



**Child Budget Analysis
Jordan 2013**

**Ministry of Awqaf and Islamic Affairs
And
Ministry of Justice**

**A Report supervised by
(National Council For Family Affairs (NCFA
And UNICEF Jordan country office
by
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Foreword

"Wealth and children are an ornament of the life of the world. But the good deeds which endure are better in thy Lord's sight for reward, and better in respect of hope"

(Al-Kahf Verse 46)

The Child Budget Analysis 2013 highlights the results of the second phase of the CBA project which includes the Ministry of Justice and the Ministry of Awqaf and Islamic Affairs.

Article (6/5) of the amended Jordanian constitution for the year 2011 stipulates that "The law shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and those with disabilities and protect them against abuse and exploitation." Moreover, the UN Convention on the Right of the Child (CRC) affirms that the best interests of the child shall be a primary national consideration in all actions concerning children whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.

On October 24, 2004, His Majesty King Abdullah Bin Al-Hussein and Her Majesty Queen Rania Al-Abdullah launched the 2004-2013 Jordanian "National Plan of Action for Children" The plan has served as a guiding framework for decision-makers in all sectors concerned with children when developing targeted programs for children of all age-groups with consideration to the basic principles of child rights. The political will, commitment and support at all levels has made Jordan one of the pioneering countries in the region in terms of child rights.

Jordan initiated the child-friendly budget analysis guided by its constitution and the UN Convention on the Rights of the Child and related international conventions. The first Middle Eastern country to take such an initiative, the child budget analysis helps allocate specific and adequate resources, within the national budget, to secure the rights of children in the country. It is addressed to decision-makers and legislators responsible for endorsing the national budget as a powerful instrument for ensuring the allocation of sufficient resources and for measuring the progress of implementation of child related policies.

The first phase of the project included the Ministries of Education, Social Development, Health and Labor, the ministries that worked directly on children's issues. The Child Budget Analysis Study (CBA) for these ministries was completed in 2009 that clearly identified specific budget allocations for children for each ministry within the General Budget Law.

Based on the success of the first phase, the CBA project started its second phase in 2013 including the Ministry of Justice and the Ministry of Awqaf and Islamic Affairs. The analysis clearly outlines each ministry's strategy, specific budget allocations for children, and related programs and challenges.

The National Council for Family Affairs and UNICEF expresses its sincere gratitude to all partners for their exceptional commitment and participation in contributing to this report. We would like to specifically thank officials from the following ministries for their dedication and cooperation which guaranteed the success of the project:

- Ministry of Justice
- Ministry of Awqaf and Islamic Affairs
- Ministry of Planning and International Cooperation
- Ministry of Finance
- General Budget department
- Department of Statistics

National Council for Family Affairs
Fadhel Mohammad Al-Hmoud



Executive Summary

The Child Budget Analysis (CBA) aims at providing analyzed information on child rights-related policies, plans and budgets of line ministries and government institutions that can be used to advocate for the fulfillment of the rights of all children in Jordan.

Since the ratification of the Convention on the Rights of the Child (CRC) in 1991, Jordan has made substantial progress for the rights and well-being of its children. The periodic reports submitted by Jordan to the Committee on the Rights of the Child (CRC) reflect measures and procedures undertaken by the Government of Jordan (GoJ), including the changes made to national legislation and policies, and programs and strategies established to implement the Convention. Jordan submitted its initial report to the Committee in 1993, followed by periodic reports in 1998 and 2005. The fourth and latest report covering the period between 2005-2011 was submitted in August 2012.

During the period covered by the fourth report, Jordan has made groundbreaking achievements in the fulfillment of child rights. The country has adopted an institutional approach echoing the National Plan of Action for Children (2004-2013) which underpinned strategic directions in addressing the different areas and pillars of childhood; enhancing partnerships with governmental and non-governmental institutions based on actual participation and networking in defining roles and responsibilities; and facilitating international and local funding for implementing procedures and actions arising from the plan.

One of the most visible milestones highlighted in the latest periodic report to the CRC is the launch of the Child Budget Analysis undertaken by the Government of Jordan (GoJ). The annual General Budget law was developed in conformity with the advanced stages of the implementation of Results Oriented Budgeting (ROB) aimed at enhancing accountability, transparency and follow-up reviews.

The new budget formats developed during the preparation of the General Budget included information on strategic objectives and tasks undertaken by each ministry for children particularly in the areas of health, education, social care and related fields. This information was used to secure appropriate fund allocations consistent with Jordan's National Plan of Action for Children (2004-2013) and related strategies and national plans.

The launch of the 2009 Child Budget Analysis (CBA) report prepared by the National Council for Family Affairs (NCFA) in cooperation with the UNICEF was the first step towards implementing child budgeting in the country. The report provides baseline data for on-going budget monitoring through the analysis of legislation, policies, national action plans and child budgeting in four major areas: health, education, social development and labor. It outlines patterns of child-oriented budget expenditure of four ministries: Ministry of Education; Ministry of Health; Ministry of Labour; and the Ministry of Social Development.

Following the adoption of the first phase of the Child Budget report and mobilization of support from stakeholders, the Jordanian General Budget Department (GBD) further advanced the child budgeting initiative, including budget for children in the General Budget Law (Table 22) covering 7 ministries which are:² Finance, Planning and International Cooperation/National Planning Council, Education, Health, Social Development, Labor and Culture.

During 2011, and in collaboration with GBD and UNICEF, the NCFA further advocated the Child Budgeting initiative through newsletters aimed at mobilizing the support of decision makers. The Council is currently engaged in monitoring and assessing performance indicators of child specific programs and projects in the four ministries involved in the 2009 (CBA) to evaluate their progress. The implementation of the second phase of the CBA has commenced in the Ministries of Awqaf and Islamic Affairs (MoAIA) and Justice (MoJ), employing the 2009 CBA methodology. The guiding objectives for the second phase were to provide a baseline for a long-term engagement strategy that ensures budget commitment by related ministries to the realization of child rights and to institutionalize such strategic practices.

¹Combined 4th and 5th periodic reports on CRC and Jordan's reply to the concluding observations of the Committee on the Rights of the Child to the third periodic report. August, 2012 UN.

²Jordan's General Budget law 2013.



The methodology for the analysis complies with international best practices. It particularly draws upon the framework described in the report "Monitoring child socio-economic rights in South Africa"³ in the following aspects: determining the rights that form the basis of the report - in this case Convention on the Rights of the Child (CRC); identifying government policies and legislation supporting these rights; identifying specific programs within each ministry that lead to the fulfillment of child rights; and analyzing the allocations assigned for these programs in the each ministry's budget.

This 2014 CBA report references the previous report. Therefore, it is advisable to reference sections (1-3) of the 2009 CBA report to grasp the full details of:

methodology details employed in the CBA; the conceptual framework of child rights in general and in Jordan in particular; as well as the Jordanian budget policies and practices. The new CBA report is initially concerned with the Medium Term Expenditure Framework (MTEF) for future budgets. Its main source of financial data was reference from the General Budget Law and the Government Units Budget for the year 2013, in addition to data from the GBD and financial departments in the Ministries involved in the report. The information pertaining to legislation and policies were collected from the same Ministries and from the website for Jordanian legislation (LOB), while information on specific sectors were gathered from newsletters and field interviews with officials from the relevant Ministries.

Alongside the data collection process, an introductory workshop was organized on the implementation methodology of the child budget, which was attended by representatives of targeted ministries. The workshop resulted in increased understanding of the participants on the concepts of child budgeting, and helped gain the commitment of related Ministries to future adoption of the practice. The adoption of child budgeting by ministries will be henceforth much easier due to the government's adoption of the result-oriented budget methodology in its preparation of the budget.

It is worthy to note the particular nature of this report in terms of its analysis of the child budget within the Ministry of Awqaf and Islamic Affairs (MoAIA). Despite previous literature on child rights in Islam and the points of controversy raised among Muslim states which expressed reservations on some articles of the UN Convention on the Rights of the Child (CRC) due to their variance with the precepts of Islamic Shariah, the current report has been unique in the following areas:

- It is the first of its kind locally, regionally and internationally, from an Islamic perspective - an analysis of child budgeting and the Ministry's expenditure patterns, which are Shari'ah compliant. The report sets out to illustrate the vital role of the Ministry in the realization of child rights including through preaching and guidance methods, enhancement of the social, spiritual and moral welfare of the child, and the provision of child-oriented education and financial assistance to children and their providers, including children from refugees families.
- The Shariah-compliant nature of the Ministry budget and the funding mechanism of child-specific activities whether offered by the ministry itself or by other Shariah-compliant channels.
- The MoAIA is entrusted with monitoring and supervising "family waqf" and it undertakes the responsibility of administering, utilizing and spending the proceeds of the waqf on its beneficiaries. This kind of service direct helps child orphans, including those with mental disabilities. The Ministry's intent is to safeguard and preserve the orphan's right to his own money and to hand it over to him upon his coming of age, in coordination with Shariah Courts. In other words, the Ministry is not only concerned with helping the child from its own budget, but also ensures that the child invests his/her money according to Shariah rules and the best interests of the child. The Ministry also plays an intermediary role by investing and developing charitable waqf according to the terms and conditions of the donor where, in some cases, is directed for the benefit of needy orphan children.

³Streak, J and Coetzee, E. (2004), Monitoring child socio-economic rights in South Africa: achievements and challenges, Institute for Democracy in South Africa (IDASA), Cape Town.

**Main Findings of the Report**

The leading observation drawn from analyzing expenditure patterns of the MoAIA and MoJ confirms that the GoJ has legislatively and procedurally advanced the implementation of child specific activities within the two Ministries. Nevertheless, and to date, expenditures were not explicitly pronounced as child-specific according to the budget tables of both Ministries for the year 2013, which posed a challenge to the implementation of the requirements of the report.

The analysis process, under the cooperation and coordination of the researcher and financial specialists in the two Ministries, demanded an estimation of the budgetary allocations in a scientific and statistical manner, compatible with the data and a reflection of those allocations on programs under which child-oriented activities were executed.

In light of the findings of the report, it is expected that both Ministries will implement the Child budget methodology as part of the Child Budget Engagement Strategy to be reflected in the General Budget Law of the year 2015.

Equity in per capita and governorate share expenditure patterns

After conducting necessary comparisons between governorate's shares and per capita allocations, the report revealed apparent anomalies of which some are not entirely understandable. Given the fact that the population size in each governorate is the determining factor for per capita expenditure, it is only reasonable to take this fact into consideration while deciding the allocated share for each governorate, along with other social and religious factors that are prevalent in the respective governorates. Put differently, the social aspect as well as the population composition of each governorate are prime contributing factors to the development of services and the realization of equity in expenditure levels.

Adolescents

Adolescence is a critical stage in human growth. Most adolescent behavior is characterized by rebelliousness, anger, conflicting emotions, yearning for self-expression and a need for someone to listen and talk to. When the family and society fail to support and interact with adolescent children with respect, and does not provide appropriate guidance, there is a very high chance of delinquency with grave consequences to the child, the family and the whole community.

During the last two years, Jordan has given increasing attention to this particular age group through intensified efforts of preaching and guidance at mosques to provide appropriate support to children of this age.

Poor orphan children

Around 3000 orphans benefit from the Orphan Sponsorship Program (Kafalah) through the Zakat Fund which is funded by benefactors and is not part of the Ministry budget. Terms and conditions apply for a beneficiary to be eligible for financial assistance of a monthly JD30, as stipulated in the Zakat Law, noting that the poverty line has reached JOD 68 per person per month, according to Department of Statistics' latest figures.

Child delinquents

For the sake of furthering a righteous treatment of Juvenile delinquents, a modern draft law that has the spirit of the age, has been recently devised intended to comply with International conventions and treaties. Expedient ratification of the draft law is urgently needed to ensure the fulfillment of delinquents' rights

**Children in need of care and protection**

These are victims of abuse, including children with disabilities who are in need of care and protection. For the time being, there are no existing well-defined legal measures or standards for supporting child survivors and victims of abuse, who are more vulnerable to violence, exploitation and abuse than others. Amendments to the Juvenile Law and the Law on Disabled People Rights is urgently required to fill the gaps, and provide adequate care and support to these children, in compliance with articles (7) and (13) of the Convention on the Rights of People with Disabilities and the CRC.

Statistics on juvenile cases

During the compilation of this report, a lack of an integrated database for juvenile cases was observed, in addition to some discrepancies in related statistics and the divergence of classification methods employed by the relevant entities (Ministry of Justice, Ministry of Social Development, Police Stations, Juvenile Police Department and Family Protection Department). This hindered the access to valid and reliable statistics required for monitoring and analysis of allocations appropriated for juvenile cases at all phases. Moreover, not all cases reported to Juvenile Police or Family Protection Department were necessarily referred to courts. Hence, the provision of accurate statistics on juvenile cases will be much needed for future studies on child allocations within the juvenile justice system in the event of the adoption of a Child-Friendly Justice Budget.

Ministry of Awqaf and Islamic Affairs

The financial analysis of the budget and expenditure of the MOAIA affairs has outlined three child-oriented types of expenditure which are:

- Expenditure activities based on Ministry appropriations that were included in the government budget.
- Expenditure activities based on donations by benefactors and Zakat payers.
- Expenditure activities based on Ministry budget and donations.

The report shows that child allocations within the Preaching and Guidance Program, that is funded by the Ministry's own budget, constitutes 24.2% of the total Ministry budget, and is due to increase to 24.5% in 2015. On the other hand, the amount of money spent on children from the Zakat Fund, which is funded by benefactors, zakat payers and orphan sponsors, reached to approximately (4,064,343) dinars for the year 2012, constituting 68% of the total proportion of money spent by the Fund. The weight of the child-oriented expenditure from the Fund to the budget of the Ministry reached (9.3%). It should be noted that the Zakat Fund is a national institution concerned with combating poverty and unemployment, through service packages presented to disadvantaged families and orphan children, aimed at alleviating poverty among children.

Ministry of Justice

The financial analysis of the budget and expenditure of the Ministry indicates that child-oriented expenditure primarily takes the shape of salaries of judicial and assistant administrative staff working in Juvenile and other competent courts. Estimated child allocations within the Ministry budget amounted to 1%, noting that the Judicial Council/ Ministry of Justice is the sole authority entrusted with providing juvenile justice services.

Juveniles of the age group (7-18) constitute around 61.8% of the total child population in the Kingdom. The number of juvenile court cases has reached 4,247 cases (victims and juvenile delinquents) constituting around 0.22% of child population within this age group. Additional financial resources are of paramount importance to provide juveniles with the best criminal justice services required, most notably, proper legal aid.



Challenges to Ministry Budgets

The report identifies a number of challenges that encountered the MoAIA and MoJ in their implementation of the programs under their jurisdiction. These challenges were inferred during unofficial interviews with Ministries' staff, and gave the researcher some insight on few program-related matters, which in the end reflect the staff's personal opinions. Other challenges include those listed in the General Budget Law and others deduced from the technical and financial analysis of various aspects covered throughout the report.

Indicators of expenditure patterns of ministries under study⁴

Indicator	2012 Estimated	2013 Estimated	2014 Indicative	2014 Indicative
% MoAIA share in state budget	0.62	0.69	0.71	0.70
% MoJ share in state budget	0.73	0.74	0.70	0.68
% child share in MoAIA budget	24.5	23.4	24.3	24.8
% child share in MoJ budget	1.00	0.97	0.96	0.95

Major Recommendations of the report

The final section of the report provides a number of recommendations, highlighting aspects which requires improvements in terms of child rights, and their suggested remedies. The objective of the report has been to harness advocacy efforts to follow through the construction of a long-term engagement strategy, legislatively and financially, to be translated into effective budgets, strategies and national action plans. To achieve that goal, officials and policy makers should be perceptive to child rights and demonstrate their true commitment by improving the delivery of services to children. The improvement process can be initiated from the government budget and the child-friendly budget, which are based on a ROB methodology that provides a performance orientated planning and budgeting framework.

Finally, in light of the expiration of the timeline given for the execution of National Plan of Action for Children (2013-2014), work must proceed towards the construction of a new national action plan that is in line with new developments on child rights. Key objectives of the new plan should include on-going monitoring of the commitment of the Ministries towards child budgeting, using proper performance indicators and setting a comprehensive engagement strategy for the Ministries concerned with the implementation of child budgeting within their government budgets. Due to their vital role in the local community, municipalities can also be drawn in to participate and be engaged in the National Plan of Action; under privileged areas must be advanced to achieve equity in governorate spending taking into perspective the social aspect.

⁴Source: General Budget Law 2013, Government Units Budget Law 2013, relevant ministries.



Abbreviations and Acronyms

ROB	Result Oriented Budget
CBA	Child Budget Analysis
CRC	Convention on the Rights of the Child
GoJ	Government of Jordan
GBD	General Budget Department
GFMS	Government Financial Management Information System
IDASA	Institute of Democracy in South Africa
JOD	Jordanian Dinars
KPIs	Key Performance Indicators
MDGs	Millennium Development Goals
MTEF	Medium Term Expenditure Framework
MTFF	Medium Term Fiscal Framework
NCFA	National Council for Family Affairs
UNICEF	United Nations Children's Fund
MoAIA	Ministry of Awqaf and Islamic Affairs
MoJ	Ministry of Justice

1-Glossary of terms and concepts used in the report⁵

Convention on the Rights of the Child (CRC): It is the first legally binding international instrument to incorporate the complete range of human rights for children, including civil, political, cultural, social and economic rights. The core principles of the treaty adopted by the United Nations in 1989 are summed up in: non-discrimination; devotion to the best interests of the child; the right to life, survival and development; right to education; and respect for the views of the child. Every right spelled out in the CRC is inherent to the human dignity and harmonious development of every child. The Convention protects children's rights by setting standards in health care; education; and legal, civil and social services. The Jordanian government ratified the Convention in 2006.

Best Interests of the Child: This concept is closely associated with a child's well-being, health, education, and safety, and by no means implies considering the child as an independent being in confrontation with his family and society. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration as is necessary for his or her well-being.

Child Budget: is the financial allocation assigned by the government in its budget to the benefit of children to be spent on the realization of their social and economic rights, including health, safety against all kinds of violence and exploitation; provision of due care; in addition to the provision of adequate legal protection and care for juvenile delinquents in line with the Convention on the Rights of the Child. Child Budget Analysis (CBA) aims to analyze policies, plans and budgets associated with child rights to provide information which can be used to advocate for the fulfillment of these rights. A child's welfare and rights can be reached by efficient and effective spending within the state's available resources without jeopardizing other state goals.

⁵Reading this section will make it easier for the reader to handle terms and concepts included in this report.



General Budget: The government's plan for the next fiscal year to achieve the national goals within the Medium Term Fiscal Framework. The framework reflects the government's fiscal plan and policy in the medium term based on the expectations of the national economy and based on certain foundations and assumptions for key economic indicators.

Medium-term Expenditure Framework (MTEF): The detailed public expenditure plan (current and capital) expected for the governmental departments within the medium term, including budgets allocated for each program, which will help determine the priorities of programs and projects that serve the strategic goals. This analysis chose 2012 as the base year representing the real amount which is the amount re-estimated in Jordanian dinar (JOD). However, the years from (2013-2015) represent budget expectations in the medium term.

Result-Oriented Budget (ROB): a new approach in the preparation of the general budget where budgets and financial allocations are linked to strategic planning for the purpose of measuring the extent of success in the attainment of strategic goals of ministries/government units and their alignment with national goals and priorities. The ROB connects public expenditure to results and outputs through key performance indicators (KPIs) for each governmental program/project.

This enables the measurement of expenditure on programs and projects and the achievement of transparency and accountability according to objective criteria. The GoJ adopted and implemented the ROB in 2008.

Inflation: An increase in the general level of prices for goods and services due to a decline in the purchasing power of money.

Nominal Growth Rate: Nominal growth has a specific value which shows whether more money was allocated, on the basis of the current value of the local currency. The biennial growth rate is measured according to the following formula:

$$(\text{second year} - \text{first year}) / \text{first year} * 100$$

Real Growth Rate: When calculating real growth rate, inflation is taken into consideration to see whether it is translated into real growth of the purchasing power. To calculate real growth trends, a price deflator is calculated for each period to convert nominal value to real value⁶. The real growth was calculated using the assumptions contained in the International Monetary Fund (IMF) country report and as supplied by the Central Bank of Jordan⁷ on the performance of Jordanian economy in the medium term. According to IMF projections, annual inflation rate is expected to reach 3% during the period (2013-2017)⁸. The inflation rate was used to calculate a price deflator for each period to convert the nominal value to real value using 2012 as the base year.

