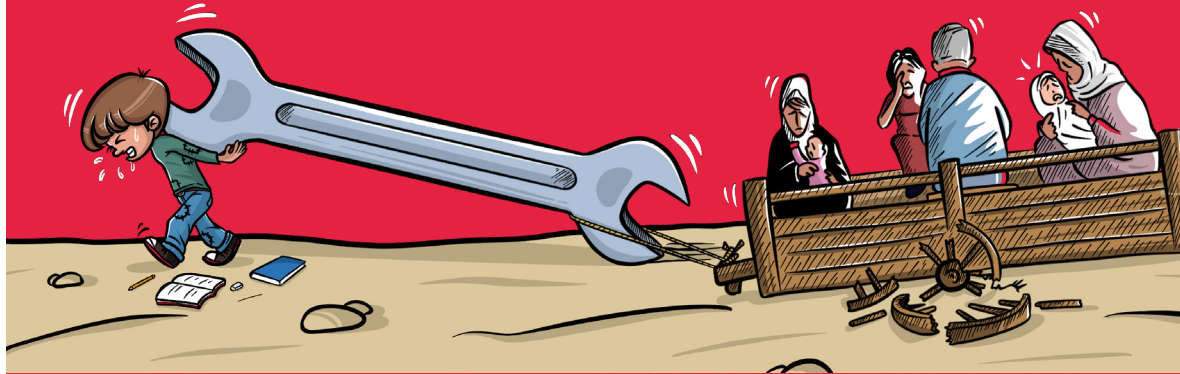


Position Paper

On the occasion of the International Day Against Child Labour

Warnings of Potential Increase in Child Labor Due to Challenges in Re-integrating Students



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FRIEDRICH
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المركز العمالي الأردني
Jordan Labor Watch

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Phenix Center for Economic and Informatics Studies

The Phenix Center for Economic & Informatics Studies is a non-governmental organization dedicated to independent policy research and measuring public opinions on impactful current and emerging issues in areas of economics, society, and its legislative environment in Jordan. The Center was founded in Amman, Jordan in 2003 under the registration number 142203. It works to promote a sustainable developmental paradigm in Jordan, rooted in human rights and the principles of democratic governance by focusing on reforming the labor policies, lifting of restrictions on freedom of association, and strengthening of social protection policies. The Center specializes in promoting inclusivity in development processes. It compiles databases of relevant actors and stakeholders, develops research, studies, papers and reports, conducts conferences and advocacy campaigns, and empowers several actors to take part in steering development through capacity building.



Friedrich-Ebert-Stiftung

Is a German non-profit political foundation based on the principles of social democracy. FES was founded in 1925, it promotes international cooperation, education and research in Germany and abroad. The foundation opened its office in Amman in 1986 to support and enhance efforts of civil society organizations to become accepted partners of public bodies, enhancing furthers political dialogue between decision-makers from Jordan, Iraq, Germany and the region, and strengthening the participation of youth in the political process.



Jordan Labor Watch

Jordan Labor Watch contributes to improving work conditions for all workers in Jordan in accordance with international labor standards. This is done through developing studies and reports covering various aspects of labor issues related to workers, uncovering violations and abuses to which workers are exposed in the work place. The program provides a comprehensive database covering various indicators related to the labor market, trade unions, labor organizations, laws and regulations, as well as governing performance. Furthermore, the program strives to present alternative policies that tackle challenges facing the Arabian and Jordanian labor market as well as conducting training programs that support upgrading skills and capabilities of advocates in the labor movement.



Disclaimer: Phenix Center for Economic and Informatics Studies and Friedrich-Ebert-Stiftung are not responsible for the statements of workers and union officials cited in this report.



The World Day against Child Labour, which falls on June 12 each year, is an opportunity to mobilize against child labor and examine the situation of child labour in Jordan and around the world. The International Labour Organization (ILO) and the United Nations' Children Fund (UNICEF) recorded a significant increase in the number of working children in 2020, as 160 million children are involved in child labor - 79 million of which work in hazardous conditions. This represents an increase of 8.4 million children involved in child labor compared to 2016. Child labor prevents children from exercising their right to a childhood, deprives them of the opportunity for education, often deprives them of receiving their right to health and nutrition, and as such impedes their access to basic human rights.

