain municipalities along the Jordan Valley.

72. In accordance with article 27 of the Convention, the Committee recommends that the State party continue to implement, as a matter of high priority, the aforementioned Poverty Alleviation Strategy and other programmes for poverty reduction, paying particular attention to economically disadvantaged families, including single parent families, in need of support and material assistance, and to guarantee the rights of the child to an adequate standard of living.

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

Education, including vocational training and guidance

73. The Committee commends the State party for providing compulsory and free of charge basic education and notes with appreciation that the State party has spent 20.6 % of public expenditure on education. The Committee also notes with appreciation the State party's efforts to provide vocational training for children over the age of 16. Despite the State party's efforts to prevent children from dropping out of basic education, the Committee remains concerned about children at risk of leaving school before completing their primary education. It also expresses its concern about the drop-out rates at the secondary level. In addition, school shifts, the lack of schooling facilities and equipment, overcrowded classrooms, under-qualified teachers and inadequate teaching methods are also issues of concern to the Committee.

74. In the light of articles 28 and 29 of the Convention, and taking into account the Committee's general comment No. 1 (2001) on the aims of education, the Committee recommends that the State party continue to allocate adequate financial, human and technical resources in order to:

- (a) Ensure that all children have equal access to quality education at all levels of the educational system;**
- (b) Continue to take measures to prevent children from dropping out of primary education and to increase enrolment and retention rates in secondary education;**
- (c) Improve school facilities, including by building new schools, in order to provide appropriate facilities for pupils and, inter alia, abolish the practice of school shifts;**
- (d) Provide teachers with appropriate training to improve the quality of teachers as well as the quality of teaching methods;**
- (e) Seek cooperation, among others, with UNESCO and UNICEF, to further improve the education sector.**

75. As regards pre-school education, the Committee notes with satisfaction that the percentage of children enrolled in kindergartens has risen and that the State party has taken several measures, including the preparation of a national interactive curriculum for kindergartens, to respond to the growing needs of pre-school education.

76. The Committee recommends that the State party provide access to early childhood education for every child, including children living in low-income families and families living in rural areas, and raise awareness and motivation of parents with respect to pre-schools and early-learning opportunities by taking into account the Committee's general comment No. 7 (2005) on implementing child rights in early childhood.

8. Special protection measures (arts. 22, 38, 39, 40, 37b-d, 32-36 and 30)

Land mines

77. While taking into consideration the efforts made by the State party, the Committee expresses its concern about children who are affected by antipersonnel and anti-vehicle mines, and unexploded ordnance, and the threat they pose to the life, physical integrity and development of children, particularly in the Northern Highlands, Jordan Valley and Wadi Araba.

78. The Committee recommends that the State party continue to take all necessary measures to protect children against the harms of landmines, including by carrying out programmes for mine awareness, continuing and strengthening its mine clearance programmes and extending the psychological and social assistance for children who have been affected by the explosion of mines.

Refugee children

79. The Committee takes note of the high number of Palestinian refugees and the increasing number of Iraqi refugees, asylum-seekers and migrants in Jordan and notes with appreciation the efforts of the State party to respond to the increasing needs of refugee children and children seeking asylum. While welcoming the collaboration between the State party and Office of the United Nations High Commissioner for Refugees (UNHCR), including two memorandums of understanding (MOUs), and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Committee expresses concern at the absence of a legal framework for the protection of refugee and asylum-seeking children in Jordan. In particular, the Committee regrets that the State party has not acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Optional Protocol, nor to the 1954 Convention relating to the Status of Stateless Persons or to the 1961 Convention on the Reduction of Statelessness.

80. In the light of articles 3 and 22 and other relevant provisions of the Convention, the Committee recommends that the State party accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as well as to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness and develop a legislative framework for the protection of asylum-seeking and refugee children, particularly unaccompanied children.

81. Despite the fact that the State party support universal education for all children, the Committee notes with particular concern that asylum-seeking and refugee children have restricted access to primary education. Reports that Jordanian public schools do not accept Iraqi refugee students and that private schools only accept Iraqis possessing residency permits are issues of serious concern to the Committee.

