



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Jordan

Jordan – JOR37694 – Stateless Palestinians  
– Residence – Travel documents – Right of  
return – Muslim converts to Christianity –  
Health care

17 November 2010

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### 1. What rights of residence do stateless Palestinians have in Jordan?

There are reportedly three groups of Palestinians residing in Jordan. According to the US Department of State 2010 report on human rights practices in Jordan, Palestinians who migrated to Jordan and the Jordan-controlled West Bank following the 1948 Arab-Israeli war received full citizenship. Those who migrated to Jordan after the 1967 Arab-Israeli war and who hold no residency entitlement in the West Bank, also received full citizenship. Palestinians still residing in the West Bank after 1967 could no longer claim full citizenship but could obtain temporary passports without national identification numbers, provided they did not also have a Palestinian Authority travel document. Those who fled Gaza after 1967 were not entitled to citizenship and were given temporary passports without national numbers.<sup>1</sup>

More than half of Jordan's population is of Palestinian origin.<sup>2</sup> Those Palestinians who arrived in Jordan in 1948 and came from areas of Palestine that became Israel were granted Jordanian citizenship under a law promulgated while the West Bank was under Jordan's military administration. In 1950, Jordan formally annexed the West Bank and in 1954, a new Jordanian citizenship law was passed confirming the citizenship of Palestinians who had become Jordanian citizens under the previous law. Under Article 3 of the law, any person with prior Palestinian nationality before 14 May 1948, except persons who were Jewish, residing in Jordan during the period from 20 December 1949 to 16 February 1954, was a Jordanian citizen. Those fulfilling this residence requirement received full citizenship, as did their children.<sup>3</sup> With Jordan's extension of sovereignty over the West Bank and East Jerusalem, it conferred its full citizenship and nationality on Palestinians who resided there, and those from the West Bank or areas that had become part of Israel, but who now lived in the East Bank.<sup>4</sup>

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<sup>1</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 6 – Attachment 1

<sup>2</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, p. 1 – Attachment 2

<sup>3</sup> Khalil, A. 2009, 'Palestinian Refugees in Arab States: A Rights-Based Approach', CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 21 – Attachment 3

<sup>4</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, pp. 8-9 – Attachment 2

After the 1967 Arab-Israeli war, Jordan continued to treat those who had fled to the East Bank from Israel's occupation of the West Bank and East Jerusalem as its nationals. A smaller group which "had fled from Gaza to Jordan were received as refugees and not granted Jordanian nationality."<sup>5</sup>

In June 1983, a system of colour-coded cards was introduced by Jordan for West Bank Jordanians to facilitate their travel between the Israeli-occupied West Bank and Jordan's East Bank. Persons who were originally from the West Bank or had fled there in 1948 and were residing in the East Bank received a yellow card, while residents of the West Bank received a green card.

In July 1988, Jordan severed all legal and administrative ties to the West Bank. This meant that West Bank residents "lost their Jordanian nationality and citizenship rights, becoming instead stateless Palestinians under Israeli occupation."<sup>6</sup> The legality of Jordan's decision, which did not amount to a law, and the instructions to implement the decision have been questioned.<sup>7</sup>

Following the failure of Jordan and the Palestinian Liberation Organisation to support Kuwait when Kuwait was invaded by Iraq in August 1990, Kuwait ended Palestinian residency rights. By the end of 1991, around 250,000 Palestinians, including 200,000 Jordanian nationals, had returned to Jordan. Jordan recognised the full citizenship rights of the Jordanian citizens among them.<sup>8</sup>

Following Jordan's decision in July 1988 to sever all legal and administrative ties to the West Bank, Palestinians living on the East Bank of the River Jordan or elsewhere before 31 July 1988 remained Jordanian citizens and were entitled to a national number, a family book, and a Jordanian passport for five years. West Bank residents living in the occupied West Bank before 31 July 1988 did not have the right to Jordanian citizenship. They were entitled to temporary Jordanian passports which were valid for two years until 1995, after which they became valid for five years. The passports and the green cards held by West Bank residents were issued as travel documents and did not attest to citizenship.<sup>9</sup>