Zakat: A religious obligation that refers to a certain proportion of wealth a rich Muslim is obliged to pay for the poor and needy, and equals 2.5% of his annual savings. It is a key element in enhancing compassion and solidarity among members of society.

The Zakat Fund was established in 1988 in the Hashemite Kingdom of Jordan under the Ministry of Awqaf and Islamic Affairs. The Fund's revenues should be spent according to disbursement arrangements stipulated by law. The percentage of expenditure on child beneficiaries amounted to 68% of the total spending.

Waqf: A donation, recommended by Islamic Shariah, realized by holding a property so that its fruits or revenues are used for the advantage of beneficiaries. It shows a side of the benevolence in Islam and of the social solidarity among its people. Waqf is of two kinds: Philanthropic Waqf targeting the poor and the public interest; and Family Waqf targeting first descendents of either the donor or someone else, and second to the public interest. By descendents we mean, the children whether boys or girls and their children to no end. A state may supervise the family waqf and rectify any mistakes, but it cannot dissolve it. Furthermore, no person is allowed to damage, take control over or seize the waqf⁹. Jordan's MoAIA undertakes the supervision of the two types of Waqf for the benefit of beneficiaries.

⁶ The formula for calculating the deflator is: "deflator year 2 = deflator year 1 * [1 + (Inflation year 2/100)]". The deflator for year 1, the base year, is set at 1. Real value = nominal value / price deflator.

⁷ Al-Gad Newspaper, Jordan, Dec 8th 2013, Interview with the governor of the Central bank of Jordan

⁸ International Monetary Fund, Arab Countries in Transition: Economic Outlook and key Challenges, Washington DC, October 2013.

⁹ Prof. Mohammad Al-Zuhaili "Family Waqf" Shari'ah and Law Journal, Issue No. 27, July 2006 (107).



Child-Friendly Justice: Whether children come into contact with the law as victims, witnesses, offenders or complainants, it is equally important that they are met with a system that understands and respects both their rights and their unique vulnerability. This idea - that we must take special care with children whose lives have become entwined in the legal system - is the backbone of child-friendly justice, a movement that calls for a dramatic shift in the ways that our justice systems interact with children. Child-friendly justice embraces the idea that courts can be a powerful tool to positively shape children's lives and at the same time recognizes the reality that contact with the legal system is all too often more a source of additional trauma than a remedy for children.¹⁰

Child Delinquents: they are young offenders who violated the penal code. A juvenile is any male or female who completed the age of seven and did not complete the age of eighteen. The circumstances and procedures of handling juveniles in Jordan still fall short of fulfilling their physical and psychological needs so as to protect them from going back to delinquent behavior. Furthermore, the procedures pertaining to the implementation of the enforced juvenile-related laws and regulations are dispersed among many entities which are: Ministry of Social Development - mainly as it has the mandate of enforcing the Juvenile Law, Ministry of Justice with the Judicial Council, Department of Public Security/Family Protection Directorate, Ministry of Interior and finally Juvenile Police. For the sake of fulfilling the rights of Delinquents, a speedy endorsement of the Juvenile draft law is much required.

Juvenile Justice: a set of prescribed legal rules for securing safeguards and standards to guarantee a fair trial for the children in conformity with International conventions related to child rights. Criminal justice is concerned with two categories of children: delinquents and children victims of abuse.

Indicators and statistical data for contextualizing report observations¹¹

To shed light on certain issues included in this report, it is wise to provide first a crude synopsis on major indicators and statistical data that reflect Jordan's situation throughout (2011-2012), which is of relevance to this report. Despite the unavailability of 2013 data and/or lack of their documentation, it is without question that certain indicators listed below (such as inflation, poverty and unemployment) witnessed a significant decline during 2013. This is understandable in view of the substantial increase in the prices of oil and food commodities, decrease of foreign aid and the continued influx of Syrian refugees to Jordan, putting its economy under increasing pressure.

¹⁰ Child Right International Network, September 2013, "Child-Friendly Justice and Children's Rights", London, www.crin.org.

¹¹ Source: Central bank of Jordan, Annual Report 2012, Department of Statistics, Selected statistics 2011 and 2012, Amman - Jordan, General Budget Law 2013.



Table (1) Selection of indicators on Jordan (2011-2012)

Statistic /Year	2011	2012
Population Statistics		
Total population in 000*	6.249	6.388
Under 18 years in 000*	2.981	3.047
Age group (7-18) in 000*	1.843	1.884
% child population under 18 in 000*	47.7	47.7
% juveniles from (7-18) years to total child population	61.8	61.8
% juveniles in Amman to total juvenile population within (7-18) years in the Kingdom	38.4	38.4
% juveniles (7-18) to total Amman population	29.2	29.2
Population growth rate %	2.2	2.2
% living in rural areas	17.4	17.4
Poverty and Unemployment Statistics		
Poverty rate %	14.4 (2010 survey) ¹²	
Unemployment rate %	12.9	12.2
Economy statistics		
Per capita income(JD/Year) ¹³	1,639	1,646
Grants as a % GDP	5.9	1.5
Budget Deficit including grants as a % of GDP	6.8	8.2
Inflation rate %	4.4	4.8

¹² Household Expenditures and Income Survey for the year 2010 issued 2012.¹³ Average exchange rate from JOD to USD (USD/JOD)= 1.14.

Statistic /Year	2011	2012
Juvenile justice statistics¹⁴		
No. of juvenile courts	3	3
No. of cases reported to juvenile courts only (not other courts)	1492	1445
Average juvenile judge caseload/month	47	43
No. of cases reported to all courts including juvenile courts by the end of 2013: 4247 cases, 1428 cases reported to the three juvenile courts. ¹⁵		
No. of courts equipped with CCTV for child testimony by the end of 2013: 13 courts		
Central Government Expenditure (in 000*)		
Defense	997.101	911.000
Legal justice	51.274	51.136
Preaching and Guidance/ MoAIA	27.763	31.787
Islamic Social System (Takaful) Instruments Expenses¹⁶		
Zakat Fund total spending (in JD 000*)	5.285	6.019
Children-Specific (in JD 000*)	3.615	4.064

Child population per governorate

The table below shows the child population in the different governorates of the Hashemite Kingdom of Jordan within the age group (0-18). The total child population by the end of 2012 had reached (3,046,929) child representing (47.7%) of the total Jordanian population which amounted to (6,388,000).

¹⁴Source: Ministry of Justice, Mizan Program data. Annual Report on the Judicial Authority.¹⁵ Mizan Program data, Ministry of Justice.¹⁶ Zakat Fund Data, Financial Department.

Table (2) Child population (0-18) per governorate ¹⁷

Age Group	Governorate	Males	Females	Total(No.)	%
(0-18) Years	Amman (Capital)	601560	565216	1166776	38.29
	Balqa	104784	97761	202545	6.65
	Zarqa	225533	213452	438985	14.41
	Madaba	35676	33920	69596	2.28
	Irbid	292949	272560	565509	18.56
	Ma'raq	78698	73319	152017	4.99
	Jerash	49095	46766	95861	3.15
	Ajloun	35349	33970	69319	2.28
	Karak	55101	61894	116995	3.84
	Tafeeleh	21804	21643	43447	1.43
	Ma'an	32574	29441	62015	2.04
	Aqaba	36061	27803	63864	2.10
Total		1569184	1477745	3046929	100.00

Number of juveniles (7-18) per governorate

The table below shows the number of juveniles distributed all over the governorates of Jordan within the age group of (7-18) - the age that is subject to the enforced Juvenile Law. The total number of juveniles by the end of 2012 had reached (1,884,061) juvenile constituting (61.8%) of the total child population in Jordan.

Table (3) No. of Juveniles (7-18) per governorate ¹⁸

Age Group	Governorate	Males	Females	Total(No.)	%
(7-18) Years	Amman (Capital)	372870	350232	723102	38.38
	Balqa	62712	58589	121301	6.44
	Zarqa	137947	130766	268713	14.26
	Madaba	22073	20965	43038	2.28
	Irbid	183342	170857	354199	18.80
	Ma'raq	49119	46022	95141	5.05
	Jerash	29997	28605	58602	3.11
	Ajloun	22280	21359	43639	2.32
	Karak	33588	37372	70960	3.77
	Tafeeleh	13607	13292	26899	1.43
	Ma'an	20529	18322	38851	2.06
	Aqaba	22401	17215	39616	2.10
Total		970465	913596	1884061	100.00

¹⁷ Source: Department of Statistics, Jordan.¹⁸ Source: Department of Statistics, Jordan.**2-Jordan's Progress on the CRC**

In accordance with article 44 of the CRC, the Government of the Hashemite Kingdom of Jordan (GoJ) submitted in August 2012 its combined fourth and fifth periodic report to the Committee on the Rights of the Child covering the period between 2005-2011. The report contained comprehensive information on the measures and procedures that the Government had taken, including the changes that it had made to national legislation and the policies, programs and strategies that had been established to implement the Convention.¹⁹

Reading the report will demonstrate the in numerous accomplishments made by Jordan in this field, not all will be mentioned unfortunately. Nevertheless, for the purposes of this report, the progress achieved in the following areas will be detailed below:

- **Child-friendly Budgeting:** A number of administrative and financial measures and procedures were undertaken that helped facilitate and lay the foundation for a child-friendly Budget framework. The framework took account of all elements relating to this field by setting performance indicators for strategic goals for each ministry, department and program. It also took into consideration all elements related to child's needs and rights that were found in the information regarding ministries, their departments and the services that they provide. Accordingly, all allocations that are responsive to children's needs and rights found in the ministries or governmental departments' budgets were accounted for starting from 2012 budgets. The report gave an account of Jordan's accomplishment regarding Child-friendly Budget project and the preparation of the 2009 CBA which is the first of its kind in the Arab region. As previously stated, the CBA aims is to provide a database for the ongoing tracking of child budgeting in Jordan, by analyzing national legislation, policies and action plans and child budgets that are linked to children's rights in four areas (health, education, social development and work). The database can be used to mobilize support to give effect to these rights. The CBA also showed expenditure patterns in Jordan for the government ministries under study which were as follows:²⁰

Percentage of the national budget	2008 Estimated	2009 Budget	2010 Budget	2011 Budget
Health	6.7	7.3	8.0	8.3
Education	7.9	8.9	8.8	8.7
Social development	1.5	1.9	1.9	1.9
Work	0.26	0.32	0.29	0.28

Percentage of Ministry budget allocated for children	2008 Estimated	2009 Budget	2010 Budget	2011 Budget
Health	36.4	37.1	36.4	36.8
Education	93.1	93.3	93.1	93.4
Family, welfare and persons with disabilities	12.5	10.3	13.4	14.6
Work	9.9	9.9	10.5	10.1

Poverty: Jordan has met the development goal of halving the proportion of population that suffers from hunger by 2015. The number of people living in extreme poverty fell from 32,000 to 15,000 between 2006 and 2008 which is ahead of the established deadline. Although the developmental goal has been achieved overall, the impact of the global economic and financial crisis will make the maintenance of the attained gains difficult, notably as a large proportion of Jordanian households with many children are living close to the poverty line and are likely to slip below it. According to the latest figures from the Department of Statistics, the poverty ratio has reached 14.4% as opposed to 13.3% in 2008.

¹⁹ Combined 4th and 5th periodic reports on CRC and Jordan's reply to the concluding observations of the Committee on the Rights of the Child to the third periodic report. August, 2012 UN.²⁰ Source: Child Budget Analysis Jordan 2009.



On the subject of national poverty eradication program, the Ministry of Social Development and Labor is implementing the "Community Development and Poverty Eradication Program" which focuses on the living standards of individuals, households and communities. The objective of the program is to invest in the human and financial resources available in these communities, enhance voluntary work – charities and community development centers – establish an infrastructure that will help to eliminate poverty by providing financing for productive family projects, credit funds and production enterprises, and support charities to enable them to meet their goals. Jordan has adopted socio-economic policies to combat extreme poverty and hunger with the following objectives:

- Establishment of a comprehensive and effective social safety network for the poor;
- Empowerment of the poor economically, creation of a sustainable local economies for impoverished people and poverty pockets, and increase public participation in related programs;
- Provision of social welfare services in line with international best practices, and strengthen the role of civil society organizations in the delivery of services;
- Effective engagement of the governmental and non-governmental sectors in efforts to empower persons with disabilities, provide them with suitable services and maintain the quality of those services;
- Improvement of mechanisms for targeting the beneficiaries of poverty eradication and social welfare program and projects.

The afore mentioned procedures will most likely contribute to combating child poverty in Jordan particularly in pocket areas.

Juvenile Justice: In this regard, a number of administrative and judicial procedures have been lately introduced to regular courts. To illustrate further, special family sections have been established in courts to deal with domestic violence cases. Legal provisions now allow a public prosecutor or a court –based on a legal argument- to use modern technology to protect witnesses who have not completed 18 years of age when they are giving their testimony, provided that the opposing side may also be allowed to use the same technology to cross-examine the witness during the proceedings. The testimony given in this way is deemed admissible evidence. The purpose of these procedures is to preserve confidentiality and to shield children from unwanted intrusion and confrontation with the accused, in pursuant of article 158 of the Code of Criminal Procedures.

Furthermore, a curriculum that addresses the issue of young people and domestic violence, particularly that directed against children, was included in the Judicial Institute’s syllabus so that account would be taken of the best interests of the child. The Judicial Council has carried out juvenile justice reform projects that introduce new measures relating to restorative justice and alternatives to custodial penalties that are in the best interests of children. Judges have participated in all the committees that review draft laws, particularly those concerning children. With particular focus on the introduction of new concepts that serve the best interests of the child

On a similar note, a Juvenile Police Department was established in 2011 and began its work in early 2012. The department’s mission is to provide best services to juveniles in conflict with the law and children in need of protection and care; to help them to escape from delinquency; to facilitate their participation in rehabilitation and social reintegration programs; and to prevent young people who are at risk of delinquency from developing a criminal behavior. The Department was established pursuant to the Jordanian Juveniles Act of 1968, as amended, and the Juveniles Law of 2011.

In keeping with the best interests of the child, the Ministry of Justice has retrofitted during 2013 specialized juvenile testimony rooms in first instance courts and the grand criminal court, with closed circuit television systems (CCTV) in 13 of them. An additional testimony room was also prepared in the Judicial Training Institute supervised by the Ministry of Justice to train and qualify judges for the use of the new technology. Furthermore, a procedural manual was developed for children and their parents and another for social workers. The objective of the latter is to introduce social workers to the technology and its legal basis and ways to familiarize the children with the concepts and components of the courtroom as well as the procedures of their testimony via this technology.

Finally, a new Juvenile draft law has been devised and is currently due to be reviewed and adopted.

Following the submission of the report mentioned earlier, work continues towards the fulfillment of child rights. Within the context of this report, the NCFA and the UNICEF have been paying increasing attention to adolescents given the sensitive stage they are passing through. As such, under the support of NCFA and in pursuit of providing a better life for them, a team of adolescent boys and girls prepared in 2012 Jordan’s initial Children’s Report/Team IhnaMa’kum which shadowed their opinions, experiences and points of view on matters concerning them. The report made observation on the current situation pertaining to legislation, programs and services afforded to children. It is the first of its kind as it demonstrates the team’s interest in the CRC and its desire



to raise the awareness of their peers towards the convention. It also displays the team’s efforts in gaining the support of official bodies through field trips to various ministries and institutions concerned with child rights.

The NCFA also plans to review and analyze the strategic alignment of the Judiciary with international standards and treaties related to juveniles. Its main objective is to formulate a national strategy for juveniles that includes therein an executive action plan for institutions concerned with juveniles to enhance better treatment of this category of children in conformity with child rights agreements and international norms and standards related to this matter.

3-Developments in the General Budget Law and Child-Friendly Budgets

In 2011, the General Budget Department (GBD) incorporated a Child-Friendly Budget approach in its budget. The new approach included the introduction of new budget formats in order to track and display financial child allocations for the different programs by chapter in the general budget for 2012. To that end, the department:

- Reviewed, analyzed and modified the strategic plans, programs, activities and performance indicators for four pioneer ministries which are: Ministries of Health, Education, Labor and Social Development with the aim of providing recommendations on how to flag child allocations within their budgets;
- Developed up-to-date child budget formats and conducted training workshops attended by concerned staff from the (GBD) and the pioneer ministries on the execution of the new formats;
- Organized a guided explanatory tour for concerned individuals in the Department to the state of South Africa to build upon their experience in Result-Oriented Budgeting (ROB) and child budgeting;
- Assessed, in collaboration with the UNICEF, the progress made on budget preparation and the extent to which targeted results have been met.

Apart from that, the GBD signed a cooperation agreement with UNICEF regarding child-friendly budgeting which is hoped to enhance efforts geared towards safe guarding child rights through the assessment of policies and plans related to these rights; the identification of the amount of resources allocated by the government to programs and activities related to children; and the following up of ministries’ commitment to child rights particularly in the areas of health, education and social protection.

Regarding their efforts in deepening the implementation of the ROB, the Department started the classification of current expenditure programs at the activity level in the 2011 General Budget Law and the review of strategic and program goals and performance indicators for ministries and governmental departments listed in the General Budget Law, in cooperation with the Fiscal Reform II Project team. Despite progress, much remains to be done due to weak performance indicators currently adopted in several ministries including the MoAIA and the MoJ (the focus of the report), and also due to failure to complete the classification of activities within the current expenditure program in these two ministries.

In addition, the GBD has worked to enhance and consolidate the child-friendly budget methodology in cooperation with a number of ministries that qualified according to the methodology. The table below outlines the ministries involved and the percentage of the financial allocations for the child in their budgets based on the General Budget Law for the year 2013.

Child allocations % Ministry Budget	2011	2012	2013	2014	2015
Ministry of Finance	0.0010	0.0088	0.0089	0.0083	0.0081
Ministry of Planning	0.70	0.35	0.37	0.28	0
Ministry of Education	99.92	99.93	99.94	99.94	99.94
Ministry of Health	35.05	29.84	35.05	35.41	32.57
Ministry of Social Development	38.11	41.43	40.19	40.43	40.47
Ministry of Labor	6.20	7.02	6.43	6.03	5.94
Ministry of Culture	3.45	6.08	5.46	6.99	7.10

Source: General Budget Law 2013, table (22)

All things considered, the current report devoted to the analysis of child budgets of the Ministries of Awqaf and Islamic affairs and Justice is a new milestone to be added to the accomplishments made by the child-friendly ministries mentioned above.



4-The Ministry of Awqaf and Islamic Affairs

4-1 The realization of child's right to enjoy a dignified life and care

Islam has honored the child and has guaranteed him or her a lot of rights that are meant to secure a decent life and care for the child and family and make the best interests of the child its top priority. Those rights are to a great extent in line with rights set forth in the CRC.

Despite the Hashemite Kingdom of Jordan's ratification of the Convention in September 2006, it expressed some reservation on Article(14) related to a child's right to freedom of thought, conscience and religion, and Articles (20, 21) concerning adoption. It has also reaffirmed, in the fourth and fifth periodic reports submitted to the Committee on the Rights of the Child, in accordance with Article (44) of the Convention on August 16th 2012, that the reservations do not detract from the rights of Jordanian children, as the matters addressed in the above articles are also covered by Jordanian law, first and foremost the Constitution. The report gave the following justifications:²¹

- The Constitution of Jordan establishes the right to freedom of thought, conscience and worship. The fact that children are prohibited from changing their religion is a form of protection that the law provides to safeguard children's religious rights.
- The reservation to the provision on adoption still stands, but with confirmation that children retain the right to benefit from alternative family care under the Islamic system of kafalah and fostering arrangements established in accordance with Sharia. The rules and regulations on fostering and kafalah are intended to protect children to the fullest degree possible.