Despite the fact that Jordanian legislation forbids the employment of those under 16 years of age, rates of child labor have notably increased over the past few years. According to the latest available data, prepared by the ILO in collaboration with the Department of Statistics and the Ministry of Labor in 2016, more than 75,000 children in Jordan are in child labor and 45,000 of those children are in hazardous work.

According to the definition of the Convention on the Rights of the Child, adopted by the United Nations in 1989, «a child means every human being below the age of eighteen years.” Within the Jordanian context, children are divided into two categories: 1. Children under the age of 16, whose employment in any form is prohibited under the law, and 2. Children aged 16-18, whose employment is legal except for in hazardous occupations.

Additionally, the Sustainable Development Goals for the year 2030 (SDGs) have also emphasized the priority of combating child labour. Target 7 of Goal 8 states, «Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.”



The COVID-19 pandemic forced Jordan to adopt remote education, to minimize the risk of spreading the virus and to preserve children's health. At the same time, the COVID-19 pandemic has increased poverty rates. These combined factors have led more children to enter the labor market, particularly as students no longer have to physically attend school « According to the latest press briefings by the Ministry of Education, the daily student attendance rate for public school students has decreased, with just 49% of kindergarten, first grade, and Tawjihi students attending the first day of the first semester of the 20202021- school year. The attendance rate was higher for students in Grade 1, with 63% of first graders attending their classes remotely. However, for students at a secondary education level (Grade 11 and 12), the percentage of students attending online classes through the Darsak platform was just 37%.»

The COVID-19 pandemic led to a change in national priorities, with the most urgent national priority being addressing the severe economic and health consequences of the pandemic. The pandemic has significantly affected the most vulnerable groups in Jordan. In particular, the direct impact of the pandemic on children as a whole and children in labor in particular has not received the attention it deserves.

There are multiple factors that have led to the increase in the number of child labour in Jordan. The worsening of socio-economic inequality, as well as the decline in social justice indicators, is one of the most significant of these factors. This inequality was entrenched through the implementation of economic policies, such as policies centered on the liberalization of the national economy and accompanying austerity policies, without sufficient regard to social consequence during the past few decades. Such policies have contributed to the decline of living standards for a large segment of Jordanian families, which is evidenced by rising rates of poverty.

Since the implementation of economic restructuring programs by the Government, various social protection programmes have been adversely affected - particularly in education and health. Jordan's spending on education, health and employment declined from 25 percent in 2000 to 23 percent in 2010. In 2018, the poverty rate reached 15.7 percent. Moreover, 18.5 percent of those living in Jordan are classified by the World Bank as "transient poor", meaning that they live in poverty for at least three months in a year. Poverty rates are expected to rise to 27 percent by the impact of the COVID-19 pandemic, according to estimations made by the World Bank. The rise in poverty will increase the chances of children becoming enmeshed in child labor: as the unmet financial need of families in Jordan rises, the chances of children working to contribute to their family's income also rises - no matter how modest this added income might be.

This has also been exacerbated by school closures and remote education, as it has made it has made children more vulnerable to child labor and has increased the possibility of many children being denied the right to an education due to the lack of equitable access to remote learning tools. A United Nations' Children's Fund (UNICEF) rapid needs assessment conducted in April 2020 found that nearly a quarter of vulnerable households in Jordan (23 percent) did not have internet access, and the majority had limited data packages. According to World Bank data, over 16 percent of students in Jordan lack Internet access.

Various indicators point to the possibility of a tangible increase in child labor after the switch to remote learning as a result of the Coronavirus pandemic, as a large segment of children in Jordan have not regularly attended online classes. The pandemic also negatively impacted programs working to fight child labor.

Parents' inability to provide their children with the required tools to access e-learning platforms (such as laptops, internet subscriptions, telecommunications devices such as microphones and headphones, et cetera) has impacted children's ability to participate in remote learning. Parents from the poorest households are overwhelmingly employed within the informal sector, and as a result lost their jobs due to economic shutdowns brought on by the pandemic. Additionally, many who were employed in affected sectors also experienced wage loss. The reduced income of households - particularly households with low income levels even before the pandemic - led to many of them to seek to place their children in child labor.