In relation to Palestinians in Jordan who are former residents of the Gaza Strip, Jordan's government has reported that approximately 165,000 Palestinian refugees, mostly of Gazan origin, did not qualify for citizenship. Around half of these persons had "two-year passports that do not connote citizenship."<sup>10</sup> Palestinians displaced from Gaza in 1967 hold temporary Jordanian passports which do not have national identity numbers and are

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<sup>5</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, p. 9 – Attachment 2

<sup>6</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, pp. 9-10 – Attachment 2

<sup>7</sup> Khalil, A. 2009, 'Palestinian Refugees in Arab States: A Rights-Based Approach', CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 22 – Attachment 3

<sup>8</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, p. 10 – Attachment 2

<sup>9</sup> Khalil, A. 2009, 'Palestinian Refugees in Arab States: A Rights-Based Approach', CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 23 – Attachment 3

<sup>10</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 2(d) – Attachment 1

of two years validity.<sup>11</sup> The renewable two year passports are valid for travel to countries that accept the document. Gazans also have cards for crossing between the East and West Banks. These documents do not connote citizenship and are given for identification and travel purposes.<sup>12</sup>

An RRT research response dated 27 October 2009 provides information on whether persons of West Bank Palestinian descent hold Jordanian citizenship, and the overall situation for Palestinian citizens of Jordan.<sup>13</sup>

## **2. Would a Palestinian having a two year Travel Document, which has expired, be likely to still have a right of return to Jordan?**

Palestinians from the Gaza Strip who took refuge in Jordan following the 1967 Arab-Israeli war or later, were not naturalised Jordanians and required a permit to stay in Jordan.<sup>14</sup> Gazans hold temporary Jordanian passports which are renewable every two years.<sup>15</sup> According to a 2009 report on Palestinian refugees in Arab states, they are given “a two-year passport with many restrictions with regards to rights and freedoms. If they leave Jordan there is no guarantee that those holding such temporary Jordanian passports will be allowed to return. Palestinians residing on the WB [West Bank], holding Jordanian temporary passports (for two years, and since 1995 for five years), are not Jordanian citizens. Their entry to Jordan is limited to the time permitted by the Jordanian authorities. In case of transgression, they are to pay a fine and they may be expelled.”<sup>16</sup> The BADIL Resource Centre for Palestinian Residency & Refugee Rights 2005 handbook on the protection of Palestinian refugees in States signatories to the 1951 Refugee Convention indicates that the five year renewable Jordanian passports held by Palestinian residents of the West Bank who held Jordanian passports before July 1988 do not automatically entitle the holders of the passports to re-enter and reside in Jordan.<sup>17</sup>

According to the 2009 report on Palestinian refugees in Arab states, there was no information that suggested “that ex-Gazans, holding two-year temporary TDs [Travel Documents] acting as residency cards, are requested to have a re-entry permit.” The temporary Jordanian passports provided to West Bank Palestinians do not give “any legal

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<sup>11</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>12</sup> Khalil, A. 2009, ‘Palestinian Refugees in Arab States: A Rights-Based Approach’, CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 23 – Attachment 3

<sup>13</sup> RRT Research & Information 2009, *Research Response JOR35401*, 27 October, (Questions 1 & 2) – Attachment 5

<sup>14</sup> Khalil, A. 2009, ‘Palestinian Refugees in Arab States: A Rights-Based Approach’, CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 37 – Attachment 3

<sup>15</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>16</sup> Khalil, A. 2009, ‘Palestinian Refugees in Arab States: A Rights-Based Approach’, CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 37 – Attachment 3

<sup>17</sup> BADIL Resource Centre for Palestinian Residency & Refugee Rights 2005, ‘Closing Protection Gaps: Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Refugee Convention’, BADIL website, August, p. 21 <http://www.badil.org/Publications/Books/Handbook.pdf> - Accessed 15 April 2008 – Attachment 6

right to enter or reside in Jordan, unless for periods determined by the Jordanian authorities.”<sup>18</sup>

It has been claimed by human rights activists “that former residents of Palestinian origin remained outside the country and the government refused to renew their passports at embassies overseas.”<sup>19</sup>

