



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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5 August 2008

### **ZZZ102878.E**

Jordan/Palestine: Whether there have been any recent change to rules or laws related to Jordanian citizenship or status (or protection) for Palestinians; in particular, whether authorities in Jordan are able to automatically revoke the citizenship of Palestinians who carry Palestinian Authority (PA) passports (2006 - July 2008)

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According to a research associate at the Institut français du Proche-Orient (IFPO), a Damascus-based French government research institute with expertise in the Middle East (IFPO 5 Apr. 2006), changes to the 1954 citizenship law have not affected "who has the right to become Jordanian" (Research Associate 1 July 2008). Article 3 of Law No. 6 of 1954 on Nationality (last amended 1987) states that the following persons are considered to be Jordanian nationals:

Any person who has acquired Jordanian nationality or a Jordanian passport under the Jordanian Nationality Law, 1928, as amended, Law No. 6 of 1954 or this Law;

Any person who, not being Jewish, possessed Palestinian nationality before 15 May 1948 and was a regular resident in the Hashemite Kingdom of Jordan between 20 December 1949 and 16 February 1954;

Any person whose father holds Jordanian nationality;

Any person born in the Hashemite Kingdom of Jordan of a mother holding Jordanian nationality and of a father of unknown nationality or of a stateless father or whose filiation is not established;

Any person born in the Hashemite Kingdom of unknown parents, as a founding in the Kingdom shall be considered born in the Kingdom pending evidence to the contrary;

All members of the Bedouin tribes of the North mentioned in paragraph (j) of article 25 of the Provisional Election Law, No. 24 of 1960, who were effectively living in the territories annexed to the Kingdom in 1930. (Jordan 1 Jan. 1954, Art. 3)

HaMoked, an Israeli human rights organization which gives support to "Palestinian residents of the Occupied Territories whose rights are violated due

to Israel's policy" (n.d.), states in a July 2006 report that Jordan "does not grant residency to Palestinian residents of the Occupied Territories" (HaMoked July 2006, 20). The United States (US) Department of State *Country Reports on Human Rights Practices for 2007* provides the following information:

Human rights activists continued to charge that the government [of Jordan] did not consistently apply citizenship laws, especially in cases in which passports were taken from citizens of Palestinian origin. The government maintained this policy was in line with its efforts to implement the government's disengagement from its former claims to the West Bank. However, activists complained that the process was not transparent and the appeal process was virtually non-existent. Claimants or families filed appeals with the MOI [Ministry of Interior], which were not resolved to their satisfaction. The government asserted that all cases it closed involved persons without valid claims to citizenship or travel documents.

Human rights activists claimed that approximately 10,000 to 12,000 former residents of Palestinian origin remained outside the country, and that the government refused to renew their passports at embassies overseas. (US 11 Mar. 2008, Sec. 2.d)

The National Centre for Human Rights (NCHR), an organization that seeks "to protect and enhance the situation of human rights and public freedoms" in Jordan (n.d.) provides the following information on Jordanian citizenship in a 2008 human rights report:

In spite of the fact that the Jordanian Constitution stipulated in Article 5 that citizenship is determined by law, ... the Jordanian legal system, the legislative situation and the practical application of the right to citizenship in 2007 saw no changes or developments. This right still faces many factors and influences, which undermine it, namely:

The governmental decisions on the withdrawal of identification documents of Jordanian citizens in a manner that undermines this right and prevents its enjoyment, without consideration to the constitutionality of these decisions or their unconstitutionality.

...

The citizenship law [Law No. 6 of 1954 on Nationality (last amended 1987)] is inconsistent with the international conventions and criteria ratified by Jordan. (NCHR Mar. 2008, 37, 38)

Information on whether authorities in Jordan are able to automatically revoke the citizenship of Palestinians who carry Palestinian Authority (PA) passports was scarce among the sources consulted by the Research Directorate. However, *Country Reports 2007* indicates that human rights activists report that many citizens of Palestinian origin have had their national numbers revoked by interior ministry officials and that others claim that "their temporary passports were confiscated after spending time in the West Bank" (US 11 Mar. 2008, Sec. 5). The NCHR reports that, in 2007, 64 complaints were filed with respect to citizenship and the withdrawal of identification documents (Mar. 2008, 38). The NCHR adds that the withdrawal of such documents has had negative effects such as curtailing freedom of movement and hindering opportunities for employment

(Mar. 2008, 39).

*Country Reports 2007* provides the following related information on Jordanian citizenship:

Citizens receive [Jordanian] passports that are valid for five years. Some persons of Palestinian origin living in the country were citizens and received passports; however, the government reported that there were approximately 130,000 Palestinian refugees, mostly of Gazan origin, who did not qualify for citizenship. Approximately half received two-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. (US 11 Mar. 2008, Sec. 2.d)

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 sources consulted in researching this Information Request.

## References

HaMoked. July 2006. *Perpetual Limbo: Israel's Freeze on Unification of Palestinian Families in the Occupied Territories*. (B'Tselem)  
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United States (US). 11 March 2008. Department of State. "Jordan." *Country Reports on Human Rights Practices for 2007*.  
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### **Additional Sources Consulted**

**Oral sources:** Attempts to contact an official at the Palestinian Human Rights Monitoring Group (PHRMG) were unsuccessful. The Embassy of the Hashemite Kingdom of Jordan in Ottawa was unable to provide information within the time constraints of this Response.

**Internet sites, including:** Alternative Information Center (AIC), Amnesty International (AI), BADIL Resource Center for Palestinian Residency and Refugee Rights, British Broadcasting Corporation (BBC), Embassy of the Hashemite Kingdom of Jordan in Washington, European Country of Origin Information Network (ecoi.net), La fédération internationale des ligues des droits de l'homme (FIDH), Freedom House, Human Rights Watch (HRW), Integrated Regional Information Networks (IRIN), International Crisis Group, Israel-Palestine Center for Research and Information (IPCRI), Legislationline.org, Middle East Institute (MEI), Middle East Policy Council (MEPC), Middle East Studies Association, SHAML Palestinian Diaspora and Refugee Centre, *The Jordan Times* [Amman], *The Star* [Amman].

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