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Responses to Information Requests

Palestine and Jordan: Whether the acquisition of a Palestinian Authority (PA) passport leads to the loss of rights to Jordanian citizenship; whether this acquisition has any other impact on entitlements (2004 - March 2006)

In 9 May 2006 correspondence, the Embassy of the Hashemite Kingdom of Jordan stated that the "holder of a Palestinian Passport issued by the Palestinian Authority is considered a Palestinian and not a Jordanian."

Oral sources consulted by the Research Directorate agreed that the acquisition of a Palestinian Authority (PA) passport leads to the loss of Jordanian citizenship (EI-Abed 24 Mar. 2006; Shaml 4 Apr. 2006; IPCRI 28 Mar. 2006). Dr. Oroub EI-Abed, a specialist on Palestinian refugees in Jordan, indicated that even if a person had had citizenship rights in Jordan, the acquisition of a PA passport would cause this person "[to lose] all rights to being treated as a Jordanian citizen...and...the right to residency in the country" (24 Mar. 2006). To regain these rights, a person would need to renew his or her stay in the country as would any other foreigner (EI-Abed 24 Mar. 2006). The individual would also need to have proper justification to remain in the country or have the support of a guarantor (ibid.).

The representative from the Israel-Palestine Center for Research and Information (IPCRI), however, also acknowledged that, as of March 2006, Jordanian authorities had not fully implemented this policy (IPCRI 28 Mar. 2006). According to the representative, while, "in principle, the Kingdom [of Jordan could] revoke citizenship from Palestinians once they take out a [Palestinian Authority] passport...it is usually not implemented" (ibid). The IPCRI representative further noted that "Jordanians and the PA do not have a joint computer system or registry on these issues" (IPCRI 28 Mar. 2006).

Country Reports on Human Rights Practices for 2005 noted the unequal application of citizenship laws in

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Human rights activists continued to charge that the government did not apply consistently citizenship laws, especially in cases in which passports were taken from citizens of Palestinian origin.... [A]ctivists complained that the process is not transparent and the appeal process virtually nonexistent (8 Mar. 2006, Sec. 2.d).

Furthermore, Palestinians living in Jordan are issued passports of different validity length corresponding to different sets of rights:

Palestinians with full citizenship receive passports that are valid for five years. Most persons of Palestinian origin living in the country were citizens and received passports; however, the government estimated that there were 150,000 Palestinian refugees, mostly of Gazan origin, who do not qualify for citizenship. They received three-year passports valid for travel but which do not connote citizenship. West Bank residents without other travel documentation are eligible to receive five-year passports which do not connote citizenship (*Country Reports 2005* 8 Mar. 2006, Sec. 2.d).

The consul of the Embassy of the Hashemite Kingdom of Jordan in Ottawa explained that, West Bank residents are issued five-year temporary passports which they can hold in addition to a Palestinian passport (Jordan 1 Sept. 2004). The Embassy further explained that temporary Jordanian passports are not to be construed as proof of Jordanian citizenship but, rather only, as travel documents (*ibid.*). Temporary and permanent passports are differentiated by a special stamp which is illustrated in the attached correspondence received from the Embassy (*ibid.*).

The *Palestine Yearbook of International Law* provided a detailed historical overview of the differences in Palestinians' status, an explanation of the rights related to status, and the corresponding yellow or green cards issued by Jordanian authorities:

Jordan at first granted full citizenship to all Palestinian refugees and their descendants who were "habitually residents in 1954." It did not matter whether they lived on the East Bank or West Bank, because in that era Jordan had incorporated the West Bank and

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Palestinians drifted back and forth fairly readily. Many families had branches and homes on both sides of the river. However, once Israel took over control of the West Bank, the situation became more confused. In 1983, the Jordanian government created a dual system: yellow cards, which represented full residency and full citizenship rights for persons who had left the West Bank for the East Bank before June 1 of that year; and green cards, providing a renewable two-year Jordanian "passport" and no right of residence for those who left the West Bank after June 1, 1983. Green card holders can visit Jordan for only up to one month at a time. Thus it is really no more than a travel document, of the type also issued to Palestinians by Egypt, Syria, Lebanon, and Israel. As already noted, Jordan has recently announced that green card holders can apply again for five-year passports, but such a passport does not constitute full citizenship.

