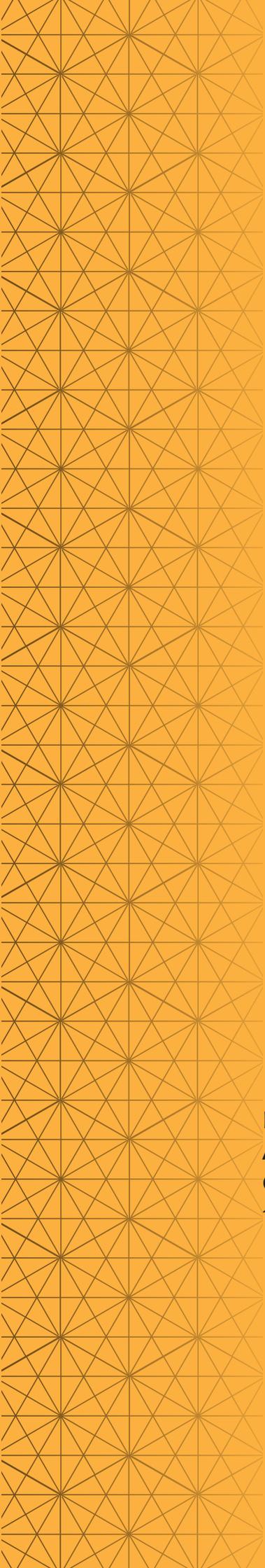


Mapping the Legal Obstacles Palestinians Face in Jordan



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Mapping the Legal Obstacles Palestinians Face in Jordan - April 2015

This review outlines the various legal challenges that face Palestinians living in Jordan. As a consequence of their time of arrival and place of origin, Palestinians are treated with varying degrees of hospitality from the Jordanian state. This review provides an overview of the legal obstacles that face Palestinian-Jordanians, Palestinian-Jordanians stripped of citizenship, Gazan Palestinians and Palestinian-Syrians.

1 Research Methodology

This review is the product of research conducted by accessing publically available information online. The search was completed in the English language. This included 13 English language academic articles, newspaper articles, and a small number of civil society reports. To be sure, this review is not exhaustive of all information on legal obstacles facing Palestinians in Jordan; however it does provide useful insights and impressions of the major issues restricting Palestinians in Jordan.

2 History: Discrimination Based on Location and Time of Arrival

According to BADIL, approximately two thirds of the Palestinian people are forcibly displaced persons, having been displaced from Palestine in five major waves: during the British Mandate, as a consequence of Al Nakba, the period preceding the 1967 war, the 1967 war, and since 1967 (BADIL 7 :2015). The vast majority of these people sought refuge in the countries surrounding Palestine -- such as Syria, Lebanon, Jordan and Israel. Residence in these different countries has afforded Palestinians varying material and physical livelihoods because, as FAFO (1994) indicates, each state's legal framework directly impacts the 'personal security, economic opportunities and social situation of refugees.'

Jordan hosts the majority of displaced Palestinians, as of July 2014 there were 2,097,338 registered Palestinian refugees in the country (UNRWA 2015). The Palestinian experience in Jordan has broadly been described as the most accommodative in the Middle East, because the majority of Palestinians were offered citizenship, according them the same civic rights as native Jordanians (Fafo 1994; Shiblak 1996; Human Right Watch 2010). This was based on Article 3, point B of the 1954 Nationality Law, which states that:

'any person with previous Palestinian Nationality except Jews before the date of May 15 1948 residing in the Kingdom during the period from December 1949 20 and February 16 1954 is considered a Jordanian citizen.'(quoted in Hejoj 2007).

The right to nationality has enabled the right to education, medical care, work, property ownership, travel and state protection (Shiblak 2006). However these rights are time and location bound and, thus, are not offered to all Palestinians residing in Jordan. As the UNRWA indicates residence in Jordan is:

'dependent both on the particular individual's date of entry to Jordan (eg. 1967 ,1948, post-January 2013) and the most recent place of residence from which the Palestine refugee has fled (e.g. the legal status is different if a Palestine refugee fled from Gaza in 1967, or from the West Bank in 1967)' (quoted in Immigration and Refugee Board of Canada).