Within this part of this report, the CBA needs to question whether the state has allocated adequate resources for the provision of decent life and care for the child and whether they were optimally utilized in areas including: guidance; counselling; deepening of religious awareness.

developing a child's own cultural identity, language and values; enhancing the national values of his own country; and providing in-kind and financial assistance for needy households and orphan children. Although some ministries and institutions have contributed to the provision of such services some way or another, this report only investigates the role undertaken by the MoAIA within its mandate, either through its direct budget or through other channels of Islamic social cooperation such as the Islamic system of Kafalah which is mainly funded by donations of benefactors and Zakat payers.

The analysis aims to take stock of the role of the Ministry as a service provider on the one hand and as a facilitator and promoter on the other hand, and then make the required comparisons of both cases in order to give a full account of the role played by the Ministry in the realisation of children's rights including refugees.

²¹ Combined 4th and 5th periodic reports on CRC and Jordan's reply to the concluding observations of the Committee on the Rights of the Child to the third periodic report. August, 2012 UN.



4-2 The rights to decent life and care enshrined in the CRC

In all its provisions, the CRC is by itself an advocate of the best interests of the child. It is eager to secure a decent life and care for the child with relation to health, education, social life or culture, and to provide protection against all kinds of exploitation. For the purposes of this report, focus will be given to those rights which intersect and interlock with the goals and activities of the Ministry of Awqaf and Islamic Affairs.

The table below illustrates the rights enshrined in the Convention which feeds directly into securing a decent life for the child; enhancing his or her social, spiritual and moral wellbeing; protecting him or her against all kinds of violence and exploitation; and offering oriented education:

The Right from the CRC	Specific CRC Aspect
Article (1/3) In all actions concerning children, whether undertaken by public or private social welfare institutions, the best interests of the child shall be a primary consideration.	All administrative measures should be undertaken to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her.
Article (17) Child's right to the promotion of his or her social, spiritual and moral well-being and physical and mental health by the mass media which shall ensure that the child has access to information and material from a diversity of national and international sources	<ul style="list-style-type: none"> ● Encourage the mass media to disseminate information and material of social and cultural benefit to the child. ● Encourage the production and dissemination of children's books. ● Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being
Article (19) To take all appropriate social and educational measures to protect the child from all forms of violence and exploitation.	Measures should include effective procedures for the establishment of social programs to provide necessary support for the child and for those who have the care of the child.
Article (23) The right of the disabled child to special care and assistance.	Consideration of the financial resources of the parents or others caring for the child
Article (2/26) The entitlement of the child or persons responsible for the maintenance of the child to benefits.	The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.



The Right from the CRC	Specific CRC Aspect
Article (3/27) Take appropriate measures to assist parents and others responsible for the child and shall in case of need provide material assistance and support programs.	Provision of material assistance and support programs particularly with regard to nutrition, clothing and housing.
Article (29) States Parties agree that the education of the child shall be directed.	<ul style="list-style-type: none"> The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance.
Article (31) The right of the child to participate fully in cultural life and recreational and leisure activity.	The provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.
Article (33) take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances.	
Rights of vulnerable groups	
Article (22) Provision of appropriate protection and humanitarian assistance for a child refugee.	Provision of assistance to a child refugee whether unaccompanied or accompanied by his or her parents or by any other person.

4-3 Legal and constitutional framework for human welfare consistent with Islamic Shariah

4-3.1 Religious and civic rights in the area of human welfare of the child

Quran is the constitutional and religious source for child rights in Islam. A great number of verses urge people to care for the children from the minute they are conceived until their coming of age. For more details on this matter check the two references below.²²

As for the civic constitution of Jordan, article 6 (5) holds the government responsible for the protection of motherhood, childhood and the old-aged and the protection of youngsters and those with disabilities against abuse and exploitation.²³ As such, the Jordanian legislator added this article within the amendments that were introduced to the constitution in 2011 to be in line with the new changes at the national and international levels.

4-3-2 International agreements and treaties signed by Jordan with relation to human welfare for children

Universal Declaration of Human Rights

Article 25(2): (2) childhood is entitled to special care and assistance. All children shall enjoy the same social protection.

Article 26(2): Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations.

International Covenant on Civil and Political Rights – Article (24)

This covenant under scores a child's right to be registered immediately after birth and be given a name.

Convention on the Rights of People with Disabilities

Article 7 (1): The full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

Article 7 (3): children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

Article 18 (2): Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

Article 23(3): Children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.

4-3.3 National Plan of Action for Children (2004-2013)

- The second component aims to develop a child's capabilities through directed education; enhance his cultural knowledge; recognize his right to play, recreation and participation in social and political life; and educate and raise the awareness of parents on early childhood development.
- The third component aims to protect children in difficult circumstances. The role of the MoAIA is manifested in providing proper care for children deprived of parental care and empowering the disadvantaged households financially. The Ministry's role is also demonstrated through the Islamic orphan sponsorship system Kafalhand awareness-raising of children and families through the mosques and the Islamic centres managed by the Ministry on the dangers of drugs, narcotics, abuse and exploitation. It is through this particular goal that the Ministry can play its pivotal role by focusing on young adolescents .

²² D. Mahmoud Al-Rashdan and ObeidahFaris, "Guide for Mosque Preachers on Early Childhood Development", Ministry of Awqaf and Islamic Affairs, UNICEF, Family protection Project, 2005.

UNICEF and Al-Azhar University, International Islamic Center for the Population Studies and Research, "Children in Islam, their care, development and protection", 2005.

²³ The Constitution of Jordan and its amendments 2011.



4-3.4 legal framework for decent well-being of the child under the jurisdiction of the Ministry of Awqaf and Islamic Affairs

Although legal frameworks concerned with the provision of a dignified care for the child in Jordan are manifold and shared by various bodies including the Ministries of Social Development and Justice and governmental and civil society institutions, the report's focal point is the legal framework that falls under the mandate of the MoAIA.

The Law of the Ministry of Awqaf and Islamic Affairs No.(32) for the Year 2001 and its related provisions is the primary legal framework that govern the execution of the Ministry's functions and activities.

Special note should be made here to the particular nature of the laws governing the functions and activities of the Ministry, as some of them are of an Islamic character such as the regulations pertinent to Zakat Fund. For the purposes of this report, a comparison is made between two kinds of legislation within the legal framework of the Ministry:

- Regulatory, financial and administrative legislation governing functions and services of the Ministry, including their state allocations listed in the Government Units' Budgets Law, which are geared towards the fulfilment of child rights such as Shari'a teaching, preaching and guidance seminars and children summer clubs. Accordingly, the Ministry is considered a service provider.
- Legislation that are connected with Islamic Sharia'h and are of an Islamic nature which govern the disbursement of in-kind and cash donations made by benefactors and Zakat payers. These donations embodying the principle of cooperation (Takaful) which is consistent with Islamic Shari'a make an outstanding contribution to the realization of many child rights. Accordingly, the Ministry is considered an organizer and promoter of services that include development of Awqaf funds, Kafalh for orphans, in-kind and cash donations delivered to Zakat Fund for disadvantaged households covering a wide segment of children.

As a measure of comprehensiveness, and to highlight the role of the Ministry from an Islamic perspective and as a government body, all Ministry-related legislation will be displayed and linked to child rights. Moreover, comparisons will be held later on between child-oriented allocations within the government budget assigned to the Ministry on the one hand, and the estimated expenditure being disbursed for the benefit of children through the different instruments of Islamic social cooperation (Takaful), on the other hand.

Zakat Fund: It is a financially and administratively independent entity established under Law No.(8) for the year 1988 and run by a board of directors headed by the Minister of Awqaf and Islamic Affairs with the membership of the Ministry Secretary-general, the Grand Mufti, Fund Director, in addition to representatives of the Ministries of Finance and Social Development and five members representing the private sector known for their concern with Islamic affairs. The Fund aims to raise the awareness of citizens and urge them to perform the duty of Zakat, assist disadvantaged persons and households with in-kind and financial aid depending on their social status, increase aid, support productive projects with a view to create work opportunities in poverty-stricken areas and expand their assistance base. The end goal is to combat poverty and unemployment to enable poor under privileged households to lead a decent life. It is worth noting that the proportion of expenditure on Children beneficiaries, be they in the shape of family assistance, orphan Kafalh program, school bags or other activities performed by the fund, reached roughly 68%²⁴ of the total cash disbursed by the Fund throughout the kingdom in 2012.

The below table illustrates aspects of intersection and correspondence between the rights set forth in the CRC and the legislation governing the functions of the Ministry including those that are in line with the Shari'a rules and teachings which are procedurally executed through the Ministry or the Fund.

²⁴ Zakat Fund data, Financial Department.



Linking Rights to Legislation

Right	Law/Bylaw/Regulations	Areas Covered
Article (1/3) In all actions concerning children, whether undertaken by public or private social welfare institutions, the best interests of the child shall be a primary consideration.	Awqaf and Islamic Affairs Law No. (32) for the year 2001: Articles (3/d), (7/a/6), (21 and 22).	The term "awqaf and Islamic affairs" includes: 3/d: Affairs of Shari'ah institutes and schools and orphan centers that are financed by the Ministry. 7/a/6: The Board of Awqaf and Islamic Affairs shall assume the following jurisdictions: Approval of the establishment of Shari'ah institutes and schools and delegating the Ministry to establish Shari'ah institutes and schools and professional and academic orphan centers to be under its supervision, and to determine the appropriate fees, study expenses and exemption conditions for the previously mentioned, in conformity with the governing rules and regulations. (21) and (22): Monitoring of family waqf administrators (Mutawalli) and supervising, managing, utilizing and distributing revenues of family waqf on beneficiaries.
	Law No. (7) for the year 1986, pertaining to preaching and guidance, sermons and teaching in mosques: Articles (3), (4), and (6)	The preacher in a mosque shall abide by wise and appropriate preaching. Preachers should be trained and qualified to be able to perform their duty of da'wa and spread the word of Islam. A policy is devised for preaching, guidance, sermon delivery and teaching in mosques to clear the air of any disagreements, disputes or disorder.



Right	Law/Bylaw/Regulations	Areas Covered
	Awqaf and Islamic Affairs Bylaw No. (142) for the year 1966: Article (12)	Monitoring and mentoring of preachers, imams and teachers. Organizing training and orientation courses and sessions for preaching and guidance staff, imams and teachers.
Article (17) Rights of the child to access information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health, and the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being.	Awqaf and Islamic Affairs Law No. (32) for the year 2001: Articles: (3/b), (5/e/f)	The term "awqaf and Islamic affairs" includes: (3/b): Matters of Islamic da'wa, preaching and guidance. The Ministry aims to achieve the following, including: (5/e): disseminate Islamic knowledge and culture, preserve Islamic heritage and highlight the role of Islamic civilization in the advancement of human kind; (5/f) give due attention to matters pertaining to Islamic da'wa and guidance and familiarize Muslims with the laws of Islam and private and public aspects of their lives; (7/a/2): organize preaching, guidance, sermon delivery and teaching in mosques.
	Mosques and Quran Centers Bylaw No. (95) for the year 2004: Article: (35).	Organizing courses on Quran reciting, tajweed and memorizing. Organizing competitions with incentive awards for memorizing and reciting. Organizing lectures, seminars and cultural exhibitions. Organizing religious, scientific and cultural trips and visits to Islamic and historic sites.



Right	Law/Bylaw/Regulations	Areas Covered
		Participating in charitable voluntary work including environment and community service.
	Mosques and Quran Centers Bylaw No. (95) for the year 2004: Article: (45)	Opening summer Quran centers for teaching and memorizing Quran for males and females and providing awards for excellence.
	Awqaf and Islamic Affairs Bylaw No. (142) for the year 1966: Article (12)	Monitoring and guiding preachers, imams and teachers. Supervising publications of the Department of Preaching and Guidance in the form of magazines, brochures and data related to Islamic da'wa. Organizing training and orientation courses and sessions for Preaching and Guidance personnel, preachers, imams and teachers.
Article (19) A child's right to protection from all forms of violence and exploitation.	Law No. (7) for the year 1986, pertaining to preaching and guidance, sermons and teaching in mosques: Articles (3), (4), and (6)	The preacher in a mosque shall abide by wise and appropriate preaching. Preachers should be trained and qualified to be able to perform their duty of da'wa and spread the word of Islam. A policy is devised for preaching, guidance, sermon delivery and teaching in mosques to clear the air of any disagreements, disputes or disorder.
Article (22) Provision of appropriate protection and humanitarian	Zakat Fund law No. (8) for the year 1988:	Revenues of the Fund shall be paid to the following established Zakat deserving categories :



Right	Law/Bylaw/Regulations	Areas Covered
assistance for a child refugee.	Article (8)	The needy aliens.
	The Administrative Bylaw for Zakat Fund No. (18) for the year 1997: Article: (3/e)	The fund shall assume the responsibility of collecting and distributing Zakat to its established Zakat deserving categories or aspects, including : Contributing in providing assistance to the needy whether orphans or aliens.
Article (23) The right of the disabled child to special care and assistance while taking into account the financial resources of the parents.	Zakat Fund law No. (8) for the year 1988: Article (8)	Revenues of the Fund shall be paid to the following established Zakat deserving categories, including : orphans, poor persons with disabilities and their care-giving institution.
	The Administrative Bylaw for Zakat Fund No. (18) for the year 1997: Article: (3/d)	The fund shall assume the responsibility of collecting and distributing Zakat to its established Zakat deserving categories or aspects, including : Establishment of rehabilitation centers for the disabled, the sick, the distressed and the needy according to availability.
	Charitable waqfprogram Bylaw No. (83) for the year 2005: Articles: (7) and (9)	Provision of health care and assistance to poor persons with special needs in coordination with the Zakat Fund.
Article (2/26) The provision of benefits for the child and those	Zakat Fund law No. (8) for the year 1988:	Revenues of the Fund shall be paid to the following established Zakat deserving categories :



Right	Law/Bylaw/Regulations	Areas Covered
persons responsible for the his or her maintenance.	Article (8)	The poor, needy, orphans, poor persons with disabilities and their care-giving institution and poor patients and the care-giving institutions.
	The Administrative Bylaw for Zakat Fund No. (18) for the year 1997: Articles: (3/c, e, f)	The fund shall assume the responsibility of collecting and distributing Zakat to its established Zakat deserving categories or aspects, including : Contributing to the establishment of rehabilitation projects for poor households, helping the poor orphans and providing monthly assistance to poor households.
	Charitable waqfprogram Bylaw No. (83) for the year 2005: Articles: (7) (8) and (9)	Contributing to the treatment of the poor and the provision of assisting medical tools. Contributing to the teaching of the poor in schools and providing funds for the Ministry-supervised Shari'ah schools. Providing in-kind and cash assistance to the needy. Qualifying the poor and the needy to enable them secure a decent source of income. Providing sponsorship and care for poor orphans.
	Financial and Administrative instructions for orphan sponsorship program	Terms for orphan sponsorship.



Right	Law/Bylaw/Regulations	Areas Covered
	(Kafalah) for the year 1997: Article: (3, 6 and 7)	
Article (3/27) The provision of material assistance and support programs for parents with regard to nutrition, clothing and housing.	Zakat Fund law No. (8) for the year 1988: Article (8)	Revenues of the Fund shall be paid to the following established Zakat deserving categories, including : The poor, needy, orphans, poor persons with disabilities and poor patients
	The Administrative Bylaw for Zakat Fund No. (18) for the year 1997: Articles: (3/c, e and f)	The fund shall assume the responsibility of collecting and distributing Zakat to its established Zakat deserving categories or aspects, including : Contributing to the establishment of rehabilitation projects for poor households, helping the poor orphans and providing monthly assistance to poor households.
	Qualification of productive families Instructions/ Zakat Fund No. (4) and its amendments for the year 2003: Article: (3/a)	Securing a poor household with a rehabilitation project to enable it to become productive and self-dependent and achieve a decent livelihood that is consistent with the families' physical and mental capabilities and the surrounding environment.
Article (29) States Parties agree that the education of the child shall be directed.	Awqaf and Islamic Affairs Law No. (32) for the year 2001: Articles: (3/c and d), (7/a/6)	The term "awqaf and Islamic affairs" includes: 3/c : Affairs of the Quran, Islamic centers, Quran and Hadith centers. and schools and orphan centers 3/d: Affairs of Shari'ah institutes and schools and orphan



Right	Law/Bylaw/Regulations	Areas Covered
		centers that are financed by the Ministry. 7/a/6: The Board of Awqaf and Islamic Affairs shall assume the following jurisdictions: Approval of the establishment of Shari'ah institutes and schools and delegating the Ministry to establish Shari'ah institutes and schools and professional and academic orphan centers to be under its supervision.
	Awqaf and Islamic Affairs Bylaw No. (142) for the year 1966: Article (12)	Monitoring and mentoring preachers, imams and teachers. Organizing training and orientation courses and sessions for preaching and guidance staff, imams and teachers.
	Da'wa Fund Bylaw No. (82) for the year 2005: Article: (10)	Teaching males and females in mosques.
Article (31)The right of the child to participate in cultural life.	Regulation of Quran Memorizing Incentive Awards (The Hashemite Competition) and its amendments No. (4) for the year 2005: Article (4)	Encouraging Muslims, males and females) to place an interest in the Quran by reciting, memorizing and interpreting it and deepening their spirit of competitiveness. Encouraging the youth to abide by Quarn and Hadith in their behavior.
	Mosques and Quran Centers Bylaw No. (95) for the year 2004: Article: (45)	Organizing courses on Quran reciting, tajweed and memorizing. Organizing competitions with incentive awards for memorizing and reciting.



Right	Law/Bylaw/Regulations	Areas Covered
		Organizing lectures, seminars and cultural exhibitions. Organizing religious, scientific and cultural trips and visits to Islamic and historic sites. Participating in charitable voluntary work including environment and community service.
	Mosques and Quran Centers Bylaw No. (95) for the year 2004: Article: (45)	Opening summer Quran centers for teaching and memorizing Quran for males and females and providing awards for excellence.
Article (33) The protection of children from the illicit use of narcotic drugs and psychotropic substances.	Law No. (7) for the year 1986, pertaining to preaching and guidance, sermons and teaching in mosques: Articles (3), (4), and (6)	The preacher in a mosque shall abide by wise and appropriate preaching. Preachers should be trained and qualified to be able to perform their duty of da'wa and spread the word of Islam. A policy is devised for preaching, guidance, sermon delivery and teaching in mosques to clear the air of any disagreements, disputes or disorder.
	Awqaf and Islamic Affairs Bylaw No. (142) for the year 1966: Article (12)	Monitoring and mentoring preachers, imams and teachers. Organizing training and orientation courses and sessions for preaching and guidance staff, imams and teachers.

4-3.5 The Ministry of Awqaf and Islamic Affairs Strategy

Vision: Showing the real bright image of Islam and deepening the religious awareness in the spirits and strengthening and spreading the Islamic values.

Mission: Dealing with citizens, directing and nurturing their thought and soul; dealing with the land in terms of development, construction and investment; and dealing with society with a view of guidance, reform, promotion of virtue, prevention of vice and corruption and direction towards the best, guided through by a sound and informed Islamic discourse emanating from the Holy Quarn and Suna.

Strategic goal: Assisting needy individuals and families; providing financial and in-kind assistance; developing movable and immovable waqf funds and qualifying Imams, preachers.

4-4 Rights enshrined in the CRC, Ministry of Awqaf and Islamic Affairs' Budgets and programs

The child-oriented expenditure pattern of the Ministry is distinct in terms of the roles undertaken by the Ministry, ranging from a service provider to organizer and promoter through the various instruments of Islamic Takaful. The financial analysis of the budget and expenditure of the Ministry has displayed three patterns of spending demonstrated as follows:

- Expenditure activities based on the Ministry's appropriations included in the government budget.
- Expenditure activities based on donations by benefactors and Zakat payers.
- Expenditure activities based on Ministry budget and donations.

Although the child-oriented activities are not listed within the Budget programs of the Ministry, it actually fulfils ten child rights, which is more of a reason for the ministry to include child allocations within its future government budget and track child expenditures funded by the other Islamic sources within a financial framework of an Islamic nature and which is compliant with Shari'ah.

In a subsequent parts of this report, a display of the ministry programs that incorporate child-oriented activities will be given, in addition to a comparative analysis between the child allocations within the Ministry's state budget and the estimated expenditure disbursed for children through the different instruments of the Islamic social Takaful such as the Orphan Sponsorship Program (Kafalah) which is funded by the Zakat Fund.