The main category of Palestinians in Jordan who are not Jordanian citizens consists of those displaced from the Gaza strip in 1967. They constitute approximately 70,000 persons. As noncitizens, they need official permission to work and then they can do so only in the private sector. The noncitizens use Egyptian travel documents when traveling abroad and need return visas to get back into Jordan. Permission to remain or return is granted or denied at the whim of the Jordanian government (*The Palestine Yearbook of International Law* 2000/2001).

In September 2004, *The Jordan Times* reported claims that Jordanian authorities were arbitrarily nullifying the citizenship and residency status of Jordanian citizens of Palestinian origin by exchanging yellow cards for green cards (27 Sept. 2004).

The Jordanian government dismissed these claims, indicating that the exchange of cards reflected the ongoing policy of the Jordanian authorities with respect to citizenship (*The Jordan Times* 27 Sept. 2004).

Further to this, *The Jordan Times* article explained the nature of the Jordanian policy since 1988:

[f]ollowing disengagement [in 1988], different categories of Jordanian residency were created, with Palestinian refugees of 1948 and 1967 who settled in the East Bank

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receiving full citizenship and five-year passports.

Palestinians of 1967 were also given yellow family reunification cards for travel to the West Bank. However, Palestinians of 1967 living in the West Bank at the time of disengagement were given five-year passports without national identity numbers and a green card, enabling them to enter Jordan only with a "no objection" document issued by the Interior Ministry.

Palestinians from Gaza are treated as a separate case entirely and given a two-year passport (ibid.)

According to the Jordanian Interior Minister, approximately 500 yellow cards are exchanged for green cards each year, while "10 times as many people are granted the reverse change of status every year," usually in cases of children reaching the age of majority, marriage and "humanitarian cases" (ibid.). The Interior Minister also explained that

anyone who has a Palestinian passport, works for the [Palestinian Authority] or the [Palestinian Liberation Organization], or was resident in Palestine at the time of disengagement will have their yellow card changed to a green card (ibid.).

For further detail on the entitlements associated with the different status of Palestinians in Jordan, please see the attached table published by Oroub El-Abed (El-Abed 2005, 93).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Country Reports on Human Rights Practices for 2005. 8 March 2006. "Jordan." United States Department of State.
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Israel-Palestine Center for Research and Information (IPCRI). 28 March 2006. Correspondence from a representative.

The Jordan Times [Amman]. 27 September 2004. "Jordanian Interior Minister Rejects 'Rumours' of Change to Citizenship Rules." (BBC Monitoring Middle East/Factiva)

The Palestine Yearbook of International Law. 2000/2001. Vol. XI. Great Britain: Kluwer Law International.

Shaml, The Palestinian Diaspora and Refugee Centre. 4 April 2006. Correspondence from the director.

Additional Sources Consulted

Oral sources: The Palestinian Human Rights Monitoring Group (PHRMG) and the BADIL Resource Center for Palestinian Residency and Refugee Rights did not provide information within the time constraints of this response.

Attempts to contact the Ministry of Foreign Affairs of the Hashemite Kingdom of Jordan were unsuccessful.

Internet sites, including: Embassy of the Hashemite Kingdom of Jordan in Washington, Foreign Affairs Canada, The Hashemite Kingdom of Jordan National Information System, International Labour Organization (ILO), Israel-Palestine Center for Research and Information (IPCRI), Legislationline, Ministry of Foreign Affairs of the Hashemite Kingdom of Jordan, Shaml (The Palestinian Diaspora and Refugee Centre), Palestinian Refugee ResearchNet (PRRN).

Attachments

El-Abed, Oroub. 2005. "Immobile Palestinians: The Impact of Policies and Practices on Palestinians from Gaza in Jordan." *Mondes en mouvements. Migrants et*

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migrations au Moyen-Orient au tournant du XIXe siècle.
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du Proche-Orient (IFPO), Beirut, p. 93. Sent to the
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Jordan. 1 September 2004. Embassy of the Hashemite
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Source: Research Directorate, Immigration and Refugee
Board of Canada, Ottawa

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