This has created varying legal statuses for Palestinians in Jordan and thus varying rights, responsibilities and burdens.

3 West bank Refugees

a. Full Citizenship

It is estimated that a total of 440,000 Palestinians from the West Bank arrived in Jordan in 1948 (Fafo 1994). As mentioned above, the Jordanian government responded by offering full citizenship to these arrivals. This came to be an anomaly in the Middle East as all other states only offered Palestinians residency permits as agreed to in the Casa blanca Declaration 1965, in the name of preserving the Palestinian identity and thus ensuring that Israel does not evade its responsibility for their situation (Vicente Perez 1033 :2010; Shiblak 39-38 :1996). Importantly, Palestinians who gained Jordanian citizenship did not have to give up their refugee status and are still included in the total number of Palestinian refugees counted by UNRWA.

As full Jordanian citizens there is no explicit discrimination towards Palestinian-Jordanians before the law. However, as mentioned by Shiblak, of the 35,000 government employees in 1996 less than %10 were Palestinian (43 :1996). As the Identity Centre indicates the low level of Palestinian-Jordanians in the public sector is a result of the 'Jordanisation' of the public service in the 1970s which was in response to 'Black September'(12 :2013). This policy favoured the employment of Jordanians in the public sector, serving to exclude Palestinians despite them holding citizenship.

In 2012 a group of influential politicians, academics, political activists and media figures sent King Abdullah a letter urging him to end discrimination against Jordanians of Palestinian origin, which results in fractured citizenship and loyalties between the privileged, who enjoy access to higher education, public sector employment and other rights, and those who do not (Rantawi and Al Abed 2012).

b. Post 1988: Nationality Revoked- this Colour Determines your Fate

In 1988 King Hussein made a speech which would come to drastically change the lives of many Palestinian-Jordanians with heritage from the West Bank. King Hussein indicated that in recognition of the increasing authority of the Palestinian Liberation Organisation (PLO) as representative of the national ambitions of the Palestinian people, Jordan would cede administrative control over the West Bank (HRW 2010; Identity Centre 2013). With this announcement, an estimated 1.5 million Palestinians-Jordanians lost their citizenship and became stateless Palestinians living under Israeli occupation (Identity Centre 2013).

To understand how some Palestinian-Jordanians and not others were affected by this announcement it is important to understand the colour coded system of travel documents introduced by the Jordanian government in 1983. Jordanian citizens living in the West Bank were given a green card and those originally from the West Bank, though living within Jordan's borders, received a yellow card. This colour differentiation was initially intended to facilitate travel across the Allenby Bridge crossing, however came to be the basis of determining nationality in the post1988- period (HRW 2010; Identity Centre 2013).

Disengagement instructions were to withdraw nationality from those who on 31 July 1988 resided in the West Bank (HRW 22 :2010). With this development, those Palestinians holding green cards no longer held a valid Jordanian national number and since 1992 the Jordanian government has only issued national numbers to those of Jordanian nationality. These people were granted temporary passports from the Jordanian authorities, renewable every two years and later extended to five years in 1995 (RRT 2009). For those green card West Bankers who no longer held a Jordanian national number, their status became equal to blue card holding ex-Gazan 'displaced persons.' Those who held yellow cards maintained their Jordanian citizenship

As the Identity Centre indicates, some green card holders were not residents of the West Bank at the time of the disengagement, and had in fact been living in the East Bank or abroad for long periods. For these people, life became increasingly complicated as they had been assured that their rights as Palestinian-Jordanians living in the East Bank would be protected. As will be discussed after the following section, citizenship revocation is in contravention of both domestic and international laws.