The below table depicts the medium-term expenditure framework for the budget of the Ministry of Awqaf and Islamic Affairs for the years (2012-2015).

Ministry of Awqaf and Islamic affairs – JOD'000²⁵

	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
MoAIA Budget	43,926	51,279	54,954	56,551
MoAIA Budget % total country budget	%0.62	%0.69	%0.71	%0.71
Child allocations % MoAIA Budget	%24.5	%23.4	%24.3	%24.8

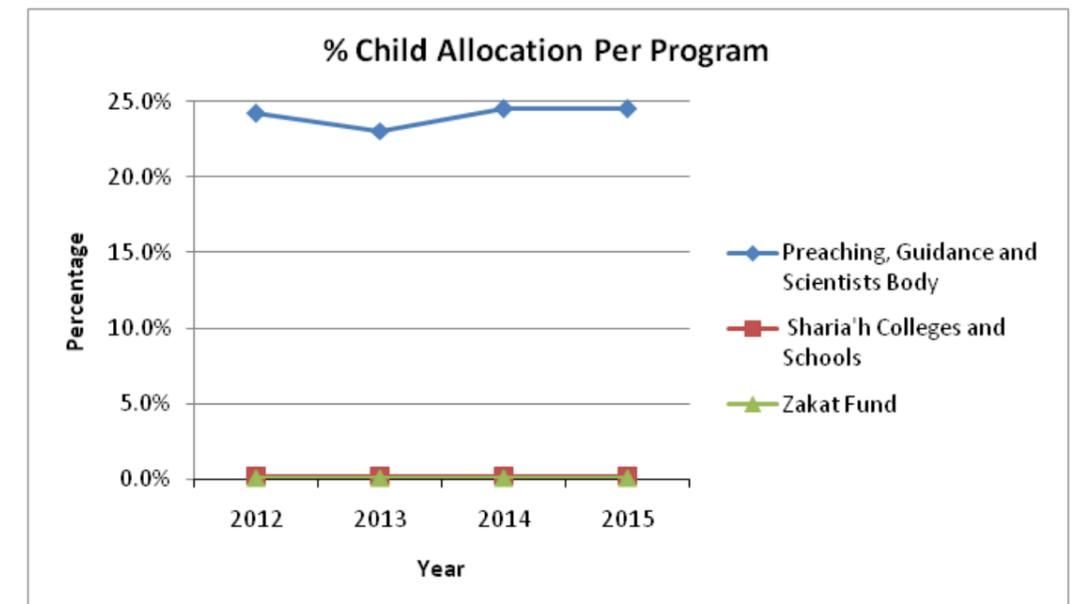
The share of the GoJ budget allocated to the Ministry of Awqaf and Islamic Affairs increased from 0.62% to 0.70% of the total state budget between 2012 and 2015. Despite of the apparent increase, it is still insufficient in view of the child rights being addressed by the Ministry and the Fund.

²⁵ Government Units Budget Law for the fiscal year 2013.

Child Allocation by Program as a % of Total Ministry Budget ²⁶

Program	Major CRC Rights	2012	2013	2014	2015
Preaching, Guidance and Scientists Body Program	<p>(3) the best interests of the child shall be a primary consideration.</p> <p>(17) the promotion of his or her social, spiritual and moral well-being and physical and mental health through the media.</p> <p>(19) taking all appropriate social and educational measures to protect the child from all forms of violence and exploitation.</p> <p>(31) The right of the child to participate fully in cultural life and recreational and leisure activity.</p> <p>(33) take all appropriate measures to protect children from the illicit use of narcotic drugs and psychotropic substances.</p>	%24.2	%23.1	%24.0	%24.5
Sharia'h Colleges and Schools Program	(29) States Parties agree that the education of the child shall be directed.	%0.2	%0.2	%0.2	%0.2
Zakat Fund (current expenditure funded through the Ministry budget)	<p>(23) The right of the disabled child to special care and assistance.</p> <p>(2/26) The entitlement of the child or persons responsible for the maintenance of the child to benefits.</p> <p>(3/27) Take appropriate measures to assist parents and others responsible for the child and shall in case of need provide material assistance and support programs.</p> <p>(22) Provision of appropriate protection and humanitarian assistance for a child refugee.</p>	%0.1	%0.1	o.%1	%0.1

The graph below depicts the percentage allocations to children of the three major programs in the MoAIA over the MTEF for the years (2012-2015)



The larger share of child expenditure of the Ministry is directed towards preaching and guidance, followed by Shari'ah schools and finally by Zakat Fund allocations funded by the Ministry budget. This fact underscores the role played by the Ministry through child-oriented guidance and preaching in the mosques, Quran centers and summer clubs in particular. Although percentage of allocations directed towards Shari'ah schools and Zakat Fund is low, it is actually attributed to the nature of the activities and services provided in these two areas. The Shari'ah schools are only four and they incorporate children from the seventh grade to the second secondary. As for Zakat Fund, it is funded from other sources (benefactors and Zakat payers) as it works according to Shari'ah laws.

4-4.1 Preaching, Guidance and Scientists Body Program

The program aims to implement Ministry policy with regard to preaching, guidance, assuming Imamah (leading people in prayers), giving sermons in mosques with wisdom and kind words, enhancing and strengthening Islamic morals, promoting and orienting Islamic activities towards creating a solid and harmonious society with all means possible. Program objectives can be met in different ways including by building ties between the local community and the mosque; conducting preaching and guidance programs; improving the level of Friday Prayer sermons; encouraging people to recite and work by Quran; conducting guided programs in Islamic cultural centers; observing and celebrating religious occasions; educating people on ordinances of Islam and raising the awareness of Muslims on the correct and lawful ways of dealing with the new changes in life while maintaining a balance between modernity and traditionalism. As for child-oriented objectives, a number of children activities are held as part of the program where they (boys and girls) join Quran and summer clubs to memorize Quran, or take part in the Hashemite Award for Memorizing Quran.

It is to be noted that the Ministry of Awqaf and Islamic Affairs had previously partnered with the UNICEF/Jordan and Family Protection Program in the preparation of the "Guide for Mosque Preachers on Early Childhood Development". The Ministry has again collaborated with the UNICEF through the Department of Preaching and Guidance to prepare training manuals on "Islam's stance on creating a safe and violence-free school environment" and "Towards a better understanding and communication with adolescents from an Islamic perspective".

²⁶ Government Units Budget Law for the fiscal year 2013, Financial department/ Ministry of Awqaf and Islamic Affairs.

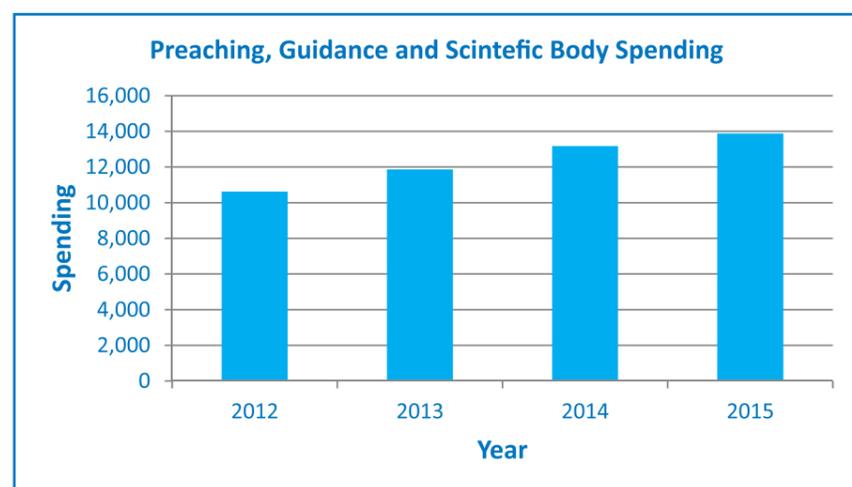


Child share in Preaching, Guidance and Scientists Bodies Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Program budget (Estimated Value) ²⁸	10,625	11,862	13,168	13,876
Nominal % growth		11.6	11.0	5.4
Real % growth		8.4	7.8	2.3

*As there are no records for mosque attendees, the percentage of child allocations in this program was calculated as %33. This percentage represents the proportion of child population within the age group (7-18) to the total population of the age group of (7 and above) taking into account that the most frequent visitors to the mosques and participators of activities that are carried out under this program belong to this age group.

Relevant individuals in the Ministry have indicated that, based on their own observation through Friday prayers, the percentage of children are around third of the mosque attendees.

Moreover, the population growth rate for the years 2014 and 2015 was taken into account by adding %1 for each year.



Preaching, Guidance and Scientific Body Program Indicators

Right from the CRC	Indicators	Target	1 st self evaluation	Target		
		2012	2012	2013	2014	2015
(3) the best interests of the child shall be a primary consideration.	% Imams to mosques					
(17) the promotion of the child's social, spiritual and moral well-being and physical and mental health through the media.						
(19) taking all appropriate social and educational measures to protect the child from all forms of violence and exploitation.						
(31) The right of the child to participate fully in cultural life and recreational and leisure activity.		%60	%50	%65	%70	%72
(33) take all appropriate measures to protect children from the illicit use of narcotic drugs and psychotropic substances.						

Although the Preaching and Guidance Program addresses five child rights, the only performance indicator used is the percentage of Imams to the number of mosques. Despite the vital role of the imam in a mosque and the wide range of people and children affected by preaching and guidance, it is observed that the target value for this indicator does not meet the desired outcome of including all mosques with this service. This confirms the shortage in the number of imams working for the Ministry at the time of the report.

Comparative Statistics on Preaching, Guidance and Scientists Body Program²⁹

Details	2011	2012
Female preachers	713	713
Imams	2432	2973
Preachers (Mosque orators) ³⁰	1057	1540
Mosques (working or under construction)	5595	5765
Cultural centers	32	32
Males	12	12
Females	20	20
Quran Centers	470	470
Males	136	136
Females	334	334

The above table shows that there is a shortage of imams and preachers compared to the number of mosques. It should be noted that in order to compensate for the shortage of imams, the Ministry seeks preachers from outside the Ministry to give sermons in the mosques.

Challenges to Preaching, Guidance and Scientists Body

- Insufficient Financial resources.
- Insufficient support for Imam and preacher training.
- Insufficient number of qualified imams and preachers.
- Mosque and centers maintenance.
- Enhancing public participation in the preaching and guidance process.
- Weak incentives for Ministry imams and preachers.
- Lack of facilities for people with disabilities in the mosques.

4-4.2 Colleges and Shari'ah Schools Program

The objective of the program rests on the preparation of orientation plans and formulation of policies pertaining to Shari'ah Education in Shari'ah schools and Quran centers administered by the Ministry. Shari'ah schools serve four governorates: Amman, Salt, Irbid and Karak. The number of students enrolled in these schools for the year 2012/2013 amounted to 833 students, noting that these schools are only for males from the 7th grade and up to second secondary.

On the other hand, the programs also aims to provide university scholarships to study Islamic Shariah.

²⁹ Source: Department of Statistics, Annual Statistical Year Book 2012, Jordan.

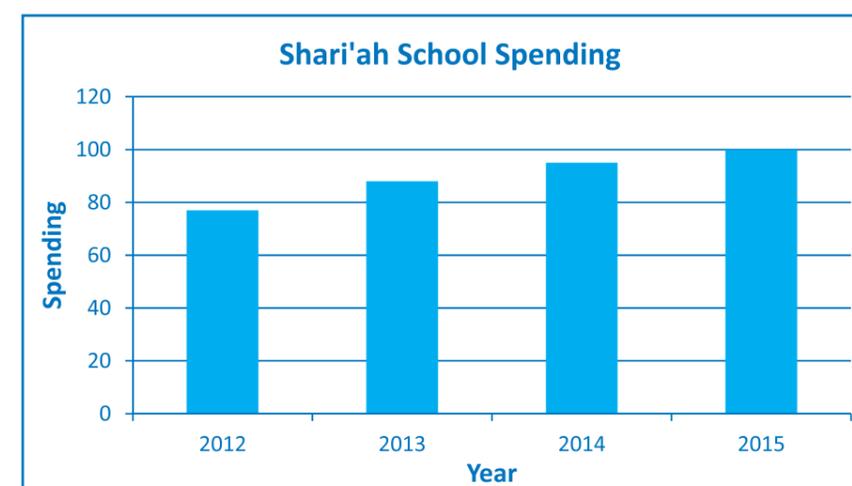
³⁰ Including preachers from outside the Ministry.

Children's Budget for Colleges and Shari'ah Schools Program -JOD '000 ³¹

Child Share of Shari'ah Colleges and Schools Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Program budget	77	88	95	100
Nominal% growth		14.3	8.0	5.3
Real % growth		10.4	5.9	1.1

Trends in Colleges and Shari'ah Schools Program Spending

The Child budget for Colleges and Shari'ah Schools Program increases by JOD (23) thousand from 2012 to 2015. The noted increase is relatively low over the medium term and barely covers the requirements needed for school activities in light of the shortage of teaching and administrative staff. The ministry is forced to seek other teachers and administrators from the Ministry of Education in order to compensate for the existing shortage; two thirds of the staff in these schools are seconded from Ministry of Education compared to a third from the Ministry itself.



Shari'ah Colleges and Schools Program Indicators

Right from the CRC	Indicators	Target 2012	1 st self evaluation 2012	Target		
				2013	2014	2015
(29) States Parties agree that the education of the child shall be directed.	Number of scholarships for Shari'ah Sciences students	26	20	20	31	32

³¹The General Budget Law 2013.

Although there are numerous activities within this program that cover a range of educational aspects directed towards children, one indicator is found which is connected to university students.

Statistical Insights on Shari'ah Schools under the Ministry of Awqaf³²

Governorate	No. school Staff	No. students for the school year 2013/2012
Amman	(6) MoAIA administrative staff	155
	(3) MoAIA teachers	
	(10) seconded MoE teachers	
Irbid	(3) MoAIA administrative staff	240
	(5) MoAIA teachers	
	(19) seconded MoE teachers	
Karak	(5) MoAIA administrative staff	75
	(2) MoAIA teachers	
	(8) seconded MoE teachers	
Salt	(7) MoAIA administrative staff	363
	(5) MoE administrative staff	
	(3) MoAIA teachers	
	(15) MoE seconded teachers	

The table above illustrates the extent of shortage in the Ministry Staff (teachers and administrators) which forces it to resort to seconded staff from the Ministry of Education.

Challenges to Colleges and Shari'ah Schools Program

- Insufficient Financial resources.
- Insufficient support for teacher training in Shari'ah schools.
- Maintenance expenses for Shari'ah schools.
- Shortage of teaching staff which calls for seeking teachers from the Ministry of Education.
- Insufficient incentives for schools teachers.

³² Source: Ministry of Awqaf and Islamic Affairs.

4-4.3 Zakat Fund Program

The program objective is to provide finances for the Fund to cover the current expenditure related to staff salaries, rents and logistics. The Fund, on the other hand, is entrusted with the management of Zakat money in a way that brings about religious awareness and social solidarity, the acceptance of Zakat, charities and donations both in-state and out-of-state and disbursing them through the established Sharia'h-compliant channels. The most prominent child activities arranged by the Fund are: the orphan sponsorship (kafal), the school bag, assistance for the child or his provider, and food and clothing coupons. At the national level, the objectives of the Fund are directed to combating poverty and unemployment by increasing work opportunities for disadvantaged households and funding rehabilitation projects designed to help the poor.

Child Budget from Zakat Fund Program- JOD '000³³

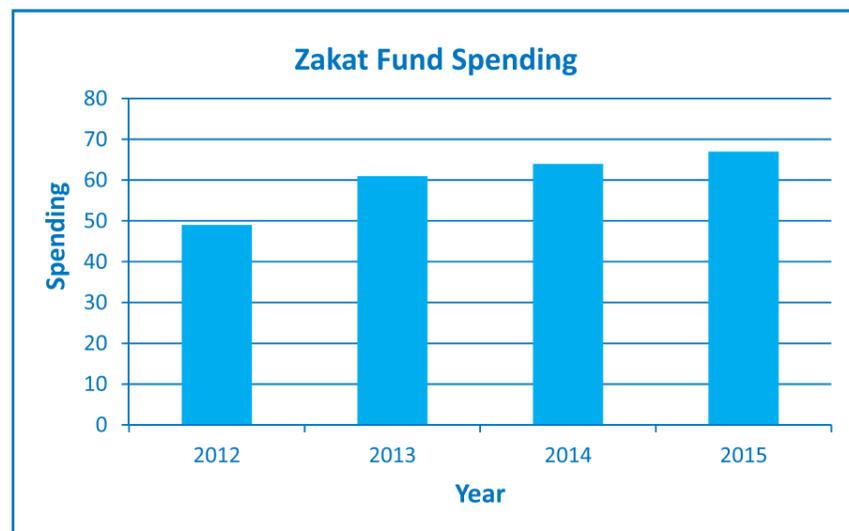
Child share of Zakat Fund Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Program budget (Estimated)	49	61	64	67
Nominal% growth		24.5	4.9	4.7
Real % growth		20.4	1.7	1.7
The Child share from the Zakat Fund Program was calculated as %68 based on Zakat Fund Data for the year 2012 which indicated that the amount of money disbursed to children from the fund were %68 of the total amount.				

Spending trends in Zakat Fund Program

Child allocations included in the Zakat Fund Program increases by JOD (18) thousand over the years from 2012 to 2015, which is quite low over the MTEF. These allocations reflect the Ministry's contribution towards children via the Zakat Fund program. They are mostly in the form of current expenditure represented in salaries, rent and logistics.

Note should be made here to the expenditure that is funded irregularly by benefactors and Zakat payers and that is directed to children, which reached around JOD(4,064,343) making up 68% of the total amount disbursed by the Fund. The weight of the child expenditure through the Fund in the Ministry government appropriations reaches (9.3%).

³³ Source: The General Budget Law 2012.



Zakat Fund Program Indicators

Right from the CRC	Indicators	Target 2012	1 st self evaluation 2012	Target		
				2013	2014	2015
(22) Provision of appropriate protection and humanitarian assistance for a child refugee. (23) The right of the disabled child to special care and assistance. (26) The entitlement of the child or persons responsible for the maintenance of the child to benefits. (27) Take appropriate measures to assist parents and others responsible for the child and shall in case of need provide material assistance and support programs.	Amount of money presented to orphans of targeted households	500,000	300,000	500,000	550,000	600,000

The performance indicator for the Zakat Fund Program fulfills four child rights which reflects Islam's role in the realization of those rights through the different instruments of Islamic social cooperation (Takaful).

Challenges to Zakat Fund Program

- Irregularity or randomness of donation receipt.
- Unpredictability of the Fund revenues.
- Lack of electronic linkage between strategic partners of the Fund to ensure that beneficiaries do not receive benefits from multiple channels or that they do not own property, cars or pensions.

4-5 Observations and Comments

4-5.1 Family Waqf

In certain cases, Ministry of Awqaf and Islamic Affairs provides irregular services that benefit under-age children (18 years). In such cases, the Ministry undertakes the responsibility of monitoring the performance of the administrator (mutawalli) of the family waqf (money of legal heirs), reporting any violations or negligence by the administrator to the court demanding that he or she is deposed and held accountable. Furthermore, upon the decision of the Shari'ah judge, the Ministry is allowed to supervise, manage, utilize and spend the revenues of the waqf on its beneficiaries either solely or jointly with the mutawalli. In such case, the Ministry takes a 10% share of the waqf revenues in exchange for the supervision and management if alone, and a 5% if it is working with the mutawalli.³⁴ The role of the Ministry in this case is preserving the orphans' money until they are 18. In doing so, the Ministry not only spends on children from its own budget, but also is a guardian of their own money and aims at investing and developing the money to their best interest and in compliance with Shari'ah. It is to be noted that the Ministry also plays an intermediary role by investing and developing charitable waqf according to the terms and conditions of the donor where, in some cases, is directed for the benefit of needy orphan children.

