

Palestine

Response to Information Request Number:	PAL00001.MIA
Date:	24 November 1999
Subject:	Israel / Occupied Territories / Jordan: Return of a Palestinian to the Occupied Territories who has been in the U.S. since 1991; Ability of a non-Jordanian-citizen Palestinian man married to a Jordanian woman to obtain Jordanian citizenship
From:	INS Resource Information Center
Keywords:	Israel / Jordan / Occupied Territories / Palestinians /

Query:

1. Would a former West Bank Palestinian who has resided in the U.S. since 1991 and who did not support the Intifada, likely face persecution by other Palestinians or by the Palestinian Authority upon returning to the West Bank?
2. Would such an individual legally be able to return to the West Bank?
3. How has the situation for Palestinians in the Occupied Territories changed in light of the new government in Israel?
4. Does a non-Jordanian-citizen Palestinian man who is married to a Jordanian woman and holds a "temporary for 2 years" Jordanian passport issued in 1991 have the right to claim Jordanian citizenship?

Response:

1) Would a former West Bank Palestinian who has resided in the U.S. since 1991 and who did not support the Intifada, likely face persecution by other Palestinians or by the Palestinian Authority upon returning to the West Bank?

The first issue addressed is the perception by Palestinians that other Palestinians have been or are collaborating with Israeli authorities.

According to a representative of B'Tselem, a human rights group that monitors human rights in Israel and in the Occupied Territories, there are cases of violence by Palestinians against other Palestinians who are suspected of collaboration with Israeli authorities. The representative stated, however, that B'Tselem does not know of cases where a Palestinian was suspected of collaboration with Israeli authorities for failure to support the Intifada and/or for returning to the Occupied Territories after having resided in the U.S. for nearly a decade (B'Tselem 28 Oct., 1 Nov. 1999).

Bassem Eid, the Executive Director of the Palestinian Human Rights Monitoring Group (PHRMG), is quoted in a 1998 Amnesty International publication as saying "[t]he issue of so-called collaborators being killed became widespread within the Palestinian community" (AIUSA Spring 1998). In correspondence to the Resource Information Center, however, a representative from the PHRMG stated that "not supporting the Intifada or being [perceived as] wealthy or being a Palestinian or being married to a woman from Jordan...[has] no effect on [an individual's] ability to return to the Territories" or to live safely, within the context of human rights abuses against Palestinians by fellow Palestinians (PHRMG 6 Nov. 1999).

The second issue addressed is that of human rights violations against Palestinians by the Palestinian Authority (PA).

Several sources discussed the PA's dismal human rights record in the Occupied Territories, mentioning corruption, torture, and arbitrary arrest and detention as some of the concerns (Professor of political science 16 Nov. 1999; Davis 1997, p. 105; USDOS April 1999, p. 1700, 1701; USDOS/DRL 17 Nov. 1999).

A professor of political science at Hunter College of the City University of New York, who is knowledgeable on human rights issues in Israel and the Occupied Territories, stated that Palestinians in the Occupied Territories are subject to "capricious" and "arbitrary" arrests, beatings, and shakedowns by the PA for the purpose of extortion (Professor of political science 16 Nov. 1999). Because it is common for Palestinians to return to the Occupied Territories after having made "their fortune" abroad, even if a returnee is not wealthy, the returnee is typically perceived as such, and is often a target for extortion by the PA (Professor of political science 16 Nov. 1999). Returnees who for whatever reason do not have family support or protection in the Occupied Territories are especially easy targets for extortion by the PA (Professor of political science 16 Nov. 1999). A Department of State representative stated that, though he has no specific knowledge of incidents of extortion against Palestinian citizens by the PA, it is "logical" that they would occur, considering the PA's poor human rights record and the level of corruption in the PA (USDOS/DRL 17 Nov. 1999).

2) Would such an individual legally be able to return to the West Bank?

Israeli law requires Palestinians to return to the Occupied Territories to renew their residency papers every two years (Professor of political science 16 Nov. 1999; USDOS/DRL 17 Nov. 1999). This poses a hardship to some Palestinians who are abroad, and many often let their residency status lapse rather than return to the Occupied Territories every two years for renewal. "Many people give up and cease to be [legally] Palestinian" (Professor of political science 16 Nov. 1999). Individuals who have not renewed their residency papers are unable to return to the Occupied Territories and are effectively stateless (USDOS/DRL 17 Nov. 1999; Professor of political science 16 Nov. 1999).

In some cases, Palestinians are able to renew their residency papers through a sponsor in the Occupied Territories, but this is nearly impossible for those who do not have family members in the Territories, or who do not have a great deal of support or protection from family members in the Occupied Territories (USDOS/DRL 17 Nov. 1999; Professor of political science 16 Nov. 1999).

3) How has the situation for Palestinians in the Occupied Territories changed in light of the new government in Israel?

According to the professor at Hunter College City University of New York, one can not make "broad generalizations" about change in the quality of life of Palestinians in the Occupied Territories under the Barak government. Some things have improved, and some things have worsened. For instance, settlement expansion (as measured by the number of units being built) has increased, but torture was recently outlawed in Israel and in the Occupied Territories. Although the outlawing of torture is a positive step, torture is still practiced by the PA in the Occupied Territories (Professor of political science 16 Nov. 1999).

4) Is a non-Jordanian-citizen Palestinian man who holds a "temporary for 2 years" Jordanian passport issued in 1991 able to claim Jordanian citizenship?

According to a representative of the Embassy of the Hashemite Kingdom of Jordan, an individual from the West Bank whose 2-year Jordanian passport expired in the early

1990's can apply for passport renewal. Upon successful completion of the application process, the individual would be issued a 5-year Jordanian passport, which would serve as a travel document only (Embassy of the HKJ 16 Nov. 1999). This individual would not, however, be able to work or receive any type of social security or public assistance, or be eligible for Jordanian citizenship (Embassy of the HKJ 16 Nov. 1999; Professor of political science 16 Nov. 1999). A U.S. Department of State representative in Amman stated that the DOS is not aware of any difficulties faced by Palestinians who attempt to renew their Jordanian passports (USDOS/DRL, 16 Nov. 1999).

5) Is a West Bank Palestinian man who is married to a Jordanian woman able to claim Jordanian citizenship?

Jordanian Citizenship Law states that Arabs who have resided in Jordan for at least fifteen consecutive years "may obtain Jordanian citizenship by a Resolution of the Cabinet on the basis of the recommendation of the Minister of Interior..." (Davis 1997, p. 70). In practice, however, there is no formal process for non-Jordanian men married to Jordanian women to apply for citizenship in the country (Embassy of the HKJ 28 June 1999).

References:

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U.S. Department of State; Bureau of Democracy, Human Rights, and Labor; Office of Country Reports and Asylum Affairs (USDOS/DRL). 16, 17 November 1999. Telephone interviews with representatives.

Attachments:

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Last Modified 06/14/2002