C. A New Campaign of Revocation

Since the mid2000-s there has been a renewed campaign of nationality revocation in Jordan. The Identity Centre indicates that the Follow Up and Inspection Department (FUID) of the Ministry of Interior has 'expanded its authority to interpret the 1988 regulations about revocations of nationality.' (Identity Centre 7 :2013). As indicated in the previous section, the instructions for disengagement outlined that nationality was to be removed from those green card holders who resided in the West Bank on the 31st of July 1988, only. However in recent years the FUID has revoked citizenship on seemingly arbitrary grounds. The Identity Centre indicates that: 'Palestinians who were initially issued yellow cards are now having them replaced with green cards without warning.' (7 :2013). This has profound impacts on the lives of individuals and effectively renders them stateless, but within the borders of Jordan.

HRW report Stateless Again: Palestinian Origin Jordanians Deprived of their Nationality indicated that Jordan had withdrawn nationality from over 2,700 Palestinian-Jordanian lost their nationality between 2008-2004 (HRW 2 :2010). The HRW indicates that:

'The loss of nationality has not only left those affected feeling insecure, but also materially affects their exercise of basic human rights, such as the right to participate in public life, the rights to family life, education, health, work, and the right to property.' (HRW 47 :2010).

Becoming stateless has severe impacts on all aspects of an individual's life. Children lose access to free primary and secondary education and it becomes less feasible to attend university due to significantly higher costs for non-nationals(HRW 51 :2010). Lack of nationality also creates problems in relation to employment because under the Jordanian Labour Law of 1996 non-Jordanians are not allowed to work in the public service and can find difficulties in the private job market because employers require proof of nationality or clearance from the General Intelligence Department (GID) (HRW 2010:3).

Further, non-Jordanians require work permits to work but approval of such permits is contingent upon the employers ability to show that the job requires experience or skills unavailable among Jordanians and must pay the relevant fees (Vicente Perez 1037 :2010). Palestinians without nationality are further restricted from practicing one of the ‘organised professions’ such as law or engineering because membership of one of the professional associations is mandatory but is restricted to Jordanian nationals.

Palestinians without nationality can obtain travel documents that are valid for 5-2 years, but this is only a travelling document. Palestinians that do not have a national number face higher costs for healthcare and for any interaction with the Jordanian authorities (Vicente Perez 1038 :2010). Further they are unable to acquire property, register a car or liquidate investments (HRW 54 :2010). Life for Palestinian-Jordanians without nationality has come to resemble those of Gazans (Al Hussein and Bocco 265 :2010), which will be outlined in the following section.

The common explanation for loss of nationality is that people failed to renew an Israeli issued residency permit for the West Bank. However Anis Kassim, an international law expert, and former member of the Palestinian legal defense team before the International Court of Justice in 2004, has indicated that revocation has also been on the basis of employment with the PLO or PA. He also suggests that it is difficult to discern an exact logic to the revocations because it largely appears arbitrary (Kassim quoted in Jamjoum 2013; HRW 37-36 :2010). With this level of uncertainty it has been widely reported that people live in constant fear that their next move may lead to a loss of nationality (Jamjoum 2013; HRW 2010; Identity Centre 2013). For most, the fact that they have lost their citizenship is not reported directly to them but is discovered only when they have to interact with the government for another reason (HRW 3 :2010).

d. Seeking Redress

The revocation of Palestinian-Jordanians nationality is in contravention of the Jordanian Constitution which states in Article 5 that nationality is defined by law, and thus should not be removable through an administrative act of the state. Revocation is further in contravention of the definition of a citizen as outlined in the Jordanian Nationality Law of 1954, as stated in Chapter 1. To be sure, the Nationality Law does outline in Chapter 5 Article 18 circumstances when the state can withdraw citizenship. This includes: when an individual enters the public or military service of a foreign state, enters into the service of an enemy state or ‘commits or attempts to commit an act deemed to endanger the peace and security of the State.’