An RRT research response dated 6 January 2009<sup>20</sup> refers to information provided to the Tribunals in December 2008 by Nidal al-Azza, the Resource Unit Coordinator for BADIL. The advice indicates that Palestinian refugees from Gaza “are afforded less protection than any other group of Palestinian refugees in Jordan”, and refers to:

the fact that they and their children do not enjoy a right to reside in Jordan, even if they were born there; temporary residency permits must be renewed and renewal may be denied. Renewal is denied, in particular if the person has traveled abroad, or on grounds of broadly defined public/national “security” (including membership in a political or religious group)<sup>21</sup>

Another RRT research response dated 1 December 2008 includes information on whether the Jordanian Embassy in Australia has refused to renew temporary Jordanian passports held by Palestinians from Gaza.<sup>22</sup>

### **3. What is the situation of stateless Palestinians without a political profile in Jordan?**

Legal and societal discrimination reportedly remained a problem for some persons of Palestinian origin in Jordan. According to the US Department of State 2010 report on human rights practices in Jordan, Palestinians still residing in the West Bank after 1967 who were no longer eligible to claim full citizenship, had access to some government services, but were required to pay non-citizen rates at hospitals, training centres, and educational institutions. Palestinians who fled Gaza after 1967 and were not entitled to citizenship “had no access to government services and were almost completely dependent on UNRWA [UN Relief and Works Agency for Palestine Refugees in the Near East] services.”<sup>23</sup>

It has also been reported that Jordan has been withdrawing nationality from citizens of Palestinian origin. According to a February 2010 Human Rights Watch report, since 1988, and especially during the past few years, Jordan’s government has been arbitrarily withdrawing Jordanian nationality from citizens of Palestinian origin, making them stateless. Between 2004 and 2008, Jordan is reported to have withdrawn its nationality from over 2,700 citizens of Palestinian origin. Jordanian officials have claimed that Jordanians of Palestinian origin must renew their Israeli-issued residency permit for the West Bank, which gives the holder the right to reside in the West Bank, to maintain their

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<sup>18</sup> Khalil, A. 2009, ‘Palestinian Refugees in Arab States: A Rights-Based Approach’, CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 41 – Attachment 3

<sup>19</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 2(d) – Attachment 1

<sup>20</sup> RRT Research & Information 2009, *Research Response JOR34175*, 6 January – Attachment 7

<sup>21</sup> al-Azza, N. 2008, Email to RRT Research & Information, ‘Re: Country Information Request JOR34175’, 17 December – Attachment 8

<sup>22</sup> RRT Research & Information 2008, *Research Response JOR34052*, 1 December, (Question 6) – Attachment 9

<sup>23</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Introduction & Section 6 – Attachment 1

Jordanian nationality. Some Jordanians, who have been unable to renew the permit, or have never obtained the permit, or have an open-ended Israeli-issued residency permit that does not require renewal, have had their Jordanian nationality withdrawn.<sup>24</sup>

Local and international human rights organisations have claimed that Jordan's government did not apply citizenship laws consistently, especially where passports were taken from citizens of Palestinian origin, and national identification numbers revoked. The government said this was in line with efforts to implement disengagement from its former claims to the West Bank, and that a national number may be revoked if a person obtained Palestinian travel documents, worked for the Palestinian Authority, or did not renew a family reunification permit. Activists complained that such procedures were not outlined in the disengagement regulations, that the process lacked transparency, and the appeal process was virtually nonexistent. Appeals were reportedly not resolved to claimants' satisfaction.<sup>25</sup>

