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JOR42458.E

Jordan: Jordan's treatment of failed refugee claimants who are returned to Jordan or persons who have exited the country illegally or whose permission to leave has expired; whether there is a distinction made between citizens of Jordan, stateless Palestinians from the Occupied Territories, and stateless Palestinians who reside in Jordan under UNRWA registration; possibility of torture or the existence of a risk to life or a risk of cruel and unusual treatment or punishment upon return
Research Directorate, Immigration and Refugee Board, Ottawa

Information on Jordan's treatment of failed refugee claimants or persons who have exited the country illegally or whose permission to leave has expired, as well as whether distinctions are made between different categories of Palestinians, and the possibility of torture or the existence of a risk to life or a risk of cruel and unusual treatment or punishment, could not be found among the sources consulted by the Research Directorate. However, the following information provided to Citizenship and Immigration Canada (CIC) on questions concerning exit and return procedures for Palestinians from Jordan, are relevant.

In the fall of 2003, CIC put several questions to three organizations: Badil, the Resource Center for Palestinian Residency and Refugee Rights, HaMoked, an Israeli human rights organization, as well as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The questions were as follows:

5) Please provide clarifications as to the role and function of a green and yellow identity card (ID) regarding the issuance of a two-year or five-year Jordanian passport....

5.1) Are West Bank Palestinians issued a green ID by the Jordanian authorities when entering Jordan? What is the meaning of holding a green ID when crossing into Jordan through the Allenby Bridge? Are they full Jordanian citizens? Do they have a right of residence in Jordan?...

5.2) It is our understanding that other West Bank Palestinians are issued a yellow ID when crossing into Jordan. What is the meaning of this yellow

ID regarding Jordanian passport and citizenship? Do they have a right of residence in Jordan?...

5.3) What are the consequences these two IDs have on the right of abode?...

6) What documents are required by the Jordanian authorities for a West Bank Palestinian to exit Jordan from the Allenby Bridge?...

7) What documents are required by the Jordanian authorities for a West Bank Palestinian to exit Jordan from the Amman International Airport? Are those same documents required for the re-entry of the person?...

8) What documents are required by the Jordanian authorities for a West Bank Palestinian to enter Jordan from the Allenby Bridge?...

9) What are the procedures and documents required to re-enter Jordan and cross the Allenby Bridge to return to the West Bank?...

10) What documents are then issued to a Palestinian who legally enters Jordan from the West Bank? Is it a two -year or a five-year Jordanian passport? What are the rights and obligations attributed to these passports, including the right to residence in Jordan and the right of abode?... (CIC 19 Sept. 2003)

The Badil Resource Center gave the following response to the questions:

Jordan

Yellow and Green Cards

In 1983, the Jordanian government created a dual yellow and green card system to distinguish Palestinians living in Jordan from Palestinians living in the West Bank at that time. Yellow cards were granted to West Bankers who had left the West Bank before 1 June 1983. Palestinians who were living in Jordan at that date and who had obtained full residency and full citizenship ("family book") were, therefore, entitled to a yellow card. Our understanding is that the yellow card is only used by Palestinians in Jordan if they wish to travel to the West Bank, so Palestinians who are not required to travel to the West Bank do not necessarily hold a yellow card.

Palestinians living in the West Bank, who are holders of a Jordanian passport, are entitled to green cards. The green card indicates that its holder is from the West Bank and that he or she is allowed to stay in Jordan temporarily only. Green cards and yellow cards are issued by the Jordanian Interior Ministry at the border crossings to the West Bank.

Documents required by the Jordanian authorities for a West Banker to enter/exit Jordan through Allenby Bridge

Palestinians from the West Bank who wish to travel to Jordan are required to possess: - a valid Palestinian travel document ("passport") or Jordanian passport;

- a valid Jordanian green card or yellow card;

- and, since 2001, also a "statement of no-objection" issued by the Jordanian Ministry of Interior. This official statement must be requested by the inviting relative/institution in Jordan who guarantee that the Palestinian visitor will not overstay the permitted period in Jordan. No additional documents are required by the Jordanian authorities for a West Banker to exit Jordan from Amman Airport.