Over the coming few months, it is expected that schools will be reopening after school closures have stretched on for over a year. However, there is increasing concern that the post-closure period and the reopening of schools may lead to more children dropping out of school, due to the difficulty of reintegrating them into the educational process.

National efforts to combat child labor



Jordanian legislation is largely in line with the standards of international agreements related to the elimination and reduction of child labour, the most significant of which is the United Nations Convention on the Rights of the Child of 1989, which entered into force in 1990, as well as the the ILO Convention concerning Minimum Age for Admission to Employment (C138), the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (C182), and the ILO Convention Concerning Forced or Compulsory Labour (C029).

National legislation prohibits child labour. Under Article 73 of the Jordanian Labour Code No. 8 of 1996 and the amendments thereto, the employment of children under the age of 16 is prohibited. Additionally, article 74 of the Jordanian Labour Code prohibits the employment of children under 18 years of age in hazardous occupations.

However, there is a failure to adequately enforce these regulations. The responsibility of preventing child labor is not relegated to one particular reference point, but rather to a number of different actors. Inspectors at the Ministry of Labor (MoL) have the authority to inspect all establishments that are bound by the Jordanian Labor Code to ensure compliance with the prohibition against child labor. However, employment outside of the scope of the legal framework - such as panhandling or working in market stalls - do not fall within the scope of Ministry of Labor's inspectors' areas of work.

Moreover, according to research conducted by the ILO in cooperation with the Department of Statistics and the Ministry of Labor in 2016 showed that children between the ages of 15-17 had the lowest enrollment rate at 84 percent. As children between the ages of sixteen and seventeen are legally permitted to work for a maximum of 36 hours a week, it is clear that a significant proportion of these children leave school to join the labour market.

The decreased rate of school enrolment for children aged fifteen to seventeen is also linked to the paradigm of basic education adopted by the Ministry of Education, as enrolment in school is compulsory for all children in Jordan during the basic education stage. The structure of the compulsory basic education system in Jordan consists of ten years for children between the ages of six and sixteen. As such, adolescents who complete a basic education are not mandated to continue their secondary education.

While the existing national legislation that aims to combat child labor represents an essential cornerstone for protecting children from child labor, there is an urgent need to enact comprehensive national legislation for children's rights. The draft Children's Rights Act, which has been in the hands of the government for years without being formally passed, has the potential to greatly improve services provided to children in Jordan. Article 15 of the draft law is of particular relevance, as it specifically forbids "practices that are harmful to children, including child labor." However, although legislation plays an important symbolic role in rejecting the practice of child labor, the economic realities in Jordan are a stronger determining factor impacting child labor. The increase in unemployment rates, poverty rates, and the declining quality of education are all critical factors influencing the increase of child labor in Jordan.



- Abandoning austere economic policies that have been implemented in Jordan for decades, which have led to increased poverty rates.
 - The majority of working children belong to poor families, who are driven by the need to remove their children from school, or to overlook their drop-outs from schools, in order to gain additional income that helps these families meet their basic needs.

- Rebuilding the social protection system on the basis of human rights and providing a decent life for all, and amending labor policies to increase wages in line with rising living costs in Jordan.

- Suspending Defense Order No. 6, as well as all its annexes and amendments.
 - Workers' wages should return to pre-Coronavirus levels to ensure that families in Jordan are able to obtain decent living standards.

- Intensifying efforts to achieve a safe and rapid return to post-secondary education in schools, taking all necessary measures to cover the psychological, behavioral and cognitive gaps caused by the disruption of education, as well as remedial programs for students who have not been able to benefit from remote learning programs.

- Improving the quality of education during the basic education phase to reduce children's school dropout rates, and provide equitable and accessible remote learning for all students.

- Developing specialized curricula for children who dropped out of school that take into consideration their unique needs.

- Strengthening oversight and supervision in areas where child labour is concentrated, more actively enforcing of laws that prohibit child labour, establishing more deterrent penalties for violators than minor fines, and conducting awareness campaigns about the negative impact of child labour.

- The international community must shoulder its responsibilities towards Syrian refugees, who are particularly vulnerable to poverty and child labor.

- Developing an accurate and regularly-maintained database for statistics of child labor in Jordan.

- Adopting the Rights of the Child Act in line with the binding provisions of the Convention on the Rights of the Child, which Jordan ratified in 1990.



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