4-5.2 Early Childhood Development

Development of early childhood demands an integrated and comprehensive set of policies and programs that concentrate on the child from birth to eight years of age for the full growth and development of his or her abilities, capabilities and mental, psychological, social and physical readiness in a balanced manner that is consistent with his developmental age characteristics and with the culture and values of his family and society. As such, this kind of approach targets the children, care-givers and service providers to improve the level of societal services afforded to them, create an environment that is conducive to their growth and development and guarantee their right to growth, care, protection and participation.

The early childhood development programs implemented by the NCFA, in collaboration with the UNICEF and several institutions working in this field, is based on a participatory approach reflected by the Jordanian National Plan for Childhood (2004-2013). The Role of the MoAI is realized through the growth and development pillar by investing the religious platforms in furthering the values of good citizenship. The Ministry has prepared, in cooperation with the UNICEF/Jordan and Family Protection Project, the "Guide for Mosque Preachers on Early Childhood Development" with a view to encourage people to invest in the child in this particular age and enhance his or her skills by referring them to religious teachings that focus on the early childhood stage.

³⁴ In pursuant of Articles (21&22) of the Ministry of Awqaf and Islamic Affairs Law No.(32) for the year 2001.



4-5.3 Adolescents

Adolescence is a critical stage in human growth. Accordingly, adolescents should receive due interest and attention and should be given a free space to express themselves with confidence and ease. They long for someone who lends them an ear and talks to them without severe or unwanted interference. They need patience while talking to them to contain their anger and rebellion, and first and foremost they need a good example who they can look up to and imitate.

In this respect, the Ministry tries its best to effectively communicate with society young and old, men and women, through the preaching, guidance and scientist body program. Its guiding objective is to promote progress in all areas of life namely the educational aspect, which is profoundly pronounced in the Quran and the teachings of Mohammed, peace and blessings be upon him. These teachings show Islam's great interest in the positive communication with adolescents in a way that is consistent with special requirements pertinent to their physical, sexual, mental and socio-psychological growth.

Currently, the Ministry, in partnership with the UNICEF, is preparing a manual for preachers and imams designed to build a better understanding and communication with adolescents from an Islamic perspective.

4-5.4 Issues relating to the alleviation of extreme poverty of children

Jordan's Second National Millennium Development Goals Report 2010 highlighting the progress made in the achievement of the envisaged goals indicated that the first goal is achievable if certain measures are made.³⁵

This goal has stood out as a major challenge for the GoJ for a number of reasons. The most prominent are the impacts of the economic and financial global crisis, increased prices of basic commodities including oil and food and the influx of Syrian refugees who had reached (560,000) refugee by the end of 2013 of which 75%³⁶ are women and children. The Syrian refugees issue along with the poor achievement in full employment for Jordanians and the increased rates of unemployment have posed an additional burden on various sectors of the Jordanian economy which will cause more households to fall below poverty line.

In spite of government efforts to combat poverty and the findings of the report released in 2012 by the Department of Statistics on poverty in Jordan, based on the Household Expenditures and Income Survey for the year 2010, those efforts have not yet borne fruit. Although the National Agenda (2006) has included a goal of reducing poverty in Jordan in 2012 to (12%) and to (10%) by 2017, it is at standstill in light of the governments' sporadic efforts in combating poverty. According to the Department of Statistics, figures show that poverty pockets have risen from 22 in 2006 to 36 in 2010; poverty rates reached 14.4% compared to 13.3% in 2008, while poverty line is set at JD 68/month per capita. As poverty of children is an extension of the poverty of the family, practical measures should be urgently taken to combat this persistent phenomenon in Jordan.

In certain countries specially those poor ones in Africa and Latin America, what is called children observatories are considered a cornerstone for the monitoring and analysis of indicators pertaining to children, particularly child poverty indicators. Suffice to say that these observatories are the major driving element for the realization of child rights.

In that respect, Zakat Fund is the Islamic key supporting entity for combating poverty in Jordan. In accordance to Shari'ah laws and the principle of Islamic cooperation (Takaful), the Fund works as a promoter and organizer of the different channels of Zakat which is an obligatory duty imposed on the rich people for the sake of the poor. The Fund is entrusted with providing in-kind and cash assistance to poor households and children, providing monthly assistance to orphans including refugees, and most importantly supervising the orphan sponsorship program (Kafalah). Such aid is given in accordance with the Fund regulations and rules and field reports which follow on the status of poor families and orphans to determine if they qualify for assistance.

³⁵ Ministry of Planning and International Cooperation and UN working agencies in Jordan (2010) Second National Millennium Development Goals Report Jordan 2010

³⁶ The Economic Policy Development Forum, Discussion seminar on Syrian refugees in Jordan, Jan 5th 2014, Amman Jordan.



The percentage of child expenditure from the Fund reached 68% of the total proportion of money disbursed in Jordan for the year 2012.

On a similar note, other contributions of the Fund include donations made by benefactors on an irregular bases through the Ministry which help support disadvantaged families, humanitarian work, child care, and any other area upon the request of the donor.

4-5.5 Issues relating to governorate expenditure for the year 2012

Share allocations/Governorate

- Preaching, Guidance and Scientists Body Program: Across governorates, Amman receives the highest share reaching 12.5%, followed by Irbid and Zarqa with 10.3% and 9.4% respectively. Aqaba on the other hand came last reaching 4.2%. These findings can be attributed to Amman having the highest proportion of population 38.4% and the greatest number of mosques and Quran centers.
- Shari'ah Colleges and Schools Program: Allocations for Shari'ah schools are distributed evenly across the four governorates where the schools are located. As such, the share of the governorates of Amman, Irbid, Karak and Salt is 25% each.

Per capita share allocations ³⁷

Overall, allocations can be attributed to the population size for each governorate. Nevertheless, per capita expenditure is a more useful indicator. Figures shown below indicate great discrepancies in the per capita expenditure across governorates of Jordan which merits a closer look at the detailed tables within the Ministry annex to try to justify these discrepancies.

Per Capita Share JOD/Year

	Preaching and Guidance Services	Shari'ah Schools Services	
	Per capita spending	Per capita spending ³⁸	Student share (beneficiary) from real spending ³⁹
Highest	Tafeelah: 21,1	Karak: 1,25	Karak: 256,7
Average	9,8	0,56	128,5
Lowest	Amman: 1,8	Amman: 0,11	Baqa: 53,0

It is without a doubt that the population size of the governorate plays a key role in determining per capita share of allocations. Moreover, the fact that Shari'ah schools are restricted to four out of twelve governorates will surely affect the per capita actual expenditure compared to the estimated expenditure proportionate to governorate population. Discrepancies may also be explained as related to the social and religious factors prevailing in the governorate itself.

³⁷ All governorate population figures and budget allocations that these calculations are based on can be found in the attached Ministry Annex.

³⁸ Measured by child male population within the age group of (13-18) in the relevant governorates.

³⁹ Measured by actual numbers of students in Shari'ah schools.



Persons reviewed from the Ministry of Awqaf and Islamic Affairs

Name	Occupation
DrHamzahIbdah	Director/ Mosque affairs Directorate
DrZiad Abu Shariah	Director/ Sahria'h Education Directorate
DrGhalebAwad	Financial Director/Zakat Fund
KholoudAssaf	Head of Department of Orphans/ Zakat Fund
Hassan Krairah	Director/ Preaching and Guidance Directorate
ZaidanHmaidan	Assistant Director/ Preaching and Guidance Directorate
FarisFreihat	Legal Researcher/ Legal Affairs Directorate
Khaled Farawneh	Head of Budget Department
Hesham al-Hmadeen	Head of Private Administrator (Mutawalli) Department

Persons reviewed from the General Budget Department

Name	Occupation
Dr Mohammed al-Hazaymeh	General Manger/ General Budget Directorate (GBD)
Majdi al-Shuraiqy	Assistant General Manger/GBD
Khaled al-Wishahy	Ministry of Awqaf Budget Analyst/GBD



5-Ministry of Justice

5-1 Recognizing Child's Rights to Legal Protection and Criminal Justice

The CRC has reaffirmed that "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

Accordingly, the convention affirms the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society. The convention also stated that capital punishments and life imprisonment should not be imposed upon under-age persons and that every child deprived of his liberty shall have prompt access to legal and any other appropriate assistance.

Furthermore, in consideration for delinquents, the convention has set adequate safeguards and measures to be undertaken by states parties in dealing with this category of children starting from the early stage of their judicial proceedings till the provision of institutional care in a way that is proportionate both to their circumstances and offence.

The convention calls all state parties to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law.

On the other hand, the convention also calls for the right of the child to protection of the law against arbitrary interference or attack against his or her honor or reputation. For this purpose, instances of child mistreatment shall be investigated and, where appropriate, prosecuted by competent authorities and courts, in accordance with the international agreed standard rules of Juvenile Justice in an environment which fosters self-respect and dignity of the child.

As such, the convention has provided the child, whether delinquent or mistreated, freedom of expression on all matters related to him or her and an opportunity to be heard in any judicial and administrative proceedings in a manner consistent with the procedural rules of national law.

All things considered, the CBA duly questions whether the state is allocating sufficient resources for the provision of legal protection and criminal justice for child offenders and child victims of abuse alike, and whether they are being utilized optimally.



5-2 Rights to Legal Protection and Criminal Justice Contained in the CRC

The different rights to legal protection and criminal justice contained in the CRC are shown in the table below, which will be linked later on to Jordanian legislation in this field within the scope of the Ministry of the Justice.

The Right from the CRC	Specific CRC Aspect
Article (3) In all actions concerning children, whether undertaken by courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.	Appropriate legislative and administrative measures should be taken to ensure the child such protection and care as is necessary for his or her well-being
Article (11) Take measures to combat the illicit transfer and non-return of children abroad.	Promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.
Article (12) The child has the right to express those views freely in all matters affecting the child	The child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, in a manner consistent with the procedural rules of national law.
Article (16) The child has the right to the protection of the law against arbitrary interference or attacks	No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honor and reputation.
Article (19) Take all appropriate legislative and administrative measures to protect the child from all forms of violence, maltreatment or exploitation, including sexual abuse.	Investigation and follow-up of instances of child maltreatment, as appropriate, by the judiciary.
Article (23) A disabled child should enjoy a full and decent life.	The right of the disabled child to special care and provision of assistance for which application is made.
Article (32) The right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous.	Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.
Article (37) The right of care for a child who is deprived of his liberty for offences	<ul style="list-style-type: none"> Neither capital punishment nor life imprisonment without possibility of

The Right from the CRC	Specific CRC Aspect
committed by persons below eighteen years of age.	<p>release shall be imposed.</p> <ul style="list-style-type: none"> Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person away from torture or other cruel punishment. Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance. Every child deprived of his or her liberty shall have the right to challenge the legality of the deprivation of his or her liberty before a court. Every child deprived of his or her liberty shall have the right to prompt court proceedings.
Article (39) States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters self-respect and dignity of the child.	Create an environment which fosters self-respect and dignity of the child.
Article (40) The right of every child recognized as having infringed the penal law.	<ul style="list-style-type: none"> To be treated in a manner consistent with the promotion of the child's sense of dignity and worth. To take into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society. To have legal or other appropriate assistance. To have the matter determined without delay in a fair hearing according to law. Not to be compelled to give testimony or to confess guilt



5-3 Constitutional and Legal Framework for Legal Protection and Criminal Justice

5-3.1 Constitutional rights to legal protection and criminal Justice

Article 6(5) of the constitutions assigned the government the responsibility of protecting motherhood, childhood, and the old-aged; availing care to youngsters and those with disabilities and protecting them from abuse and exploitation.⁴⁰ As such, the Jordanian legislator added this article to the Jordanian constitution while amending the constitution in 2011, to be in line with the new changes at the national and international levels.

Aside from expecting the law to protect children from abuse and exploitation, we expect it to create an appropriate environment for safety and justice for children; provide all means of comfort and respect for the child, ensure judicial proceedings of the delinquent and judicial hearings of child victims or witnesses according to enforced laws and to the best interests of the child.

5-3.2 International agreements and treaties signed by Jordan with relation to legal Protection and Criminal Justice

Universal declaration of Human Rights – Article (25/2)

Childhood is entitled to special care and assistance. All children shall enjoy the same social protection.

International Covenant on Economic, Social and Cultural Rights Article (10/3)

The employment of children in any work that is harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. Also, paid employment of child labour should be punishable by law.

International Covenant on Civil and Political rights – Articles (10), (14)

The covenant reinforces the following:

- Accused juveniles should be separated from adults and be brought to as speedily as possible for adjudication.
- Juvenile offenders should be separated from adults and be accorded treatment appropriate to their age and legal status.
- Confidentiality of trial in criminal cases and civil lawsuits.
- In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

Convention on the Rights of Persons with Disabilities – Articles (7), (13), (5/16)

- In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
- Effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.
- The placement of effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

⁴⁰The Constitution of Jordan and its amendments for the year 2011.



United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

These rules reinforce a set of fundamental principles notably:

- Humane and fair trial for the juveniles to ensure their well-being.
- The principle of proportionality between the offence and the respective procedure.
- Capital or corporal punishments should not be imposed on juveniles.
- The best interests of the juvenile and the implementation of the proportionality principle are the guiding factors for juvenile justice.
- The establishment of national legislation, institutions and bodies entrusted with the administration of juvenile justice.

United Nations Rule for the Protection of Juveniles Deprived of their Liberty (Havana Rules)

The rules urge juvenile investigative bodies to give the highest priority to the most expeditious processing of juvenile cases. They also request that special regard should be given to the legality of the execution of the detention measures and that juveniles should have the right to legal counsel and be enabled to apply for free legal aid.

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

The sixth item of the principles sets the general guidelines pertaining to legislation and juvenile judicial administration.

Guidelines on the administration of Juvenile Justice: the 'Vienna Guidelines', Economic and social Council Resolution 1997/30 Guidelines on Capital Justice in Matters Involving Child Victims and Witnesses of Crimes, Economic and Social Council Resolution 2005/20

5-3.3 National Plan of Action for Children (2004-2013) Third Component: Protecting Children in difficult Circumstances

The third component is concerned with protecting children in difficult circumstances. Protection may be attained in different ways including by providing appropriate protection for children in conflict with the law and those who are victims of abuse. Envisaged objectives within these two sub-sections relevant to legal protection and criminal justice are:

- Development of appropriate legislation and measures for the treatment of children in conflict with the law in judiciary and judicial police.
- Creation of a conducive environment for child testimonies and depositions involving the use of modern technologies for the purpose of easing the suffering of children and provision of the best available integrated service for them.
- Development and improvement of quality of services provided for victims of abuse including legal and police services.

In accordance with the plan, the intersecting and interlocking roles of the Ministry of Justice and the Judicial Council with other partners and stakeholders is manifested in their engagement in the executive procedures and activities pertaining to the legal protection and criminal justice for children.

5-3.4 Legal Framework for Provision of legal Protection and Criminal justice for children

The primary legal framework that is related to the provision of legal protection for child offenders and those in need of protection and care is the Juvenile Law for the year 1968 with its amendments (in all its provisions) in addition to the Monitoring Juveniles Behaviour Law (No. 37) 2006. The procedural implementation of such laws and regulations are shared by many parties which are: Ministry of Social Development-mainly as it has the mandate for implementing the requirements of the Juvenile Law, Ministry of Justice and the Judicial Council, Department of Public Security/Family Protection Directorate and Ministry of Interior. Anyhow, the report's focus is on the procedural legal side that falls particularly under the jurisdiction of both the Ministry of Justice and the Judicial Council which has to do with the Judicial proceedings of juvenile offenders and the judicial hearing of victims of abuse.

In keeping with the principle of the primacy of treaties, international treaties take precedence over national laws, coming second only to the Constitution in the hierarchy of laws established in Jordan. Thus, they rank above national laws. The Court of Cassation makes this abundantly clear in its decisions. Should there be a conflict between a national law and a provision of the Convention, the provision of the Convention will prevail in accordance with the hierarchy-of-laws principle. As such, all international agreements and treaties mentioned above that are adopted by Jordan are considered also a legal framework for this area.



The Jordanian Judicial Council According to the Judicial Independence Law, Jordan's Judicial Council represents the judiciary's highest administrative body and it embodies along with the National Assembly and the Ministers the principle of the separation of powers. It is entrusted with judicial affairs pursuant to the Jordanian constitution and the Judicial Independence Law No. (15) for the year 2001 where all Judges are independent since there is no authority on their judiciary but for the law.

The Council is composed of 11 regular judges and has the legal authority of administrative supervision of all regular judges in the Kingdom, including Juvenile courts. The Council is concerned with issues related to the development of Jordan's judiciary and submission of legislative proposals that are related to the judiciary, public prosecution and litigation procedures to the government to guide their devising of draft laws and regulations.

As such, the Council is administratively independent of the Ministry of Justice, but is financially funded by it, noting that the Regular Judiciary Program that is included in the Ministry budget within the General budget law is considered the financial reference for the medium term expenditure framework for the Judicial council.

The following table depicts the wider scope of the legal protection and criminal Justice afforded to children in Jordan, particularly in areas such as hearings of child victim cases and the procedural and legal measures that need to be taken for the sake of juveniles. As previously mentioned our main concern lies on areas that are under the jurisdiction of the Ministry of Justice only.

Linking Rights to Legislation

Right	Law/Bylaw/Evidence	Areas Covered
Article (3) In all actions concerning children, whether undertaken by courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.	Juvenile Law No. 24 for the year 1986 and its amendments for the year 2007: Articles: 1/3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 18, 19, 20, 21, 22, 1,2,3)27), 32, 34, 4,5)36).	A juvenile shall not be handcuffed or isolated. Speedy judicial process. Not considering prior offence as precedent. No juvenile should be tried except before juvenile courts. Juvenile courts may convene on a holiday if it is necessary and to the best interests of the juvenile. The judge may seek the assistance of a social defense office if it is to the best interests of the child. Maintaining secrecy of trials.



