

Report Submitted to the Universal Periodic Review

Jordan

Session 31

The Human Rights Council

October-November, 2018

Submitted by: Arab Network for Civic Education-ANHRE and the Jordanian Coalition for Education for all (Joint Submission)

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About the Coalition

Arab network for Civic Education (ANHRE) was established in 2005 as an independent non-profit organization that represents active institutions, organizations and academic institutes in the field of Human Rights and Citizenship education in the Arab region. The network, which is located in Amman, Jordan, aims through its programs to enhance the citizenship values and promote culture of human rights with a focus on gender mainstreaming, rights of people with disabilities and vulnerable groups, through coordination of efforts and capacity building. This would ensure a civil society that functions based on the respect of human rights principles and enhancement of equal citizenship and acceptance of diversity.

ANHRE is committed to the sustainable development goals of the United Nations and considers them the basis for all its interventions. It focuses on the goal4 of education to ensure an inclusive equitable and quality education and promote lifelong learning opportunities for all, a goal that is closely linked to and helps achieve all other goals. The goals of the ANHRE Strategy also begin with the 2015 Incheon Declaration on Equal Education, Inclusive Education and Lifelong Learning for All by 2030. ANHRE also builds its education on emergency education on conflict-sensitive learning methodologies and adheres to INEE's minimum standards of education.

The Jordanian coalition for Education for All was established in 2009, following an initiative by ANHRE to remind the government of its international commitments to improve the quality of education, ensure openness to challenges and acknowledge, address and monitor them as education is the key to human rights, in addition to urging the government to prioritize expenditure on education and increase the educational development budget.

Legal Framework of International Obligations on Human Rights

Having adopted numerous international agreements on human rights, including the two international covenants, the Jordanian government is bound by a number of obligations. The government must ensure that all people, residing in Jordan or falling under the state's jurisdiction, enjoy their full rights without discrimination based on race, color, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other condition. It is, therefore, necessary to take all legislative and other measures to safeguard these human rights, as per the constitution.

The right to education is one of Jordan's obligations in this regard, as mentioned in Article 13 of the International Covenant on Economic, Social and Cultural Rights. The aforementioned article safeguards the universal right to education, which shall be made equally accessible for all. The Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and other conventions have all reiterated this right as well.

In its article 3/6, Jordan's constitution stipulates that "the Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquility and equal opportunities to all Jordanians." In addition, article 20 stipulates that "elementary education shall be compulsory for Jordanians and free of charge in Government schools."

After highlighting key challenges facing education in Jordan and assessing its equal accessibility to all Jordanians, this report concludes with recommendations, to be taken into consideration by members of The Human Rights Council during Jordan's periodic review.

Part One: Economic Exploitation of Children, including Child Labor

The Committee on the Rights of the Child was concerned that "thousands of children, mainly boys, are still working in the wholesale and retail trade and agriculture sectors and that child labour is widespread among Syrian refugees."¹

Child labor in Jordan refers to workers under the minimum legal age of 16, and juveniles aged 16-17 years, employed for more than 36 hours a week, which is the maximum number of hours as per the law. Furthermore, there is a considerable percentage of children who work in hazardous jobs, clearly violating relevant national legislation.²

The Labor Law allows juveniles aged 16-17 years to work for a maximum of 36 hours a week, pushing them to drop out of school and find a paid job instead. According to official figures, the percentage of children enrolled in schools at the age of 15 stands at 89 %, but drops to 81 % for children aged 16-17 years.³

¹ CRC/C/JOR/CO/4-5, 2014, paragraph 57.

² National Child Labor Survey 2016 of Jordan. Center of Strategic Studies at the University of Jordan. International Labor Organization and The Jordanian Ministry of Labor. Amman. August 2016. p. 26.

³ Ibid. p.21

Part Two: Education Made Accessible To All

According to General Comment No 13 of the Committee on Economic, Social and Cultural Rights, the right to education also means that “educational institutions and programs have to be accessible to everyone, without discrimination”.

As capacities and resources vary from one governorate to another, some schools in governorates have failed to draw students, mainly male students, and motivate them to attend. Given that they cannot pass the national high school exam, these students are subject to discrimination based on their area of residence. A stark example of this discrimination is the statement by the Ministry of Education in 2015, which showed that no student passed the exam in 69 schools in eastern and western regions of the Northern Badia in Mafrq. Due to limited resources at some schools in other governorates, male children join the labor market while their female peers go for early marriage.

Part Three: Early Marriage as a Result of Inaccessible Education

According to official figures, there is a total of 414,358 under-18 married women in Jordan. Among these women, 253,155 were Jordanians, while 113,370 were Syrians and 47,833 were of other different nationalities. In other words, the percentage of women who were married before turning 18 stood at 21 % on the national level. Jordanians accounted for 17.6 % compared to 39.5% of Syrians and 19.2 % of other nationalities.⁴

The Committee on The Rights of the Child and the Committee on CEDAW have been concerned about this widely spread phenomenon, and the extensive use of derogation and broad discretion left to chief justice and legal guardians in that respect. In addition, situations of poverty and out-of-wedlock pregnancy often result in authorizations of such marriages,⁵ giving married women limited access to education.⁶

Part Four: Recommendations:

The coalition calls on the members of the Human Rights Council to encourage the Jordanian Government to:

- Step up efforts to eliminate child labor and sparing children the worst forms of child labor
- Take all necessary measures to improve access to education and its quality and train highly-qualified teachers, with special emphasis on rural areas where males drop out and join the labor force and females go for early marriage.

⁴ A Study on Child Marriage in Jordan, Higher Population Council, Amman – Jordan, 2017, p 18.

⁵ CRC/C/JOR/CO/4-5, 2014, paragraph 33. Also CEDAW/C/JOR/CO/6, 2017, paragraph 55

⁶ CRC/C/JOR/CO/4-5, 2014, paragraph 51

- taking immediate action to ensure that all children residing in Jordan have access to elementary education without discrimination. To that end, it is necessary to amend laws and combat practices that lead to discrimination against Jordanian children due to limited resources
- Amend the Labor Law, so that it does not allow for male child labor. There should be strict fixed working hours for children above 16, and the maximum number of hours should be reduced from 36 to 15 hours a week with legal liability in case of violation.
- Support pregnant adolescents and adolescent mothers and help them pursue their education
- Prevent early marriage and/or child marriage among all groups of society, pursue females' best interests and their right to education, and organize campaigns to raise awareness on the negative consequences of these marriages.
- Submit periodic reports to the Committee on Economic, Social and Cultural Rights, given that the last report was submitted in 2000. Through these reports, it is possible to highlight the real status of these rights.