With regard to questions 5.2. and 5.3., we assume that they are answered above. With regard to question 5.3., please note that Jordanian law does not provide automatic citizenship to Palestinians who have taken up residency in Jordan after 16 February 1954. Palestinians from the Gaza Strip, for example, who fled to Jordan during and immediately after the 1967 war, are not considered Jordanian citizens. These Palestinians are entitled to two-year travel documents (Badil 27 Oct. 2003).

The Israeli human rights organization HaMoked also provided answers to these questions, but they did not have an answer for question (8):

5) This is not an ID but is called a Bridge Card. The green card is temporary (for two years) and is issued to residents of the West Bank who are not Jordanian citizens. Each time the resident crosses the bridge, the Jordanian authorities enter a note on the card by hand. The yellow card is issued to Jordanian citizens (many of whom are residents of the West Bank) for five years. In effect it serves as an alternative passport so that the Israeli crossing stamps do not appear in the original Jordanian passport, which would cause problems in other Arab states for these residents....

5.1) The green Bridge Card is indeed issued at the crossing point for residents holding Palestinian passports. Those without Palestinian passports must request at his home city a temporary Jordanian passport. This request must include a confirmation from the Palestinian Authority that the resident does not have a Palestinian passport. S/he takes the stamped request to the crossing point and must go to Amman to be interviewed in order to receive the temporary passport. The[y] are neither full Jordanian citizens nor have any residence rights....

5.2) As mentioned in question 5, the yellow Bridge Card is issued only to Jordanian citizens who naturally have a right to residence....

5.3) As far as we know, there is no connection....

- 6) Again, as far as we know, only the green or yellow Bridge Card....
- 7) As far as we know, what is required is a valid passport (including Palestinian, Jordanian and temporary Jordanian as noted above) or from any other country. We assume that the same is required for re-entry....
- 9) As far as we know, the same documents used for entry into Jordan and exit from Jordan (as noted above)....
- 10) See above regarding status of Palestinian who receives a green or yellow Bridge Card. These cards themselves have no influence on the rights, obligations and/or residency as far as we know.... (HaMoked 5 Nov. 2003).

UNRWA provided the following answers, although they were unable to respond to question (10):

- 5) We really have no information about the Jordanian passport questions or the effect of "green" or "yellow" identity cards....
- 6) Such a person would need valid travel documents - e.g., a travel document from the PA or a passport from another Arab country - and a Jordanian visa....
- 7) We believe the same as under (6) above, and the same as for re-entry.
- 8) We believe the same as under (6) above....
- 9) We assume the question concerns re-entry at Amman International Airport. We believe the same as under (7) above.... (UNRWA 30 Oct. 2003).

For additional information on the situation of Palestinian refugees in Jordan, please see JOR40118.E of 7 November 2002 or the US State Department's *Country Reports for 2003*.

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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

Badil: Resource Center for Palestinian Residency and Refugee Rights, Bethlehem. 27 October 2003. Correspondence sent to Citizenship and Immigration Canada (CIC).

Citizenship and Immigration Canada (CIC), Ottawa. 19 September 2003. Correspondence.

HaMoked: Centre for the Defence of the Individual, Jerusalem. 5 November 2003. Correspondence sent to CIC.

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Gaza. 30 October 2003. Correspondence sent to CIC.

Additional Sources Consulted

The Palestinian Centre for Human Rights

Unsuccessful attempts to contact Amnesty International, the Arab Commission for Human Rights (ACHR), Human Rights Watch, the Jordan Society for Human Rights (JSHR), the Palestinian Diaspora and Refugee Centre (SHAML), and a researcher in the area of Middle East citizenship

Publications: Journal of Palestine Studies

Internet Sites, including: Amnesty International, Asylum Law, Freedom House, Human Rights Internet, Human Rights Watch, Jordan Times, United Nations High Commission for Refugees, UK Home Office, US Committee for Refugees, US Department of State

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