82. The Committee recommends, referring to articles 2, 22 and 28 of the Convention, that the State party take urgent measures to ensure that asylum-seeking and refugee children have access to free primary education.

83. While noting that the State party continues to provide services to all refugee camps through a variety of development plans and projects, the Committee is concerned about the unsatisfactory living conditions in these camps.

84. The Committee recommends that the State party strengthen its efforts to improve the living conditions of refugee children living in the camps by paying special attention to the improvement of housing conditions. The Committee encourages the State party to seek, where appropriate, international assistance in this regard.

85. The Committee draws the attention of the State party to its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin. It recommends that the State party pay special attention to refugee and asylum-seeking children who may have been involved in or affected by armed conflict by identifying these children at the earliest possible stage and providing them with multidisciplinary assistance for their physical and psychological recovery and their social reintegration. The Committee also recommends that the State party continue and strengthen its collaboration with UNHCR and UNRWA.

Children of migrant workers

86. While noting the high number of migrant workers in the State party, and particularly the estimated number of undocumented workers and the weak protection against exploitation and abuse provided to them, the Committee is concerned at the situation and vulnerability of their children residing in Jordan.

87. The Committee recommends that the State party develop and implement policies and practices that will better protect and serve children of migrant workers. It also recommends that the State party ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Economic exploitation, including child labour

88. The Committee commends the State party for its cooperation with ILO/IPEC, including for signing the Memorandum of Understanding with ILO for the implementation of IPEC Country Programme. It welcomes the various measures taken to address the issue of child labour in Jordan, including the 2002 amendment of the Labour Code provision on the minimum age for employment of children working in hazardous occupations which raised the minimum age to 18

years. Despite these positive measures, the Committee remains concerned about the prevalence of child labour in the State party. It notes with particular concern information that the employment of children has steadily grown in recent years, especially in agriculture. The Committee is further concerned that the protection provided by the Labour Code does not apply for children working in the informal sector (for example, in small family enterprises, agriculture and domestic labour).

89. In accordance with article 32 of the Convention, the Committee recommends that the State party:

(a) Continue to take effective measures to prohibit economic exploitation of children, in particular in the informal sector where the phenomenon is more prevalent, for example, by reviewing and amending the provisions of the Labour Code in order to protect children from economic exploitation through labour in the informal sector, including family enterprises, agricultural activities and domestic labour;

(b) Vigorously pursue enforcement of minimum-age standards, including requiring employers to have, and to produce on demand, proof of age of all children working on their premises;

(c) Provide the labour inspectors with all the necessary support, including child labour expertise, with a view to enabling them to monitor effectively at the State and local level the implementation of labour law standards and to receive and address complaints of violations; and

(d) Continue to seek technical assistance from ILO/IPEC.

Street children

90. The Committee is encouraged by the State party's efforts to address the issue of children working and/or living on the streets, including the amendment of the Juveniles Act (Law No. 52 of 2002) which introduced a new definition of child beggars as children in need of protection and care. The Committee notes with concern that due to insufficient information and statistics about street children the number of children working in the streets can only be estimated. The lack of a systematic and comprehensive strategy to address the situation and protect these children is also of concern to the Committee.

91. The Committee recommends that the State party:

(a) Undertake a comprehensive national survey of the number, composition and characteristics of children living and working in the streets in order to design and implement comprehensive strategies and policies to address the root causes pushing children to the streets with the aim of reducing and preventing this occurrence and to identify children at risk;

(b) Ensure that street children are assisted by trained street counsellors, provided with adequate nutrition, clothing and shelter as well as with social and health services, including recovery and social reintegration services, and educational

opportunities, including vocational and life-skills training, in order to support their full development; and

(c) Collaborate with NGOs working with street children in the State party and with children themselves and seek technical assistance from relevant specialized agencies or bodies of the United Nations system and other regional or non governmental organizations.