Right	Law/Bylaw/Evidence	Areas Covered
		Review of probation report prior to sentencing. Not allowing the publishing of the picture of the errant juvenile or the case. Consideration of the age of the juvenile. Terms of release. Reducing sentences on youngsters and teenagers. Residing in rehabilitation houses until a juvenile completes twenty years of age to finish education or vocational training. Legal protection measures. Handing over the juvenile to a person eligible to take care of him or her. Releasing and returning the juvenile to the institution. Court rulings with regard to juveniles in need of protection and care who are subject to conditions prescribed under Article (31) of the Juvenile Law. Court rulings with regard to extending the stay of juveniles in need of protection and care in the centers. The competent execution judge may visit the juvenile care houses. The competent judge may address the Minister of Social Development if probation officer violates any of his designated duties.
	Code of Criminal Procedures No.9 for the year 1961: Articles 74 and 158.	Hearing testimonies of children without an oath. Using modern technology to protect witnesses who have not completed 18 years of age during their testimony.
	Penal Code No. 16 for the year 1960:	Criminal proceedings cannot be brought against any person under seven years of age.No



Right	Law/Bylaw/Evidence	Areas Covered
	Article: (1/94 and 2)	person who has not completed twelve years of age can be held criminally responsible.
	Procedures Manual for children and their parents while being in court.	The manual which covers children under the age of seven outlines procedures for dealing with the child victim or witness while giving testimony
	Procedures manual for social workers	The manual explains the way of handling the child victim or witness by the social worker at the time of testimony. Covers children under the age of seven.
Article (11) measures to combat the illicit transfer and non-return of children abroad.	Penal Code No. 16 for the year 1960: Article 3/302	Penalties for the abduction of a child (male or female).
Article (12) The child has the right to express those views freely in all matters affecting the child.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Articles: 5/15 and 6/15	The juvenile is allowed to defend himself and may cross-examine the probation officer on the subject of his report.
Article (16) The child has the right to the protection of the law against arbitrary interference or attacks.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Articles: 12 and 32	Publishing of the picture of the juvenile and the verdict is not authorized. Court rulings with regard to juveniles in need of protection and care who are subject to conditions prescribed under Article (31) of the Juvenile Law
	Family Protection Law No.6 for the year 2008. Articles: 4 and 13)5-18)	Court dealings with domestic violence cases.
	Information Systems Crimes Law No. 30 for	Penalties for any person who deliberately sends or publishes,



Right	Law/Bylaw/Evidence	Areas Covered
	the year 2012. Article 8	by means of an information system or the Internet, any indecent audio, visual or reading material that includes pornographic activities or acts for purposes of sexual exploitation for a child under the age of 18 years. Also, penalties are set for any persons who prepare, save, process, display, print, publish or promote pornographic activities or acts that incite or influence a child under the age of 18 years.
Article(19) Take all appropriate legislative, administrative to protect the child from all forms of violence, maltreatment or exploitation, including sexual abuse. Report, investigate, follow-up, as appropriate, on any cases of maltreatment by parents or guardians.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Articles: 23 and 32	Punishment for a person assuming care of a child because of negligence in upbringing or monitoring. Court rulings with regard to juveniles in need of protection and care who are subject to conditions prescribed under Article (31) of the Juvenile Law
	Monitoring Juveniles Behavior Law (No. 37) 2006: Article 4 and 8	Criminal responsibilities for acts and persons who exploit juveniles in unlawful acts or in beggary.
	Family Protection Law No.6 for the year 2008. Articles 4 and 5 (13-18)	Court dealings with domestic violence cases.
	Penal Code No. 16 for the year 1960 and its amendments: Articles: 290, 291, 292, 294, 295, 296, 298, 299, 3/302, 305, 306, 5/310,	Penalties for parents, guardians or any other person having the lawful care who either maltreat the child or neglect his upbringing and support. Penalties against a person who



Right	Law/Bylaw/Evidence	Areas Covered
	314, 1/391/a, 1/392/a.	sexually abuses or exploits a child (male or female). Penalties for persons who provides intoxicating liquor to a child under the age of 18.
Article (23) Adisabled child should enjoy a full and decent life.		Note: There are currently no existing legal or procedural measures in any enforced Jordanian legislation to deal with persons with disabilities in courts or their right to be heard during proceedings. Appropriate amendments on the Juvenile Law and the Rights of Persons with Disability Law are much needed to comply with Articles (7) and (13) of the Convention on the Rights of Persons with Disabilities and the CRC itself.
Article (32) The right of the child to be protected from economic exploitation and its relevant penalties.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Article: 32	Court rulings with regard to juveniles in need of protection and care who are subject to conditions prescribed under Article (31) of the Juvenile Law.
	Penal Code No. 16 for the year 1960: Articles 1/983/b, 418	Penalties related to crimes against children.
	Monitoring Juveniles Behavior Law (No. 37) 2006: Article 4 and 8	Criminal responsibilities for acts and persons who exploit juveniles in unlawful acts or in beggary.
Article (37) The right of care for a child who is deprived of his liberty for offences	Juvenile Law No. 24 for the year 1968 and its amendments for the year	Separating juvenile delinquents from accused or convicted persons who are over the age of



Right	Law/Bylaw/Evidence	Areas Covered
committed by persons below eighteen years of age. Every child deprived of liberty shall be separated from adults. A child's right to legal aid.	2007: Articles: 2/3, 4, 14, 16, 17, 28, 1)36 and 2)	18. Detaining the juvenile in Juvenile rehabilitation house. Consideration of the age of the juvenile. Terms of release for the juvenile. The right to appeal against the verdict or ruling. Admittance of people to juvenile courts is only by order of the court. Criminal proceedings cannot be brought against any person under seven years of age. No juvenile is sentenced by death or life hard labor.
Article (39) States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters self-respect and dignity of the child.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Articles: 27, 32, 34	Courts' order of release and return to the institution. Court rulings with regard to juveniles in need of protection and care who are subject to conditions prescribed under Article (31) of the Juvenile Law. Court rulings on extending the stay of a juvenile who is in need of care and protection in the institution.
	Monitoring Juveniles Behavior Law (No. 37) 2006: Article 4 and 8	Criminal responsibilities for acts and persons who exploit juveniles in unlawful acts or in beggary.
Article (40) The right of every child recognized as having infringed the penal law.	Juvenile Law No. 24 for the year 1968 and its amendments for the year 2007: Articles: 6, 7, 9, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 24, 25, 27, 30.	Not considering prior offence as precedent. No juvenile should be tried except before juvenile courts. The judge may seek the assistance of a social defense office if it is to the best interests of the child. Maintaining secrecy of trials. Review of probation report prior



Right	Law/Bylaw/Evidence	Areas Covered
		to sentencing. Notifying the guardian. Investigation and trial procedures of juveniles. The right to appeal against the verdict or ruling. Reduced sentencing on youngsters and teenagers. Removing the convicted to prison after completing 18 years of age. Measures for legal protection. Handing over the boy to persons fit for his upbringing. Defining the term of imprisonment instead of a fine. placing juveniles under the supervision of a probation officer. Releasing a juvenile and returning him or her to the institution. Penalty for placing fines on juvenile or guardian.
	Monitoring Juveniles Behavior Law (No. 37) 2006: Articles: 3/a, 7	Acts that are unauthorized for the juveniles. Financial penalties imposed on juveniles.
	Penal Code No. 16 for the year 1960: Articles: 94 (1 and 2)	Criminal proceedings cannot be brought against any person under seven years of age.No person who has not completed twelve years of age can be held criminally responsible.
	Code of Criminal Procedures No.9 for the year 1961: Article: 348	No measure of rehabilitation whose implementation has been ignored for one year except by the decision issued by the juveniles' court upon the request of the public prosecution.
	The implementation Law No. 25 for the year 2007: Article: 23/a/3	No imprisonment shall be impose on a debtor who is under eight years of age.

5-5.3 Ministry of Justice Strategy

Vision: A pioneering institution working to ensure the independence of the judiciary and the rule of law for the attainment of justice and the protection of rights and freedoms.

Mission: Contributing to the creation of a fair and efficient legal and judicial environment conducive to the protection of rights; enhancement of the principles transparency and equal opportunities; development of the Judiciary; formulation of contemporary legislative policies and frameworks and strengthening ties with relevant local and international stakeholders concerned with the litigation process.

National strategic goal: Entrenching the principle of the rule of the law and institutions; achieving justice and equality; promoting the principles of equal opportunities and transparency and the protection of rights freedoms.

5-4 CRC Rights, Ministry of Justice Programs and Budgets

Through the different courts affiliated with the Judicial Council, the Ministry of Justice offers a range of judicial services to all citizens and residents. These services lie within the authority of the state as it is the sole provider of such services. "Protection of rights and the rule of the law" is the guiding framework through which these services are provided. Up until 2012, the number of courts were estimated at around (86) distributed across 12 governorates. Amman enjoys the biggest share, amounting to 35% of the courts and (7) court palaces,⁴¹ and a staff of judges of about 994 judges compared to 2284 employees within the support staff working in courts and departments supervised by the judiciary. Up until 2012, the total number of reported cases reached about (644480) and the pending (carried over) cases were around (206847), making the real annual caseload/judge about 9856) cases, whereas the monthly caseload/judge was about 71 cases in all courts.⁴²

As for juvenile courts, there are three distributed across the governorates of Amman, Zarka and Irbid with three judges presiding (one judge per court) compared to 7 members of the support staff. Up until 2012, the total number of cases filed in such courts amounted to (1445) cases and 9114) pending cases. The real caseload for each judge reached (520) cases annually with a monthly caseload of (43) cases per judge.⁴³ Within this context, it is safe to assume that the average rate of juvenile cases heard in juvenile courts is two per day.

According to article (7/A) of the Juvenile Law amended by law No. 24 for the year 1968,

" Every regular court that looks into juvenile cases is considered a juvenile court."

According to Article seven of the currently enforced Jordanian Juvenile's Law, juvenile cases are heard in conciliation courts which are granted the jurisdiction of the juvenile court to view the offences, misdemeanors and protection or care measures. Also, the law grants courts of first instant competency to hear criminal offences. However, if the juvenile is accused in association with adults, the juvenile shall be tried with the adult before the courts that try the adults provided that proper procedures of the juvenile courts are observed including the submission of the probation report. Accordingly, it is clear that juvenile cases are heard by courts other than the Juvenile court.

In this regard, the report drew on MIZAN program data from the Ministry of Justice to record the number of juvenile cases filed in the juvenile and courts. As a measure of accuracy, the report relied on 2013 data. Figures showed that the number of cases presented before the courts including juvenile courts reached (4247) cases, (1428) of which are in the three juvenile courts compared to (151195) adult cases in the same courts. This helped the researcher to find a mechanism for estimating child allocations within other courts, in light of the financial experts noting that it would be difficult to do that due to the lack of an accounting methodology at this stage and the overlap of juvenile cases with adult cases.⁴⁴ This work can be seen as a springboard for a child budget monitoring for these courts within an explicit financial framework with the cooperation of the General Budget Department.

⁴¹ Source: The General Budget Law for the year 2013.

⁴² Source: The Annual Report on the Judicial Authority for the year 2012.

⁴³ Source: The Annual Report on the Judicial Authority for the year 2012.

⁴⁴ The mechanism for calculating child allocations are found in the Ministry of Justice annex.



According to the data above, the percentage of juvenile cases (victims and offenders) heard before courts (including juvenile courts) amounted to 2.7% of the overall cases heard in these courts for the year 2013.

On the other hand, the percentage of juvenile cases before the courts amounted to 0.22% of the number of children within the age group of (7-18) years. In the event of passing the new draft juvenile law, in which criminal responsibility is set at 12, the percentage increases to 0.40%, taking note that juvenile police statistics indicated that the majority of offences were within 12-15 years.⁴⁵

As is the case with the shared responsibility of the enforcement of the juvenile law, the Monitoring of Minors' Behavior Code, and the related regulation among multiple entities, the respective financial state allocations are also distributed across the Ministry of Justice -with relation to salaries of judges and employees, and the Ministry of Social development-with relation to rents of juvenile courts, logistics, court furniture and salaries of Ministry staff i.e. social workers, probation officers and social defense. Nevertheless, the Ministry of justice is fully responsible for the expenditure of other courts which hear juvenile cases, in their capacity as juvenile courts, and the grand criminal court in which their testimony rooms are equipped, through a grant from the European Union, with closed circuit television for the benefit of children to be heard in a comforting environment.

Although allocations that are directed to child activities within the Ministry budget are not included or made explicit, the Ministry actually fulfills ten child rights deduced from the juvenile justice regulations in Jordan. For the purpose of this report, and as our concern is with the analysis of the budget of the Ministry of Justice, our focus is on the nature of the expenditure within this budget and more specifically on two programs which are: "Management and Support Services" and "Regular Judiciary".

The following table illustrates the medium term expenditure framework for the Ministry for the years (2012-2015).

Ministry of Justice Budget- JOD'000 ⁴⁶

	2012	2013	2014	2015
	Estimate	Estimate	Indicative	Indicative
MoJ Budget	51,136	54,860	54,792	54,267
MoJ Budget % total country budget	%0.73	%0.74	%0.70	%0.68
Child allocations % MoJ Budget	%1.00	%0.97	%0.96	%0.95

The table above shows a slight increase in the Ministry state share between the years 2012 and 2013 from 0.73% to 0.74% respectively, to go down again in the years 2014 and 2015 to become 0.70% and 0.68% respectively. As the numbers suggest, the share is low in light of the various child-related rights that are connected with the Ministry's role in the juvenile justice. Further, the decline in the Ministry state allocations will adversely affect the calculation of the growth rate over the MTEF.

The percentage of child allocations within the Ministry budget amounting to 1.0% for the year 2012 reflects those spent by the Ministry on the Management and Support Services and Regular Judiciary programs. This is added to the expenditure spent by the Ministry on other courts entrusted with hearing juvenile cases in their capacity as juvenile courts pursuant to Paragraph (A) of Article (7) of the enforced juvenile Law.

⁴⁵ The National Center for Human Rights (2013). Juvenile Criminal Justice in Jordan, Jordan.

⁴⁶ Source: General Budget Law for the year 2013.



During the last two years, the MoJ carried out "The Juvenile Justice System Reform Project" upon a grant from European Union (EU) of about USD (870980). The project was completed recently (September 2013) with the establishment of televised testimony rooms in the first instance courts in the Kingdom and in the grand criminal court. These new rooms will allow children to give testimony in a psychologically safe environment where confidentiality and privacy can be maintained and where they are treated in a way that is fitting to their dignity and self-respect. Furthermore, special procedure manuals on the close-circuit television technology (CCTV) were prepared for the children and their parents in addition to the social workers' procedural manual. It is to be noted that this grant is outside the government allocations framework and is not included within the Ministry budget. It is however hoped that this project will become a starting point for future child budget monitoring within the Ministry budget for the year 2014. This will help create a safe environment for children throughout trial proceedings, provide adequate legal aid to them and provide judges with appropriate training and scientific instruments to facilitate their work with juvenile cases. The total number of newly-installed rooms are around 13 in addition to a room in the Judicial Institute established for training purposes.

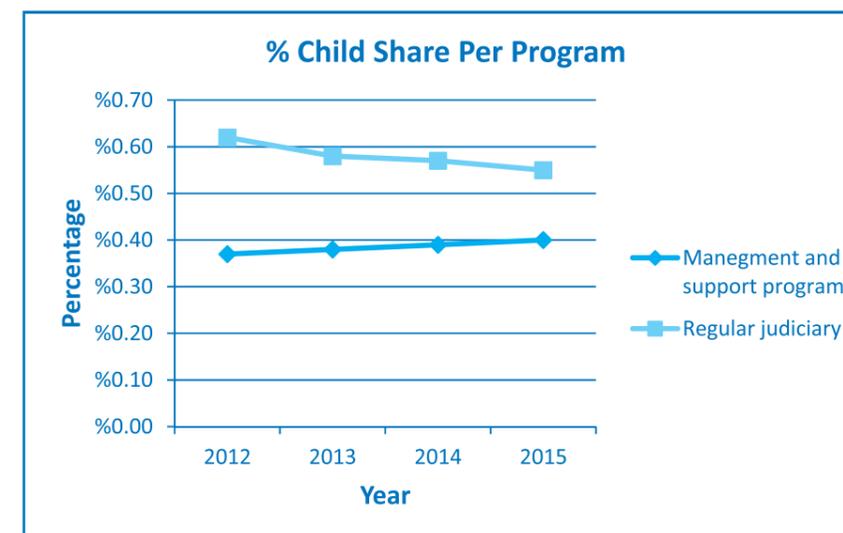


Child allocations by program as a % of total Ministry budget ⁴⁷

Program	Major CRC Rights	2012	2013	2014	2015
Management and Support Services	(3) the best interests of the child shall be a primary consideration. (11) measures to combat the illicit transfer and non-return of children abroad. (12) The child has the right to be heard in any judicial proceedings affecting the child.	%0.37	%0.38	%0.39	%0.40
Regular Judiciary	(16) The child has the right to the protection of the law against arbitrary interference or attacks. (19) The right to investigations and follow-up by the judiciary of any reported cases of maltreatment, as appropriate. (23) The right of the disabled child to enjoy special care and to be provided with help upon request. (32) Impose penalties to protect the child from economic exploitation and hazardous actions. (37) Providing the child deprived of his liberty with care and legal aid. (39) Promoting physical and psychological recovery and social reintegration of a child victim in an environment which fosters self-respect and dignity of the child. (40) The right of the juvenile recognized as having infringed the penal law to an appropriate legal aid.	%0.62	%0.58	%0.57	%0.55

It is interesting to know that the child rights addressed by the Ministry of Justice and those addressed by the Judicial Council actually intersect in the two programs mentioned above due to the also intersecting roles of the judicial staff and the administrative support court staff in the operational procedures related to juvenile cases.

The graph below shows the percentage allocations to children for the two main programs in the Ministry of Justice over the MTEF for the years (2012-2015).



5-4.1 Management and Support Services

The program aims to raise the institutional capacity of the Ministry of Justice and the courts through training, improving delivery of services and streamlining procedures to be customer-friendly using computerized services. The programs also seeks to institutionalize work mechanisms, raise the awareness of service recipients and disseminate legal knowledge via different publications and the media. The program provides the estimated value of child allocations including salaries, wages and allowances of the staff (administrative and support service personnel in courts) in addition to logistical services.

⁴⁷ Source: Financial Department /Ministry of Justice.



Child Budget from Management and Support Services Program*

Child share in Management and Support Services Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Program budget (Estimated)	191	211	215	219
Nominal % growth		%10.5	%1.9	%1.9
Real % growth		%7.3	-%1.0	-%1.5

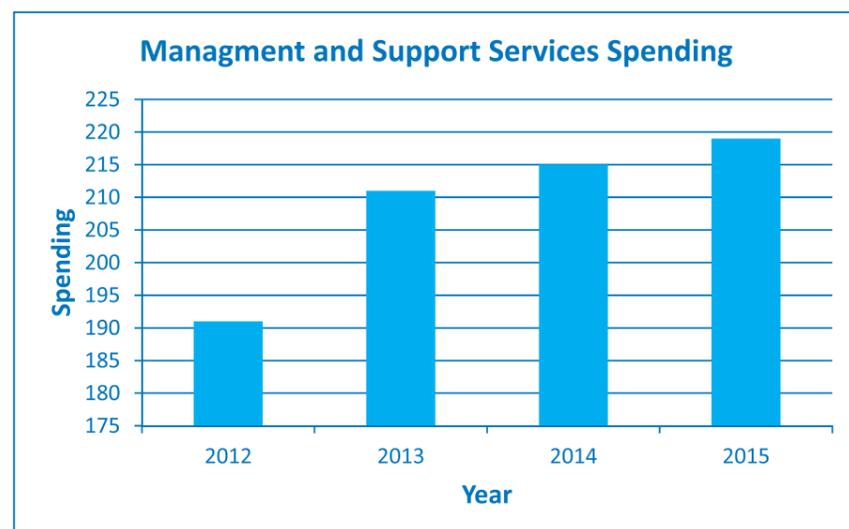
*As child allocations within the Management and Support services were not clearly articulated and as it was difficult to separate child allocations from adults' in non-juvenile courts, child budget within this program was calculated according to a methodology of estimation that relies on a sequence of mathematical calculations. They were based on data published in the Annual Report of the Judicial Authority for the year 2012 or on data that was available from the Ministry itself (MIZAN Program Data). Supplement information were also based on juvenile court allocations data available at the Ministry, which were used as a benchmark during the calculation process to be able to reach accurate numbers with regard to child allocations. As such, percentage of juvenile allocations within this program was calculated as %72.

Although the number may not be absolutely accurate, the numerous estimation methodologies applied by the researcher favored the one adopted by the researcher which has a %90 accuracy.

Further details on the methodology are available in the Ministry annex.

Trends in Management and Support Services spending

The children's budget for Management and Support Services program increases by (28) thousand dinars over the years 2012-2015. The marginal increase in its absolute value reflects a negative real growth for the years 2014 and 2015 of about (-1.0%) and (-1.5%) respectively due to inflation.

Management and Support Services Program Indicators (Ministry of Justice) ⁴⁸

Indicators	Target 2012	1 st self evaluation 2012	Target		
			2013	2014	2015
No. of first instance courts equipped with wind beds	9	7	9	9	9
No. of legal aid cases	80	70	90	90	90

Challenges to Management and Support Services Program

- Poor quality of infrastructure in some courts.
- Limited chances of career advancement particularly for those with no law degree.
- Gaps in the different levels of the administrative structure and absence of succession planning, which ultimately leads to brain drain and difficulty of recruitment in addition to weak benefits.

5-4.2 Regular Judiciary Program

The program's objective is to supplement the Judiciary with an adequate number of qualified judges and trainers and to develop and upgrade legislation to be in line with local, regional and international new changes for the purpose of enhancing the performance and services of the judiciary to carry out their functions effectively.

The program provides funding for the estimated child allocations in the form of salaries, wages and judge allowances (judicial personnel in the courts).

Child share in Regular Judiciary Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Program budget (Estimated)	319	320	312	296
Nominal % growth		0.3	-2.5	-5.1
Real % growth		-2.5	-5.5	-7.8

*As child allocations within the Regular Judiciary Program were not clearly articulated and as it was difficult to separate child allocations from adults' in non-juvenile courts, child budget within this program was calculated according to a methodology of estimation that relies on a sequence of mathematical calculations. They were based on data published in the Annual Report of the Judicial Authority for the year 2012 or on data that was available from the Ministry itself (MIZAN Program Data). Supplement information were also based on juvenile court allocations data available at the Ministry, which were used as a benchmark during the calculation process to be able to reach accurate numbers with regard to child allocations. As such, percentage of juvenile allocations within this program was calculated as %1.31.