However for revocation to be lawful the State must provide a warning to the individual. Even with these protections in place, if they are broken there is no mechanism of appeal as the FUID does not come under judicial review (Jamjoum 2013) and there is no clear administrative redress other than this (HRW 3 :2010). Indeed the Decision 90/164 from 1990 by the Jordanian High Court of Justice, which has jurisdiction over reviewing the legality of administrative decisions, determined that revocation is an act of the state rather than an administrative function and thus such decisions are not subject to the Court’s jurisdiction (HRW 3 :2010); and in the few cases that have been brought against the state, the decision has largely gone against the claimants (HRW 3 :2010).

Further, according to the 2006 report of the National Human Rights Centre the decision to sever ties with the West Bank was never formally promulgated in Jordan’s Official Gazette and thus has never been made into law (Al Abed 3 :2012). This poses further questions about the legality of the policy. Revocations must be seen as extra-legal actions of the state.

The then Jordanian Interior Minister Nayif al-Qadi justified the use of revocation in 2009 by saying that ‘we... freeze his national number in order to motivate him to consolidate his right to Palestine.’(quoted in RRT 2009). It was further reported in 2009 that the FUID still had 300,000 files of Palestinian-Jordanians that required review (HRW :2010 26).

Because of the near impossibility in seeking legal redress individuals attempt to use ‘wasta’ – their network-- to rectify the situation. HRW reports that individuals seek appeal by:

‘making the rounds of various government departments, including the General Intelligence Department. They wrote petitions for restoring their nationality chiefly on compassionate grounds. Successful appeals involved using connections to persons of influence in government. Procedures for administrative reviews were non-transparent and did not reveal the legal bases for decisions made.’ (HRW 39 :2010).

Using connections, rather than legal channels, ensures that the possibility of a solution exists only for the influential few.

In response to the rising public concern over the issue, the government froze the work of the FUID and transferred the issue of nationality to the Department of Passports and Civil Affairs in 2012. Further, anything to do with withdrawal or granting of yellow cards was to be decided by cabinet (al-Arab al-Yawm 2012). By September 2012 it was reported that 3,400 petitions of grievance were under review by the government because of potential wrongful removal of citizenship. Of this number 192 citizenships were reinstated (Jordan Times 2012).

e. Contravention of International Conventions

As well as breaching domestic law, the nationality revocations performed by the Jordanian authorities contravene a number of international conventions, including: Article 15 of UN Declaration of Human Rights, Article 3(24) of the International Covenant on Civil and Political rights, Article 1(29) of the Arab Charter of Human Rights which each clearly state a right to a nationality.

4

Gaza Refugees 1967

a. No Citizenship

Unlike West Bankers arriving in 1948, Palestinians arriving from Gaza in 1967 have never been provided citizenship. Gazans have been living in Jordan on temporary residence visas for over five decades and continue to be denied the right to citizenship. Vicente Perez indicates 'in terms of work, healthcare, education, or travel, Gaza refugees have been systematically barred from legal equality with Jordanian citizens.' (32-1031 :2010). This has effectively created intergenerational inequality and perpetuated a situation of statelessness. There are an estimated 140,000 Gazans in Jordan (UNRWA USA 2015). Importantly this figure does not include Gazans and their descendants who fled for the first time in 1967, as they fall outside the UNRWA mandate to provide assistance to 'Palestine refugees'; those who fled in 1948.

To remedy their irregular status the Jordanian government issued Gazans one year temporary passports in 1968 (Al Abed 85 :2005), later extended to three years with Administrative Regulation 181 in 1980 (Perez Vicente 1034 :2010). By the 1980s the passport was changed to two year renewable which has been maintained ever since.