The previously mentioned RRT research response dated 6 January 2009<sup>26</sup> refers to information provided to the Tribunals on 25 December 2008 by Maisa Thweib of UNRWA Jordan. The information includes four attachments, one of which sets out legal restrictions on ex-Gazans in Jordan. These include legal restrictions in relation to voting rights, work, education, ownership of property, health, and social and financial support. In relation to work, ex-Gazans are barred from practicing several professions because the possession of Jordanian citizenship is required, or reciprocal treatment in the country of the foreign national wishing to practice the profession. The absence of Palestinian citizenship means that ex-Gazan refugees are disadvantaged in relation to other foreign nationals seeking work in Jordan. The attachment also indicates that ex-Gazans are not allowed to work with the government.<sup>27</sup> Another report indicates that Palestinian refugees with temporary Jordanian passports can work for the government on a contractual basis. Persons with temporary passports, including Palestinians displaced from Gaza since 1967, must obtain permits to work legally in Jordan. Foreigners are not allowed to join unions, but Jordan's labour laws generally apply to non-citizens. As access to social security benefits depends on there being reciprocal privileges in the worker's country of origin, stateless Palestinians are rendered ineligible.<sup>28</sup>

In relation to education, Human Rights Watch reports that Jordan does not permit non-citizen children to attend its state elementary and secondary schools, although in 2007, Iraqi children were allowed access to free primary education in public schools.<sup>29</sup> Another report indicates that in 2006, foreign children were banned from attending public and private schools in Jordan, but the ban was subsequently rescinded and attendance at private schools was allowed. Also, beginning in the 2006-2007 academic year children from Arab countries were allowed to enrol in Jordan's public school system. There were groups of persons who needed the approval of the Ministry of the Interior to be accepted

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<sup>24</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, pp. 1 & 3 – Attachment 2

<sup>25</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 2(d) – Attachment 1

<sup>26</sup> RRT Research & Information 2009, *Research Response JOR34175*, 6 January – Attachment 7

<sup>27</sup> Thweib, M. (undated), 'Legal Restrictions on ex-Gazans in Jordan' – Attachment 10

<sup>28</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>29</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, p. 50 – Attachment 2

in any school, including holders of temporary Jordanian passports.<sup>30</sup> It has also been reported that ex-Gazans are treated like Jordanians in relation to enrolment in secondary education and vocational training, although they are required to obtain approval from the Department Of Palestinian Affairs.<sup>31</sup> According to the United States Committee for Refugees and Immigrants, the children of Palestinians from Gaza who hold temporary Jordanian passports can enrol in Jordanian schools, and UNRWA also operates 180 schools and two vocational training centres for Palestinian refugees. Palestinians from Gaza who hold temporary Jordanian passports must pay school fees in foreign currency where applicable.<sup>32</sup>

Ex-Gazans who wish to enrol in university for undergraduate or postgraduate studies are treated as international students.<sup>33</sup> There are quota restrictions on foreign students at Jordanian universities, and they are required to pay twice as much as Jordanians.<sup>34</sup> Students may apply through the camp Royal Quota or through the Palestinian Embassy in Amman to get a seat for which a Jordanian fee is paid, but there are limited seats and it is highly competitive.<sup>35</sup>

The BADIL 2005 handbook, mentioned above, indicates that Palestinian refugees, including those who entered Jordan because of the 1948 and 1967 wars, but not those from the Gaza Strip who entered Jordan during and following the 1967 war, have the right to employment similar to host state nationals, although there may be informal discrimination. Refugees from Gaza who entered Jordan during or after the 1967 war must obtain approval from state security officials for employment and do not have full access to employment. Most Palestinian refugees have access to all levels of education similar to host state nationals, but those who entered Jordan from the Gaza Strip after 1967 must compete for limited spaces available to Arab students for post-secondary education, must pay fees in foreign currency and must have a clean security record.<sup>36</sup>

A 2006 Minority Rights Group assessment of the situation of Palestinians in Jordan indicates that Palestinians in Jordan range from prominent individuals who are fully assimilated into Jordanian society to impoverished refugees. As a whole, Palestinians suffered economic discrimination in relation to appointments to positions in the government and the military, admittance to public universities, and the granting of university scholarships. Politically, Palestinians also suffered restrictions and social exclusion. Although the Jordanian state was generally not repressive, there were documented occurrences of arrests and other instances of repression, such as the arrest of more than 200 people in March 2004 following rallies in relation to the assassination of

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<sup>30</sup> Khalil, A. 2009, 'Palestinian Refugees in Arab States: A Rights-Based Approach', CARIM (Euro-Mediterranean Consortium for Applied Research on International Migration) Research Reports 2009/08, Robert Schuman Centre for Advanced Studies, European University Institute, p. 48 – Attachment 3