Although the number may not be absolutely accurate, the numerous estimation methodologies applied by the researcher favored the one adopted by the researcher which has a %90 accuracy.

Further details on the methodology are available in the Ministry annex.

⁴⁸The General Budget Law 2013.



Trends in Regular Judiciary spending

The proportions allocated for children within this program decreases by (23) thousand dinars over the years 2012-2015 which is translated into a decline in the capital and real growth rates during the same period. This resorts to some long-term capital asset projects such as construction of the Grand Criminal Court and justice palaces in Madaba, Zarqa, Ruseifah and Ajloun.



Challenges to Regular Judiciary program

- The growing number of cases, the vastness of disputes, the increasing caseloads due to complicated and entangled social and economic relationships, and the population growth as opposed to the limited number of specialized judges.
- With relation to juvenile justice, shortage of financial allocations, specialized judges and qualified personnel.
- Limited number of specialized courts (only three courts in Amman, Zarqa and Irbid). Also, juvenile cases in the three governorates are not necessarily referred to these three courts but rather heard by competent courts according to the geographical location.
- Dispersion of juvenile-related procedures among different relevant authorities which creates confusion for the child during court proceedings or testimony.
- Juvenile courts are still not connected to the closed-circuit television system while other courts like first instance courts and the grand criminal court are, which is after all for the best interest of the child.

5-5 Comments and Observations

5-5.1 Juvenile Justice

Juvenile justice principle is quite significant as it takes into account not only the delinquents' young age but other educational, living, environmental and social considerations that are vital to the wellbeing and growth of children. Juvenile justice also takes into consideration the matter of preventing delinquency particularly for those marginalized youth such as homeless and poor children. It is set to prevent them from being subjected to sexual abuse and other inhumane and degrading treatment. Perhaps the reason which prompted countries to legislate for juveniles goes back to the fact that the judicial system which deals with adults can in no way be valid to look at juvenile crime, because of the total difference between the two systems in terms of composition and jurisdiction and the bases of handling. The goal of assigning this group a special judicial system lies in correcting and reforming them. Furthermore the special juveniles law take into account the recent data in Criminology, Humanities and Social Sciences.



5-5.2 Juvenile Law

Although the Jordanian Juvenile Law falls under the jurisdiction of the Ministry of Social Development, legal measures to the administration of juvenile justice rests in the responsibility of the Regular Judiciary program of the Ministry of Justice. Recent developments in Jordan brought it into focus as an area of child rights that is worthy of attention and observation. A new department for juvenile police was established early 2012 as part of the Public security

Indicators	Target	1 st self evaluation 2012	Target		
	2012		2013	2014	2015
% litigation legislation reviewed and amended	%80	%65	855	%90	%90
No. of specialized rooms in courts	14	7	14	14	14

Directorate. Efforts have been accelerated recently at the global level to further the rights of juvenile delinquents. Accordingly, the United Nations has formulated a set of rules and guiding principles related to juvenile justices and rights which have been alluded to in chapter six of the previous report.

The Jordanian Juvenile law- once endorsed- will be a qualitative leap in the area of juvenile justice and a stepping stone towards the implementation of best practices in this field. The salient positive aspects of this draft law are:

- Raising the age of criminal responsibility to twelve years instead of seven which will enhance better attention to the juvenile through giving more protection.
- The draft focuses on the concepts of restorative justice that is based on prevention programs and post care aiming at reintegrating the juvenile in the community, rehabilitating him, compensating the community, remedying the damage and finding alternative programs such as community service and professional training.
- Proposes the establishment of an assisting judicial police (specialized police), specialized public prosecution and special juvenile judiciary in line with international standards aimed at finding exemplary juvenile justice which will positively impact on the administration of juvenile justice.
- The draft law contributes to the avoidance of the dispersion of statutes experienced by the child in conflict with the law where the child's best interest is mentioned in every part in the heart of the law.
- The draft law introduces some new concepts, such as psychological and educational guidance, the custodian and the un-recognizing child and the age of legal responsibility. The draft law also points openly and clearly to the concept of legal aid. This concept, which lacks legal coverage under the currently enforced law, is particularly important as most children who are in conflict with the law are from the poorer classes, and the age group for the majority of them doesn't understand the trial proceedings.

5-5.3 Justice for children with disabilities

They are the most susceptible to violence, exploitation and abuse. Therefore, due legal care should be afforded for this category of children, being the weakest and incapable of defending themselves. A child with disability is in need of care and attention more than others and has the right to be heard during legal proceedings as well. Currently, there is no mention of justice for children with disabilities in the enforced Jordanian legislation or the drafted juvenile law. It is highly appropriate to make the necessary amendment on the draft law to be compliant with Articles (7) and (13) of the Convention on the Rights of People with Disabilities and the CRC itself too. On another note, the report did not find anything related to how courts in Jordan are handling cases related to children with disabilities, perhaps due to the fact that most cases are found in houses of care. However, there were some reports of abuse against children with disabilities in such houses.

5-5.4 Issues relating to governorate expenditure for the year 2012

Share allocations/Governorate

- **Management and Support Services Program:** The governorate of Amman has the biggest share with a 24.6% of the budget, followed by Irbid and Zarqa with a percentage of 11.2% and 5.7% respectively. The governorate of Aqaba registered the lowest percentage with a 2.5%. This can be interpreted by the existence of the four juvenile courts within the three governorates with the largest share of allocations. It is noted that Amman also has the largest percentage of juvenile cases for the year 2013 with a percentage of about 39.9% of the total number of cases, followed by the governorates of irbid and Zarqa with the percentage of 19.8% and 16.9% respectively.
- **Regular Judiciary Program:** The capital governorate Amman has the biggest share of the budget which is about 23.4% followed by Zarqa and Ajloun with 16.6% and 9.1% respectively. Aqaba came last with a percentage of 2.9%. The high cost of capital expenditure in the three top governorates which is directed to the establishment of a palace of justice in Zarqa and Ajloun and the multi capital spending in the governorate of Amman might be the reason behind this.

Per capita ⁴⁹

On the whole, share allocation can largely be attributed to population size. Per capita expenditure, however, is a more useful indicator. The figures below show the highest and lowest per capita expenditure within the governorates of Jordan and the average for all governorates. Detailed information on the complete figures can be found in the Ministry annex.

	Juvenile Justice Services	
	Management	Litigation
	Per capita spending	Per capita spending
Highest	Tafeelah: 0.18	Ajloun: 0.66
Average	0.10	0.23
Lowest	Zarqa: 0.04	Irbid: 0.06
Capital Amman	0.06	0.10

Undoubtedly, the governorate population size has a crucial role in determining per capita share. But, although the juvenile courts are within the three main governorates (Amman, Irbid and Zarqa), the high number of child population for these governorates has been the overriding factor causing the per capita share to drop.

⁴⁹ All governorate population figures and budget allocations that these calculations are based on can be found in the attached Ministry Annex.

Persons interviewed from the Ministry of Justice

Name	Occupation
Judge Ali al-Msaimy	Director/ Human Rights and Family Affairs Directorate
Judge Jala al-Zu'by	Director/ Legal Affairs Directorate
Omar Talafeeh	Director/ Financial Affairs Directorate
Judge Eman al-Qatarneh	Director/Correction and Rehabilitation Centre/ Amman Juvenile Court Judge, Previously
Mona al-Saber	Legal researcher/ Correction and Rehabilitation Centre
Eng. NailahQardahjy	Director/ Policies and Institutional Development Unit
Eng. Osama al-Khawaldeh	Policies and Institutional Development Unit
NawrasHamdan	Head of Budget Unit/ Financial Affairs Directorate
Jumanah al-Masri	Judicial Assistant/ Human Rights and Family Affairs Directorate
Abeer al-tally	Legal Researcher/ Legal Affairs Directorate
Samah al-Anani	Judicial Assistant/ International Cooperation Directorate
OlfatKhanfar	Legal Researcher/ Human Rights and Family Affairs Directorate
Fatinah al-Abweeny	Information technology Directorate/Mizan

Persons interviewed from the General Budget Department(GBD)

Name	Occupation
Dr Mohammed al-Hazaymeh	Director General/ GBD
Majdy al-shuraiqy	Deputy Director General/ GBD
Khaled al-Wishahi	Ministry of Justice Budget Analyst



6-Conclusions, Observations and Recommendations

6-1 Overarching Observation on Jordan's Child Budget Analysis (CBA)

Although Jordan is a small country with limited resources, it has made substantial commitment to human and child rights alike. Credit most likely goes to the supportive efforts made by the Royal Family in this area.

The implementation of this report comes as part of the long term engagement strategy devoted to guarantee the commitment of ministries concerned with child rights towards implementing Child budget methodology. With the finalization of the first phase of the child budget in 2009 covering four major ministries (Health, Education, Social development and Labor) which are now working accordingly, the General Budget Department, driven by its guiding strategy in implementing Result oriented Budget, worked to reflect the child-friendly budgets in the general Budget Law for the year 2013 (Table 22).

On the other hand, Jordan's combined fourth and fifth periodic report submitted to the Committee on the Rights of the Child in August 2012, covering the period between 2005-2011 reflected the remarkable achievements carried out in the field of childhood since Jordan's ratification of the Convention in 2006. During the span of its latest report, Jordan has achieved substantial progress in the fulfillment of child rights contained in the international Convention. The achievements were marked by an institutional approach echoing the National Plan of Action for Children (2004-2013) which laid the ground for strategic directions with regard to childhood pillars. The report gave stock of the Hashemite Kingdom of Jordan's execution of the child budget as part of the realization of child rights. However, gaps still persist in terms of meeting the full range of child rights in Jordan. Before reviewing the concluding observations and recommendations, it may be useful to repeat the purpose of the report.

The report analyzed budget allocations in the Budget Law for the year 2013 at a Ministry and program level. This was done as part of the Child Budget Engagement Strategy to:

- Build a partnership between the government of Jordan and civil society in promoting child rights in Jordan.
- Provide initial observations which will be used in designing a long term Child Budget Engagement Strategy.
- Provide a baseline for future budget monitoring.

6-2 Jordanian Constitution

For the purpose of aligning with new updates and changes on the local and international arena, His Majesty King Abdullah II bin Al-Hussein instructed the government to revisit the 1952 Jordanian constitution and to propose appropriate amendments. Proposed amendments were ratified and published in the official gazette No. 5117 on 1/10/2011.

The amendments covered important parts most notably the article concerning human rights in general and child rights in particular. The article is in the second chapter entitled "Rights and Duties of Jordanians" which states that:

Article (6/5): "The law shall protect motherhood, childhood and the old-aged; and shall avail care for the youngsters and those with disabilities and protect them against abuse and exploitation."

Within the context of this article, one can observe the constitution's concern with securing legal protection for children. The law that protects motherhood is also a guardian of the child and childhood, of the youngsters who are a whole generation of children and of those with disabilities including children by protecting them from abuse and exploitation. In every single word, the child is there either explicitly or implicitly.



Furthermore, the constitution of Jordan has guaranteed the rights contained in Article 16 of the CRC for all people regardless of their age which means protections for children and their parents. The 2011 amended constitution has added to Article 7, which stipulates that "Personal freedom shall be guaranteed", a paragraph stating that "every infringement on rights and public freedoms or the inviolability of the private life of Jordanians is a crime punishable by law". At the same time, Article 18 was amended restricting the censorship of postal and telegraphic and telephonic communications to the existence of a judicial order in accordance with the provision of the law. The amended article states that: "All postal and telegraphic correspondence, telephonic communications and the other communications means shall be regarded as secret and shall not be subject to censorship, viewing, suspension or confiscation except by a judicial order in accordance with the provisions of the law". Also, Article 10 of the constitution stresses the inviolability of the home (dwelling houses) and that they may not be entered except in the circumstances prescribed by law and in the manner provided for therein. These constitutional texts were translated into law, whereby in Articles (81-98) of the Penal Trials Code, the law defined the situations and standard procedures whereby houses and persons may be searched and correspondence may be seized.

Based on the above, it seems clear that the constitution of Jordan has provided protection of all sorts, right from protection of child rights in health, education and social care to protection from abuse, exploitation and arbitrary assault. Hence, the general principles in the constitution of Jordan and their national regulatory legislation actually intersect and agree to a great extent with international conventions and the CRC with regard to the establishment of adequate safeguards to fulfill the rights of children.

6-3 Observations and recommendations on the CBA of the two Ministries under study

The analysis of the budgets of the Ministries of Awqaf and Islamic Affairs and Justice has come up with several observations for which appropriate recommendations were provided to enhance the child-friendly budgeting methodology. The first key observation of the report underlines that, though numerous, child specific activities and their MTEF allocations undertaken and funded by the two Ministries were not openly and explicitly listed as child allocations within the general budget, although they are procedurally authorized and financed through a legal and legislative framework. This constituted a major challenge to the implementation of the report's analytical requirements. It was challenging to sort and estimate the allocations directed to child-oriented activities and services and then link them to programs to be able to monitor them through each program's budget in a scientific and statistical manner that is aligned with the data. All efforts put in this task with the help of the team from the two Ministries are a springboard for further work to draw upon the child budget methodology and translates it into next year's Ministry budget. In this context, and for the sake of institutionalizing work in each ministry, capacity-building programs and financial procedures manuals should be prepared to facilitate handling of child budget applications and methodology in collaboration and coordination with the General Budget Department.

Some of the most important observations and recommendations relating to the child budget analysis of each Ministry are listed below:

Ministry of Awqaf and Islamic Affairs

- In line with the regulatory provisions that govern the actions of the MoAIA and the Zakat Fund, the Ministry undertakes a number of child-oriented activities and services in its capacity as an institutions that provides, facilitates and promotes service. The table below provides a list of the activities and services financed by the Ministry budget itself in addition to those financed through additional resources of the different instruments of Islamic social cooperation (Takaful):⁵⁰

⁵⁰ Represents donations received from benefactors, Zakat payers and orphan sponsors.



Furthermore, the constitution of Jordan has guaranteed the rights contained in Article 16 of the CRC for all people regardless of their age which means protections for children and their parents. The 2011 amended constitution has added to Article 7, which stipulates that " Personal freedom shall be guaranteed", a paragraph stating that "every infringement on rights and public freedoms or the inviolability of the private life of Jordanians is a crime punishable by law". At the same time, Article 18 was amended restricting the censorship of postal and telegraphic and telephonic communications to the existence of a judicial order in accordance with the provision of the law. The amended article states that: " All postal and telegraphic correspondence, telephonic communications and the other communications means shall be regarded as secret and shall not be subject to censorship, viewing, suspension or confiscation except by a judicial order in accordance with the provisions of the law". Also, Article 10 of the constitution stresses the inviolability of the home (dwelling houses) and that they may not be entered except in the circumstances prescribed by law and in the manner provided for therein. These constitutional texts were translated into law, whereby in Articles (81-98) of the Penal Trials Code, the law defined the situations and standard procedures whereby houses and persons may be searched and correspondence may be seized.

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⁵⁰ Represents donations received from benefactors, Zakat payers and orphan sponsors.



Resource	Activity/Service
Activities and services funded through the Ministry budget/Preaching, Guidance and Scientific Body Program	Preaching, guidance and teaching in mosques
	Organizing religious and cultural activities for children
	Opening summer centers for memorizing Quran for male and female children and giving away excellence awards.
Activities and services funded through the Ministry budget/ Shari'ah Colleges and Schools	Teaching in (MoAIA) Shari'ah schools (7 th grade to Twajihi)
	Establishing and spending on professional and academic orphan homes under the jurisdiction of the Ministry. (Inactive)
Activities and services funded through Islamic Social Cooperation instruments (Takaful). (Zakat Fund)	Providing cash and in-kind assistance to orphans and aliens (refugee) children.
	Providing cash and in-kind assistance to orphans, the disabled and their caring institutions.
	Contributing in offering aid to the child or his care-provider by: establishing rehabilitation projects for poor households, helping the poor orphans and providing monthly assistance to poor households.
	Sponsorship (Kafalah) of poor orphan children.

- As the report's focus is on activities and services that are financed by the Ministry budget in particular, nevertheless, they were not explicitly articulated within the budget program. This in turn reaffirms the report's goal which stresses the importance of reflecting child specific activities and services in the budget statement of the Ministry and assigning their financial allocations.
- One of the interesting observations is related to the particular nature of the (irregular)service provided by the Ministry to a narrow segment of children without incurring any financial expenses. Not just that but the Ministry earns a commission for monitoring administrators of family waqfs (inheritance of legitimate heirs), supervising, utilizing and spending the revenues of the waqf on its rightful benefactors. The service is authorized by the shari'ah judge and the ministry is given a percentage of no more than (10%) of the waqf revenues in exchange for undertaking the duties of administration and management, and a percentage not exceeding (5%) when it assumes these tasks jointly with the administrator (Mutawalli).⁵¹ The role of the Ministry is demonstrated in safeguarding the orphans' money until they reach 18 years of age. After all, the Ministry is not only concerned with providing financial assistance to the orphans from its own budget but also acts as the guardian of their money and aims to develop and invest the money in compliance with Shari'ah law.
- It was noticed that program indicators included in the budget statement of the Ministry of Awqaf do not reflect the activities linked to those programs which in turn hampers the assessment of their performance. Therefore, ministries are advised to make use of specific and reflective indicators for those programs/projects/activities. In addition, special indicators for child-oriented activities should be set to enable the follow-up and assessment of their performance and to attain the envisaged goals effectively and efficiently.
- In light of the increasing magnitude of societal problems confronting our Jordanian community and the accompanying societal and university violence, preaching and guidance efforts should be intensified by engaging in friendly and amiable dialogues with youngsters and their parents. Qualifying preachers (males and females) in this field would curb these negative social phenomena.

⁵¹ In pursuant of Articles (21 & 22) of the Ministry of Awqaf and Islamic Affairs Law No. (32) for the year 2001.



● **Significant statistical insights:**

- By the end of 2012, the number of imams and preachers had reached 4513, while mosques either working or under construction had reached 5765.
- Two thirds of the administrative and teaching staff at the Shari'ah schools were seconded from the Ministry of Education compared to a third from Ministry personnel.
- Children's share from the Zakat Fund amounted to 68% of the total disbursements and when weighted against the Ministry budget the percentage reaches (9.3%).

● **Financial Observations:**

- The financial analysis of the Ministry of Awqaf budget revealed the insufficient allocations assigned for children as opposed to the numerous child rights addressed by the Ministry as mentioned earlier in this report. The percentage child allocations amounted to 24.5% of the total Ministry budget which is already low, as it only accounts to 0.62% of the government state budget. Hence, additional financial support is highly needed to enable the Ministry to meet its obligations towards child rights. Moreover, qualified and much needed staff should be made available in light of the evident shortage of imams and Shari'ah school teachers.
- Share allocations and per capita expenditure across governorates shows apparent anomalies and possible inequity. Therefore and prior to determining share allocations across governorates, population size should be taken into account. Moreover, the religious and social status of each governorate should be carefully studied in cooperation and coordination between parties concerned, most importantly the municipalities as it is part of their involvement with the local community which they supervise. The objective of this cooperative effort should be centered around achieving equity in expenditure.
- Child specific expenditure should be included in Ministry's Chart of Accounts, linked with their respective programs to facilitate the sorting and estimating of child allocations over the Medium term expenditure Framework and reflected explicitly in the Ministry budget. This process has become much easier now after applying the Government Financial Management Information System (GFMIS).

Ministry of Justice

- In line with the legislation pertaining to legal protection and the juvenile justice system which falls under the mandate of the Ministry of Justice, the Ministry, through the Judicial Council, offers juvenile justice services for children subject to the enforced Juvenile Law within the age group of (7-18). These services include holding juvenile delinquents trial proceedings and hearing of victims of abuse in accordance with international treaties and conventions and the United Nations Minimum Rules for the Administration of Juvenile Justice. The services, which are solely and exclusively vested in the Judicial Council, are administered through three specialized juvenile courts (Amman, Irbid and Zarqa), first instance and conciliation courts dispersed across the governorates of Jordan and the Grand Criminal Court. Although the Ministry and the Judicial Council play an important role in providing child services that enhance the concept of justice for children, the allocations assigned for each activity was not explicitly and openly articulated within the program budget. This underscores the purpose of this report which is oriented around the importance of reflecting each child-oriented activity and service within the Ministry budget and assigning the appropriate finances accordingly.
- The importance of setting up performance indicators for juvenile justice as well as specific and reflective indicators for the programs/projects/activities that are child-oriented to enable the follow-up and assessment of their performance and to attain the envisaged goals effectively and efficiently.
- The juvenile justice project funded by the European Union works as a springboard for starting a child budget monitoring of the Ministry of Justice's budget for years to come.
- It is hoped that the project will create a safe environment for children during trial proceedings and provide judges with scientific and training tools to enable them to tackle juvenile issues in compliance with best practices in this area and to the best interests of the child.