These cards serve as the basis for residency in Jordan and also serve as a travel document. Crucially it is not intended as a basis for nationality and Gazans do not have a national number, making access to public services and interactions with authorities difficult. (Gabbay 2014). Al Abed indicates that until 2000 the criteria to receive services as a Jordanian citizen was a national number and family dossier, however on 22nd October 2002 the Prime Minister's office sent a memo to all government departments indicating that the national identity number was the only document typical to Jordanian citizens. In brief (Al Abed 86 :2005), Gazans are considered non-nationals making all aspects of life from education to employment more difficult

To be sure, Gazans have access to both public schools and public health services in Jordan. However they pay fees equivalent to non-insured Jordanians for health services in public hospitals and face more restrictions in eligibility for health insurance schemes. Gazans have access to the Jordanian public health care system at 40 per cent of the cost, however for many this is still unaffordable (Vicente Perez 2010:1038). They cannot get drivers licenses, which are needed to drive a taxi or bus, according to Regulation No. 104 of 2008 on the Registration and Licensing of Vehicles; and they cannot purchase land, according to Law No. 40 of 1953 on the Rent and Selling of Immoveable Properties.

Further, Gazans pay more for university and because university places are limited for non-nationals it is highly competitive (Vicente Perez :2010 1039; Al Abed 25 :2006). A ranking system offers university seats to students with the highest grades in the Jordanian high school exit exam (the tawjihi), and these students subsequently pay the subsidized public rate for tuition at government universities. Gazans are excluded from this competition as they do not have a national number, and instead pay the elevated fees for non-Jordanians. The only way for Gazans to secure a university seat for the lower Jordanian fees is by applying through the Royal Quota system. Two quota categories are open to ex-Gazans: the camp resident quota and the Palestine Embassy quota. In respect of the camp quota, ex-Gazans must compete with residents of the 10 official and 3 unofficial Palestinian camps in Jordan, while application to the Palestine Embassy quota entails competition with all Palestinians inside and outside of Jordan. If a university seat is not secured through the Quota system, then potential students may either enrol in a private university, where fees can be up to four times the public rate of tuition, or they may pay the even higher fees to enroll as a foreigner in a government university.

Because of Gazans' temporary status the possibility of political freedom of expression is curtailed. As El Abed indicated: 'Their administrative vulnerability can lead to curtailment of rights to political participation and membership of trade unions enjoyed by Jordanian citizens. Some who have been active in Islamic political groups have found themselves stripped of ID.' (25 :2006).

As foreign residents Gazans face significant difficulties accessing secure and stable employment and thus livelihoods. Gazans are not allowed to work for the Jordanian government, or become members of professional associations. Non-Jordanians wanting to work in the private sector further require work permits from the ministry of labour as outlined in the Jordanian Labour Law of 1996 (Vicente Perez 1037 :2010).

As a FAFO report indicates Gazans are three times more likely than other Palestinians in Jordan to be among the destitute poor, living on less than 1.25 USD a day. This is largely a result of legal restrictions on access to public sector jobs and other professions (Christopherson 2015).

UNRWA offers access to relief, health and education to Gazans registered with UNRWA in Jordan, however as Al Abed indicates, not all of their needs can be met (2005:85), and nor can UNRWA offer protection of their rights. Further, UNRWA does not offer services to Gazans who fled from Gaza Strip for the first time in 1967 as they do not meet the Agency's operational definition of 'Palestine refugee'.

The Jordanian government rationale for denying Gazans permanent citizenship was made clear in 2002 when it refused to extend nationality to Palestinians from Gaza. The 2002 memo has seemingly been the final say on permanent citizenship. This decision was suggested to be made in the interests of maintaining the Palestinian right of return. This position was restated in 2004 when the Minister of Interior, Samir Habashenah, would not offer Gazans in Jordan nationality on the grounds that doing so was tantamount to resettling them. (Vicente Perez 1036-1035 :2010; Halasa 2005).

b. Contravention of International Conventions

Jordan is a signatory to a number of international conventions which they contravene with their denial of citizenship to Gazans. These include: Articles 4)23 ,21 ,17 ,15 ,7) of the Declaration of Human Rights; Articles 2 3)24 ,(1)) and 26 of the International Covenant on Civil and Political Rights; Articles 2) 7) and 1) 28) of the International Convention on the Rights of the Child; Article 1) 29) and 31 Arab Charter for Human Rights; Articles 5 ,2 ,1 in the International Convention on the Elimination of All Forms of Racial Discrimination.