Sexual exploitation and trafficking

92. The Committee regrets the lack of data on the extent and magnitude of commercial sexual exploitation of children and trafficking in children for exploitative purposes in the State party. It also regrets the insufficient legal protection of boys below the age of 18 against commercial sexual exploitation and the absence of a specific legal framework to protect children from trafficking.

93. In order to prevent commercial sexual exploitation of children and to combat trafficking in children for sexual and other exploitative purposes, the Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the nature and magnitude of the commercial sexual exploitation of children and trafficking in children and, based on the findings and recommendations of the study, develop and adopt a comprehensive national plan of action to prevent and combat sexual exploitation of and trafficking in children;

(b) Review and amend the provisions of the Penal Code to provide equal protection to boys and girls below the age of 18 against commercial sexual exploitation; and

(c) Strengthen its efforts and legislation to identify and investigate trafficking cases, to improve understanding of the issues of trafficking and ensure that perpetrators are prosecuted.

Administration of juvenile justice

94. The Committee welcomes the Juvenile Justice Reform Programme in Jordan and the State party's close collaboration with the United Nations Office on Drugs and Crime (UNODC), UNICEF and others to improve coordination and collaboration amongst partners working in the field of juvenile justice. While acknowledging the State party's efforts to protect the rights and the best interests of juveniles deprived of their liberty, for example, by implementing the Law No. 11 and the Law No. 52, both of 2002, amending the Juveniles Act, it notes with concern that:

(a) Despite the information from the State party that efforts are being made to raise the age of criminal responsibility to 10 years, the minimum age of criminal responsibility is still too low (7 years);

(b) Due to the lack of alternative sentences, deprivation of liberty is not used as a last resort;

- (c) The lack of resources impedes the establishment of a special juvenile court;
- (d) Not all children in conflict with the law are provided with free legal assistance;
and
- (e) Children in conflict with the law, particularly girls, are not provided with adequate recovery and social reintegration services.

95. The Committee recommends that the State party continue and strengthen its efforts to ensure the full implementation of juvenile justice standards, in particular articles 37, 40 and 39 of the Convention and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules), taking into account the recommendations adopted by the Committee on its day of general discussion on juvenile justice held on 13 November 1995 (CRC/C/46, paras. 203-238). It recommends that the State party:

- (a) Urgently raise the minimum age of criminal responsibility to an internationally acceptable level;**
- (b) Strengthen its efforts to implement the Juvenile Justice Reform Programme and to ensure that it conforms fully with the principles and provisions of the Convention; and develop and implement a comprehensive system of alternative measures such as community service orders and interventions of restorative justice in order to ensure that deprivation of liberty is used only as a measure of last resort;**
- (c) Establish juvenile courts with appropriately trained staff throughout the country;**
- (d) Expand access to free legal aid and independent and effective complaints mechanisms to all persons below 18 years of age;**
- (e) Ensure that both sentenced and released persons below 18 years of age are provided with educational opportunities, including vocational and life-skills training, and recovery and social reintegration services, in order to support their full development; and**
- (f) Seek technical assistance from the United Nations Interagency Panel on Juvenile Justice.**

96. As regards the protection of child victims and witnesses at all stages of the criminal justice process, the Committee draws the State party's attention the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Resolution 2005/20 of the Economic and Social Council).

9. Optional Protocols to the Convention on the Rights of the Child

97. While welcoming the State party's signature of the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict on 6 September 2000, the Committee recommends that the State party expedite the process of ratification of the Optional Protocols and publish these in the Official Gazette.

10. Follow-up and dissemination

Follow-up

98. The Committee recommends that the State party take all appropriate measures to ensure the full implementation of the present recommendations, inter alia, by transmitting them to the members of the Cabinet and the National Assembly, and to governorates, when applicable, for appropriate consideration and further action.

Dissemination

99. The Committee further recommends that the third periodic report and written replies submitted by the State party and related recommendations (concluding observations) adopted by the Committee be made widely available in the languages of the country, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next Report

100. The Committee invites the State party to submit a consolidated fourth and fifth report by 22 December 2011 (that is 18 months before the due date of the fifth periodic report). This is an exceptional measure due to the large number of reports received by the Committee every year. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.