- At the legislative level and in light of the currently enforced juvenile law and its regulations, Jordan still lacks an independent criminal justice system in an internationally recognized sense, because of:
 - Lack of well defined criteria to precisely describe the hazardous situations and circumstances that require legal intervention.
 - Lack of independent public prosecution that takes care of juveniles' issues.
 - In terms of coverage, Juvenile Police do not cover all areas of Amman or other governorates; their activity is still restricted to the area of north Amman.
 - Insufficient number of special juvenile courts and trained staff that deal with juvenile cases, where there are only assigned magistrates to consider juvenile issues in days and times other than those assigned to adult cases.
 - Juvenile courts situated in Amman, Zarqa and Irbid do not serve all their juvenile population nor do they serve all governorates. This is because a court is assigned for a juvenile case or a victim giving testimony based on the geographical location of the incident in question and is not determined by the person's place of residence/governorate regardless of the existence of a juvenile court in that particular governorate.
 - Juvenile courts still lack modern technology during child testimonies such as closed-circuit televisions which are now in use in first instance courts and the Grand Criminal Court.
 - The continued enforcement of the penal code in cases where a juvenile commits a criminal act in association with of an adult provided that proper procedures are observed regarding the juveniles.
 - Lack of enforced legislations regarding the concept of legal aid.
 - Multiplicity of official authorities which deal with the juvenile which creates a state of confusion that might harm the juvenile's psyche more than the case itself.
 - Most importantly, lack of precisely defined legal criteria and measures to govern the handling of child victims with disabilities who are the most susceptible to violence, exploitation and abuse.

- Despite the high cost of health and educational services presented to children which is clearly manifested in the government budget leading to a huge expenditure of about 6.7% and 8.5% respectively, the allocations directed to juvenile justice services remain extremely low. Though, it is wise to know that the financial cost spent on furthering these services through a modern legal framework which will most likely save the community from negative social impacts may very well be less expensive and safer for our future generations. Hence, it is imperative that a new juvenile law is adopted which is compliant with United Nations guidelines and international treaties and agreements. Furthermore the new law should incorporate provisions that embody the new concept of child rights in terms of creating alternative dispute resolution mechanisms and sentences which attempt to reintegrate and rehabilitate the juvenile offender away from punitive measures.

● **Key statistical insights:**

- The number of cases presented before courts including juvenile courts reached (4247) cases, (1428) of which are in the three juvenile courts. The three juvenile courts (Amman, Irbid and Zarqa) receive around 34% of the total juvenile cases in the Kingdom.
- The percentage of juvenile cases before the courts amounted to 0.22% of the total number of children within the age group of (7-18) years. In the event of passing the new draft juvenile law, in which criminal responsibility is set at 12, the percentage increases to 0.40%.
- Of the three juvenile courts, Amman receives 56% of the total juvenile cases followed by Irbid and Zarqa with 22% each.
- Of all the courts in the kingdom, Amman has 39.9% of juvenile cases followed by Irbid constituting 19.8%, then Zarqa with 16.9% and Ajloun with the least percentage reaching 0.2%.
- The European Union grant directed to the execution of the "The Juvenile Justice System Reform Project" was in the amount of USD (870980) which equals JOD (609686). The weight of the grant that is directed to children in the Ministry budget reaches (1.2%).
- The number of courts equipped with the closed-circuit television technology is 13 in addition to another one installed in the Judicial institute for training purposes. The rest of the juvenile courts are still lacking the new technology which might be attributed to the fact that logistics expenditure devoted to juvenile courts are part of the expenditure of the Ministry of Social Development. Nevertheless, coordination could take place with the Ministry of Social affairs in this matter.



● Financial Observations:

- The financial analysis of the Ministry of Justice's budget revealed that, in spite of the importance of the Ministry's role, represented by the Judicial Council, in the fulfillment of child rights particularly in the area of juvenile justice as previously stated, child allocations are insufficient. The percentage child allocations amounted to 1% of the total Ministry budget which is low by all standards. This can be traced back to two main reasons:
 - The first:** The Ministry does not provide legal aid to juveniles as it is not given such mandate due to legislative vacuum.
 - The second:** the Ministry of Social Development bears the financial expenses of juvenile courts in relation to buildings rent and logistics as pursuant to governing regulations.
- The General Budget Law of the year 2013 reflects a modest share of the Ministry in the state budget which amounted to 0.73% of the total state budget. Given that, additional financial support should be assigned to the Ministry to enable it to meet its obligation to the fulfillment of child rights in the best way possible.
- Share allocations and per capita expenditure across governorates show apparent anomalies and possible inequity. Therefore and prior to determining share allocations across governorates, population size should be taken into account. Moreover, the religious and social status of each governorate should be carefully studied in cooperation and coordination between relevant parties, most importantly the municipalities as it is part of their involvement with the local community which they supervise. The objective of this cooperative effort should be centered around achieving equity in expenditure.
- Child specific expenditures should be included in Ministry's Chart of Accounts, linked with their respective programs to facilitate the sorting and estimating of child allocations over the Medium term expenditure Framework and reflected explicitly in the Ministry budget. This process has become much easier now after applying the Government Financial Management Information System (GFMS).

6-4 Child-Friendly Engagement Strategy

Finally, in light of the expiration of the timeline given for the execution of National Plan of Action for Children(2013-2014), work must proceed towards the construction of a new national action plan to be in line with new developments in the realization of child rights. Key objectives of the new plan should include monitoring the commitment to Child Budgets in the Ministries concerned with child rights using proper performance indicators and setting up a comprehensive engagement strategy for the Ministries concerned with the implementation of child budgeting within their government budgets. Due to their vital role in the local community, municipalities can also be drawn in to participate and be engaged in the National Plan of Action; underprivileged areas must be advanced to achieve equity in governorate spending taking into perspective the social aspect.

6-5 Child-Friendly Justice Budget

Drawing back on what we alluded to earlier in this report with regard to the multiple official agencies responsible for enforcing and implementing the juvenile law and regulations, the multiplicity of agencies resulted in the distribution of child allocations among different sides within the framework of juvenile justice. This means that the financial aspect of the juvenile justice budget has lost its significance and is incapable of interpreting financial and performance indicators connected with this aspect of child rights.

If Jordan embarks upon a child-friendly justice budget side by side with budgets of other relevant entities, this would enable monitoring of allocations based on a strategic result-oriented methodology fulfilling all requirements of juvenile justice system. Furthermore, it will enable the calculation of expenses accurately and an estimation of the child share within the governorates of the kingdom. In this regard, the Government Financial Management Information System (GFMS) which was applied in 2012 and linked to all ministries as well as the Ministry of Finance may facilitate the timely establishment of the child-friendly justice budget. The National Council for Family Affairs is currently working on review and analysis of the judicial strategy and its conformity with international conventions and standards with regard to juveniles. The guiding objective is to develop a national strategy for juvenile that encompasses an executive action plan for institutions concerned with juvenile justice. Ideally, it is wise to connect the proposed juvenile strategy with the child-friendly justice budgeting where performance indicators for both tracks will be tied together to follow-up on and assess the fulfillment of this aspect of child rights effectively and efficiently.



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Annex 1: Ministry of Awqaf and Islamic Affairs Data

First: Budget Data

GoJ and MoAIA Budgets Data- JOD'000

Item	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Country Budget	7,046,079	7,455,752	7,792,955	8,024,992
(MoAIA) budget	43,926	51,279	54,954	56,551
MoAIA Budget % total country budget	0.62	0.69	0.71	0.70

Expenditure patterns for child allocations as a % of Ministry budget by program

Child protection and care as % of MOAIA budget	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Preaching and Guidance	24.2	23.1	24.0	24.5
Teaching in Shari'ah schools	0.2	0.2	0.2	0.2
Zalat Fund Aid	0.1	0.1	0.1	0.1
Total child allocations from MoAIA budget	24.5	23.4	24.3	24.8

Child Allocations from MoAIA Programs –JOD '000

Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Preaching and Guidance	10,625	11,862	13,168	13,876
Teaching in Shari'ah schools	77	88	95	100
Zalat Fund Aid	49	61	64	67
Total	10,751	12,011	13,327	14,043

Second: Governorate Population and their Corresponding Budget Allocations

Preaching, Guidance and Scientific Body Program⁵²

Governorate	Governorate Population 2012 ⁵³	Child allocations from Preaching, Guidance and Scientists Body Program ⁵⁴			
		Estimate for the year	2013	2014	2014
		2013 (JOD)	Budget (JOD)	Budget (JOD)	Budget (JOD)
National Center	-	1,646,253	1,771,935	2,072,674	2,253,545
Capital Amman	723,102	1,332,822	1,305,810	1,477,300	1,618,750
Balqa	121,301	566,891	712,140	753,814	792,785
Zarqa	268,713	998,341	1,068,870	1,121,660	1,170,400
Madaba	43,038	472,354	594,330	625,940	659,050
Irbid	354,199	1,092,696	1,185,030	1,447,210	1,562,820
Mafraq	95,141	933,001	1,067,550	1,188,810	1,247,225
Jarash	58,602	665,891	712,305	798,524	680,715
Ajloun	43,639	538,354	594,330	647,700	685,300
Karak	70,960	693,932	831,600	876,180	917,000
Tafeelah	26,899	566,891	712,470	759,560	807,800
Ma'an	38,851	668,027	831,600	884,340	928,550
Aqaba	39,616	450,417	474,870	514,760	552,300
Total	1,884,061	10,625,868	11,862,840	13,168,472	13,876,240

⁵² Source: General Budget Department, Department of Statistics, Ministry of Awqaf and Islamic Affairs.⁵³ Children between (7-18).⁵⁴ only current expenditure was taken into account because capital expenditures do not include currently and child spending and its amount does not exceed 70,000 aaaaaa annually.

Shari'ah Colleges and Schools Program ⁵⁵

Governorate	Governorate Population 2012 ⁵⁶	Actual No. of students per governorate	Child allocations from Shari'ah Colleges and Schools			
			Estimate for the year 2013 (JOD)	2013 Budget (JOD)	2014 Budget (JOD)	2014 Budget (JOD)
National Center	-		-	-	-	-
Capital Amman	176,801	155	19,250	22,000	23,750	25,000
Balqa	28,374	363	19,250	22,000	23,750	25,000
Zarqa	63,847		-	-	-	-
Madaba	10,474		-	-	-	-
Irbid	85,960	240	19,250	22,000	23,750	25,000
Mafraq	23,121		-	-	-	-
Jarash	13,724		-	-	-	-
Ajloun	10,602		-	-	-	-
Karak	15,433	75	19,250	22,000	23,750	25,000
Tafeelah	6,544		-	-	-	-
Ma'an	9,540		-	-	-	-
Aqaba	10,685		-	-	-	-
Total	455,105	833	77,000	88,000	95,000	100,000

⁵⁵ Source: General Budget Department, Department of Statistics, Ministry of Awqaf and Islamic Affairs.⁵⁶ Male children between (13-18).Note: Teaching in Shari'ah Schools are for males only and from 7th grade to Tawjihi.

Third: Child Share of Spending from Preaching, Guidance and Scientific Program and Shari'ah Colleges and Schools Program across governorates.

Governorate	Preaching, Guidance and Scientists Body Program	Shari'ah Colleges and Schools Program	
	Per Capita Spending	Per Capita Spending ⁵⁷	Student Share (beneficiary) from Actual Spending ⁵⁸
Capital Amman	1.84	0.11	124.19
Balqa	4.67	0.68	53.03
Zarqa	3.72	-	-
Madaba	10.98	-	-
Irbid	3.08	0.22	80.21
Mafraq	9.81	-	-
Jarash	11.36	-	-
Ajloun	12.34	-	-
Karak	9.78	1.25	256.67
Tafeelah	21.07	-	-
Ma'an	17.19	-	-
Aqaba	11.37	-	-

Annex 2: Ministry of Justice Data

First: Budget Data

GoJ and MoJ Budgets Data- JOD'000

Item	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Country Budget	7,046,079	7,455,752	7,792,955	8,024,992
(MoJ) budget	51,136	54,860	54,792	54,267
MoJ Budget % total country budget	0.73	0.74	0.70	0.68

⁵⁷ Based on calculating child males within the age group (13-15) in relevant governorates.⁵⁸ Based on actual numbers of students in Shari'ah schools.



Expenditure patterns for child allocations as a % of Ministry budget by program

Child protection and care as % of Ministry of Justice budget	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Management and Support Services	0.37	0.38	0.39	0.40
Regular Judiciary	0.62	0.58	0.57	0.55
Total child allocations from MoJ budget⁵⁹	1.00	0.97	0.96	0.95

Child Allocations from MoJ Programs –JOD '000

Program	2012 Estimate	2013 Estimate	2014 Indicative	2015 Indicative
Management and Support Services	191	211	215	219
Regular Judiciary	319	320	312	296
Total	510	531	527	515

Second: Juvenile Courts Performance Indicator

Indicators related to work per Juvenile court in Jordan for the years (2011-2012) and projected for 2013⁶⁰

Courts	Years	No. judges	No. of Pending (Carried over) cases	No. of incoming cases	No. of incoming and pending cases	The real annual average caseload per judge.	Average caseload per month
Amman Juvenile Court	2011	1	57	834	891	891	74
	2012	1	36	807	843	843	70
	2013	1	68	781	849	849	71
Zarqa Juvenile Court	2011	1	35	345	380	380	32
	2012	1	21	321	342	342	29
	2013	1	57	299	356	356	30
Irbid Juvenile Court	2011	1	115	313	428	428	36
	2012	1	57	317	374	374	31
	2013	1	77	321	398	398	33
All courts	2011	3	207	1492	1699	566	47
	2012	3	114	1445	1559	520	43
	2013	3	202	1399	1601	534	44

⁵⁹ To the nearest whole number.⁶⁰ Judicial Council, Annual Report on the Judicial Authority.

Third: Governorate Population and Corresponding Allocations

Management and Support Services Program⁶¹

Governorate	Governorate Population	Child allocations from Management and Support Services Program			
		Estimate for the year	2013	2014	2014
	2012 ⁶²	2013 (JOD)	2013 Budget (JOD)	2014 Budget (JOD)	2014 Budget (JOD)
National Center	-	56,772	41,580	39,863	38,592
Capital Amman	723,102	46,930	24,869	25,445	25,855
Balqa	121,301	8,042	12,290	12,658	12,881
Zarqa	268,713	10,865	17,424	17,719	18,223
Madaba	43,038	5,983	10,037	10,375	10,526
Irbid	354,199	21,377	20,434	21,550	23,177
Mafraq	95,141	6,293	16,884	17,302	18,007
Jarash	58,602	6,113	11,390	11,830	12,550
Ajloun	43,639	5,882	9,641	10,058	10,534
Karak	70,960	7,574	13,666	14,026	14,213
Tafeelah	26,899	4,867	11,506	11,808	12,197
Ma'an	38,851	5,242	13,131	13,608	13,925
Aqaba	39,616	4,824	8,028	8,446	8,719
Total	1,884,061	190,764	211,061	214,686	219,398

⁶¹ The General Budget Department, Department of Statistics.⁶² Male and Female children between (7-18), which is the category served by courts according to the enforced Juvenile Law.

Regular Judiciary Program ⁶³

Governorate	Governorate Population 2012 ⁶⁴	Child allocations from Regular Judiciary Program			
		Estimate for the year 2013 (JOD)	2013 Budget (JOD)	2014 Budget (JOD)	2014 Budget (JOD)
National Center	-	54,234	62,664	60,326	60,155
Capital Amman	723,102	74,728	78,836	79,818	80,735
Balqa	121,301	9,969	10,886	11,292	11,436
Zarqa	268,713	52,970	39,817	39,045	24,111
Madaba	43,038	19,139	18,681	16,611	13,126
Irbid	354,199	22,126	23,318	23,593	23,737
Mafraq	95,141	9,838	12,406	12,799	12,995
Jarash	58,602	9,773	11,738	12,209	12,275
Ajloun	43,639	28,964	18,327	12,118	12,301
Karak	70,960	9,471	11,201	11,436	11,790
Tafeelah	26,899	9,340	10,428	10,834	11,253
Ma'an	38,851	9,471	11,043	11,384	11,594
Aqaba	39,616	9,340	10,166	10,310	10,663
Total	1,884,061	319,364	319,509	311,773	296,171

⁶³The General Budget Department , Department of Statistics.

⁶⁴Male and Female children between (7-18), which is the category served by courts according to the enforced Juvenile Law.

Fourth: Child Share of Spending from Management and Support Services Program and Regular Judiciary Program across governorates.

Governorate	Per capita expenditure ⁶⁵	
	Management and Support Services Program	Regular Judiciary Program
Capital Amman	0.06	0.10
Balqa	0.07	0.08
Zarqa	0.04	0.20
Madaba	0.14	0.44
Irbid	0.06	0.06
Mafraq	0.07	0.10
Jarash	0.10	0.17
Ajloun	0.13	0.66
Karak	0.11	0.13
Tafeelah	0.18	0.35
Ma'an	0.13	0.24
Aqaba	0.12	0.24

 Fifth: Juvenile Cases Filed at Courts and Governorates Percentage in Descending Order (2013 Data) ⁶⁶

Governorate	No. of juvenile cases filed in courts	Real percentage of juvenile cases
Amman (Capital)	1696	%39.9
Irbid	841	%19.8
Zarqa	717	%16.9
Mafraq	300	%7.1
Balqa	195	%4.6

⁶⁵Based on number of male and female children within (7-18) in the relevant governorates.

⁶⁶Mizan Data, Ministry of Justice.



Governorate	No. of juvenile cases filed in courts	Real percentage of juvenile cases
Aqaba	138	%3.2
Madaba	110	%2.6
Karak	98	%2.3
Jarash	49	%1.2
Ma'an	49	%1.2
Tafeelah	47	%1.1
Ajloun	7	%0.2
Total	4247	%100

Six: Estimation mechanism for child allocations in the Ministry of Justice:

The mechanism can be summarized as follows:

- Calculating the percentage of juvenile cases to adult cases within courts which hear juvenile cases other than the specialized juvenile courts.
- Setting the average annual salary of a judge of juvenile courts as a benchmark and multiplying the figure by the number of judges working in other courts that hear juvenile cases.
- Calculating the total judges' salaries and multiplying it by number of juvenile cases.
- Calculating the juvenile-related amount in the other courts which reflects the current expenditure of the Regular Judiciary Program.
- Calculating the juvenile-related percentage from the current expenditure of the Regular Judiciary Program.
- Weighting the percentage outcome of calculating juvenile allocations to the capital expenditure of the Regular Judiciary Program.
- Adding the values of juvenile allocations from current and capital expenditure to be able to calculate the amount of juvenile allocations from the Regular Judiciary Program in the other courts.
- Based on the juvenile courts' share from the Ministry of Justice where the percentage of juvenile allocations within the Management and Support services program over the MTEF to Regular Judiciary Program is 65%, the same percentage is weighted to calculate juvenile allocations within the Management and Support program in the other courts.
- According to the mechanism outlined above, juvenile allocations were weighted in the Management and Support Services Program and reached 0.72%, and in the Regular Judiciary Program reached 1.31%.

The researcher has discussed the details of this mechanism with financial specialists at the Ministry of Justice and a budget analyst from the Ministry of which they agreed as a start until the child-related expenditure is incorporated in the calculation map of the Ministry and linked with designated programs to facilitate the sorting and estimation of child allocation over the MTEF to be reflected in turn on future Ministry budgets. This process is now much easier since the adoption of the Government Financial Management Information System (GFMS).