C. Statelessness

It is useful to quote El Abed in length to demonstrate the technical legal difficulties faced by Gazans in Jordan which deny them rights and protection:

'Two Conventions relate to the stateless Palestinian refugees from Gaza but, in practice, they are not applied. They are meant to improve their status and grant them the widest guarantees of fundamental human rights. These international legal instruments are: the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. To benefit from these conventions, a person must be determined to be 'stateless,' that is "a person who is not considered a national by any state under the operation of its law." The 1961 Convention also recommends in its definition that 'persons who are stateless de facto should as far as possible be treated as stateless de jure to enable them to acquire an effective nationality.' However, the 1954 Stateless Convention has a clause similar to the Refugee Convention and UNHCR Statute, stipulating that the Convention "shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees – UNHCR – protection or assistance so long as they are receiving such protection or assistance." The limited applicability of the 1951 Refugee Convention to Palestinian refugees and the conventions on statelessness has excluded Palestinians and Gazans from having basic human rights. It is important to note that Palestinians – refugees, displaced and stateless persons – have lacked a body to protect and enforce their rights, and to ensure that the proper legal instruments are implemented with regard to their legal status. Only recently, a reinterpretation of Article 1D of the 1951 Convention by UNHCR has led the agency to include in its mandate those Palestinians who have not been receiving assistance and protection from another UN body.' (84 :2005).

5

Palestinian Syrians

a. Different Treatment than Other Syrians

Since the beginning of the Syrian conflict in 2011, over 600,000 Syrians have arrived in Jordan seeking asylum. Of this number approximately 14,500 are of Palestinian origin (ACAPS 76 :2014). Despite fleeing the same conflict, different policies have been applied to Palestinians simply because they are Palestinian. Unlike Syrians, Palestinian-Syrians are not offered protection under the UNHCR mandate and thus are wholly dependent on UNRWA. Syrian Palestinians are not permitted to enter the formal refugee camps and instead they must rent in towns and cities throughout the country or, are detained in the remote Cyber City camp in Northern Jordan (HRW 2014; Santos 2014). The HRW paper Not Welcome: Jordan's Treatment of Palestinians Escaping Syria suggests that the most drastic policy has been refoulement at the border and forced deportation from within Jordan (12 :2014)

In the initial months of the Syrian crisis the Jordanian authorities did not differentiate between Syrian and Palestinian Syrian refugees. However by April 2012 an unofficial policy of turning Palestinian-Syrian refugees away from the border became clear. This became an official policy in January 2013 when Prime Minister Abdullah Ensour told the newspaper Al-Hayat, "Jordan has made a clear and explicit sovereign decision to not allow the crossing to Jordan by our Palestinian brothers who hold Syrian documents". He indicated that they should stay in Syria "until the end of the crisis." He argued that this was justified on the basis that "Jordan is not a place to solve Israel's problems... (and) Receiving those [Palestinian] brothers ... would be a prelude to another wave of displacement" (quoted in Whitman 2014).

An affirmation of this policy of non-entry came in June 2013 when Fayed Tarawneh, the chief of Jordan's royal court and the Prime Minister between May-October 2012, told HRW that Jordan would not permit Palestinians from Syria because it would lead to hundreds of thousands of Palestinian Syrians crossing the border seeking permanent protection in Jordan. This, he argued, would fundamentally change the demographic balance of Jordan and would negatively impact the stability of the country (HRW :2014 13).

Despite the official border closure to Palestinians since 2013 an estimated 12,700 Palestinians have been able to enter Jordan through irregular means. There are no hard figures of how many Palestinians have tried to enter Jordan but have been turned away. According to Syria Needs Assessment Project (SNAP) over 100 Palestinians have been forcibly returned to Syria from Jordan since 2013 with a notable increase in early 2014 (HRW 19 :2014). HRW reports that in all cases of deportations documented by the organization, the Jordanian authorities separated Palestinian men from children, wives, parents, who were left behind in Jordan.

b. Exiled to Cyber City

HRW indicates that in a few cases rather than deporting Palestinian-Syrians the Jordanian authorities have instead sent them to the 'holding facility' at Cyber City (HRW :2014 21.. As of April 2014, the Jordanian authorities were detaining approximately 183 Palestinians at Cyber City (ACAPS 2015:17), with most of these people having been there since 2012 when they were moved from Al Bashabsheh holding facility (Luck 2012).