<sup>31</sup> Thweib, M. (undated), 'Legal Restrictions on ex-Gazans in Jordan' – Attachment 10

<sup>32</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>33</sup> Thweib, M. (undated), 'Legal Restrictions on ex-Gazans in Jordan' – Attachment 10

<sup>34</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>35</sup> Thweib, M. (undated), 'Legal Restrictions on ex-Gazans in Jordan' – Attachment 10

<sup>36</sup> BADIL Resource Centre for Palestinian Residency & Refugee Rights 2005, 'Closing Protection Gaps: Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Refugee Convention', BADIL website, August, p. 16 <http://www.badil.org/Publications/Books/Handbook.pdf> - Accessed 15 April 2008 – Attachment 6

Palestinian Hamas Spiritual Leader Shaykh Ahmad Yasin. Although political protest was discouraged, it occurred sporadically within Jordan.<sup>37</sup>

A 2006 Human Rights Watch report indicates that since 2000 the main intelligence service in Jordan, the General Intelligence Department (GID), had carried out waves of arrests of political dissidents, mainly Islamists, in response to alleged plots, protest activities, and demonstrations linked to the United States policies in Iraq and the Israeli-Palestinian conflict. The report refers to the GID holding detainees for days or weeks or sometimes months without charge or on dubious charges, initially restricting visits or access to legal counsel for detainees, and beating detainees to gain confessions. The report refers to a young Jordanian Palestinian from the Schneller refugee camp being repeatedly beaten on the legs.<sup>38</sup> Another undated report refers to Jordan's government rolling back political reforms following the accession of King Abdullah II to the throne in Jordan in February 1999. The report indicates that laws promulgated in August 2001 broadened the State Security Court's authority and restricted public gatherings. Following the attacks on the United States on 11 September 2001, the government enacted a new anti-terrorist law, amended the penal code and introduced a restrictive press law.<sup>39</sup> A further article from July 2002 refers to civil and political liberties deteriorating in Jordan, and to King Abdallah II increasingly relying on a tribal support base and the secret police in efforts to solidify his own regime, alienating Palestinians and many former government officials and long-time supporters committed to democratic reform. In August 2001, the government also began to issue temporary laws that restricted democratic practices. According to the article, the regime had sought to quash all political dissent.<sup>40</sup>

The RRT research response dated 27 October 2009 provides information on the overall situation for Palestinian citizens of Jordan.<sup>41</sup> The RRT research responses dated 1 December 2008<sup>42</sup> and 6 January 2009<sup>43</sup> include information on the status in Jordan of Palestinians from Gaza.

#### **4. Is there any information to suggest that a stateless Palestinian Muslim who converts to Catholicism would face ill-treatment by Islamic groups?**

In Jordan, conversion from Islam is not banned under the Constitution, the penal code, or legislation. The government, however, "prohibits conversion from Islam in that it accords primacy to Shari'a, which prohibits Muslims from converting and governs their personal status, despite the Constitution's religious freedom provisions and the country's ratification of the International Covenant on Civil and Political Rights (ICCPR). The

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<sup>37</sup> Minority Rights Group 2006, 'Assessment for Palestinians in Jordan', 31 December <http://www.cidcm.umd.edu/mar/assessment.asp?groupId=66302> – Accessed 16 October 2009 – Attachment 11

<sup>38</sup> Human Rights Watch 2006, *Suspicious Sweeps: The General Intelligence Department and Jordan's Rule of Law Problem*, September, Volume 18, No. 6(E), pp. 1, 2 & 49 – Attachment 12

<sup>39</sup> Human Rights First (undated), 'Human Rights Defenders in Jordan: Government Undoing a Decade of Reform', Human Rights First website [http://www.humanrightsfirst.org/middle\\_east/jordan/hrd\\_jordan.htm](http://www.humanrightsfirst.org/middle_east/jordan/hrd_jordan.htm) - Accessed 11 November 2010 – Attachment 13