HRW reports that other than short periods when those detained can visit family in Jordanian cities, Palestinians can only leave the camp to return to Syria (HRW 18 :2014).

Because of the different treatment meted out to Palestinian Syrians compared to Syrians it has been reported by HRW that Palestinian refugees are believed to be living in hiding because they are fearful of being arrested or returned to Syria (HRW 2014; Santos 2014). HRW was told by many Palestinians from Syria that the police and intelligence services discover and arrest Palestinian-Syrians through raids, inspections for those working illegally, and when Palestinians attempt to renew documents or seek government services. After being arrested Palestinian-Syrians are taken to police stations or GID and generally held for a couple of days before being taken to Cyber city, a refugee holding centre specifically for Palestinians, or deported. HRW indicates that there has been no possibility for these people to challenge deportation. In some cases UNRWA has been able to intervene, but this is only if permitted by authorities (HRW :2014 18).

HRW indicates that 'thousands of non-Jordanian Palestinians who entered irregularly after April 2012, all without valid bailout certificates, are at risk of arrest and deportation to Syria if discovered by Jordanian authorities.'

C. Contravention of International Law

Although Jordan is not a signatory to the Refugees Convention 1951 or the Protocol 1967, their policy of forced return is in clear contravention of customary international refugee law. Jordan's policy towards Palestinian-Syrians is further in contravention of: Article 26 ,25 ,14 ,13 ,7,9 ,5 of the Declaration of Human rights; Articles 26 ,(1) 24 ,9 ,1 of the International Convent on Civil and Political Rights; Articles ,(1) 27 ,(2) ,(1)22 ,(1)9 ,2 ,(1)7 1)28) of the International Convention on the Rights of the Child; Articles 3) 33 ,(1) 29 ,(6) ,(1)14 ,(1) 13 ,(3) 2) of the Arab Charter of Human Rights; Articles 5 ,2 ,1 of the International Convention on the Elimination of All Forms of Racial Discrimination; Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

6

Palestinian Jordanians who Lived in Syria

a. Citizenship Offers Little Protection

The Jordanian government has been non-discriminatory to which Palestinians it forcibly returns. HRW indicates that the government has not only turned back Palestinian-Syrians but also returned Palestinian Jordanians and their descendents. The HRW has recorded cases of Palestinian-Jordanians having their nationality removed, detained in Cyber City and/or sent back to Syria. HRW further indicates that denaturalized Palestinian-Jordanians find it difficult to exercise their basic rights such as obtaining healthcare, finding work, owning property etc because they have become stateless (HRW 29 :2014) and are thus in the same situation as post1988- revocation West Bankers and Gazans.

b. Contravention of International Law

As mentioned in the section on post1988- revocation, removal of citizenship sits in contradiction of the Jordanian Constitution and Nationality Law of 1954 along with a sleuth of international conventions that Jordan is not only signatory to but has also ratified. Despite this, Jordan maintains that this discrimination is necessary to preserve national security (HRW 37 :2014).

7

Conclusion

The loss of rights for Palestinians has been a cumulative though changeable process since al Nakba in 1948. Dependent on when they arrived and from where they arrived, Palestinians face a multitude of legal obstacles within the Hashemite Kingdom of Jordan. Of particular concern are those – Gazans, West Bankers with revoked citizenship, Palestinian-Syrians and Palestinian-Jordanians who were living in Syria – who are stateless and thus have been formally denied the fundamental human rights gained through citizenship. As Abbas Shiblak argues ‘without access to education or employment, stateless communities are exposed to political manipulation, exploitation and poverty.’(2006).

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