<sup>40</sup> Schwedler J. 2002, 'Don't Blink: Jordan's Democratic Opening and Closing', *Middle East Report Online*, 3 July <http://www.merip.org/mero/mero070302.html> - Accessed 11 November 2010 – Attachment 14

<sup>41</sup> RRT Research & Information 2009, *Research Response JOR35401*, 27 October, (Questions 1 & 2) – Attachment 5

<sup>42</sup> RRT Research & Information 2008, *Research Response JOR34052*, 1 December, (Questions 1-5) – Attachment 9

<sup>43</sup> RRT Research & Information 2009, *Research Response JOR34175*, 6 January – Attachment 7



Government freely allows conversion to Islam.” The US Department of State 2009 religious freedom report on Jordan indicates that:

The Government does not recognize converts from Islam as falling under the jurisdiction of their new religious community’s laws in matters of personal status; converts are still considered Muslims. Under Shari’a, converts are regarded as apostates and may be denied their civil rights if any member of society files an apostasy complaint against the convert. In cases decided by a Shari’a court, judges have annulled the convert’s marriage, transferred child custody, conveyed property rights to Muslim family members, deprived them of civil rights, and declared them wards of the state and without any religious identity.<sup>44</sup>

Legal and societal discrimination reportedly remained a problem for converts from Islam in Jordan.<sup>45</sup> Some Muslims who have converted to other religions reported facing threats, social ostracism, and physical and verbal abuse from their families and Muslim religious leaders. Some family members of converts have, in recent years, filed apostasy charges against the converts in Shari’a courts, leading to convictions depriving them of civil rights.<sup>46</sup>

A DFAT advice from September 2006 indicates that it was reported that converts had a genuine fear “that if their conversion was more widely known, they might be at risk of physical attack or harassment from strict religious groups within Jordan. Converts in the past have been advised to leave the country for their own safety.” Sources, however, could “not recall an incident where a convert had been physically injured in Jordan.” Also, the Post’s interlocutors were unaware of any incident in Jordan where apostates had been killed or otherwise physically harmed by a convert’s family. There was usually strong pressure from family members to revert to Islam.<sup>47</sup>

A more recent report indicates that Muhammad Abbad Abbad, a convert from Islam to Christianity in Jordan who was found guilty of apostasy by the Sweilih Shari’a Court in April 2008, had claimed that his relatives had severely beaten him. Official hospital records indicated that he had sustained multiple injuries.<sup>48</sup> Another report indicates that Mr. Abbad, his wife and their son were assaulted by the relatives of another convert to Christianity who had sought sanctuary in Mr. Abbad’s house.<sup>49</sup>

An earlier DFAT advice from April 2004 indicates that the Post’s interlocutors had no knowledge of any person being killed in Jordan because the person was an apostate.<sup>50</sup>

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<sup>44</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – Jordan*, October, Section II – Attachment 15

<sup>45</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Introduction – Attachment 1

<sup>46</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – Jordan*, October, Section III – Attachment 15

<sup>47</sup> DIMIA Country Information Service 2006, *Country Information Report No. 06/50 – CIS Request No JOR8669: Jordan: Jordan Country Information*, (sourced from DFAT advice of 7 September 2006), 7 September – Attachment 16

<sup>48</sup> US Department of State 2008, *International Religious Freedom Report for 2008 – Jordan*, September, Sections II & III – Attachment 17

<sup>49</sup> UN Human Rights Council 2009, ‘Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir – Addendum – Summary of cases transmitted to governments and replies received’, *United Nations General Assembly, A/HRC/10/8/Add.1*, 16 February, p. 30 – Attachment 18

<sup>50</sup> DIMIA Country Information Service 2004, *Country Information Report No. 30/04 – How Apostasy is dealt with in Jordan*, (sourced from DFAT advice of 24 March 2004), 1 April – Attachment 19



Although not in relation to converts to Christianity, a report from November 2009 indicates that on 15 October 2009, Jordan's State Security Court imposed 15 to 20 year jail sentences on 12 alleged Jordanian members of al-Qaeda, who were accused of attacks against a Latin church in Jordan in July 2008. According to the report, the targeting of Christians or their churches in Jordan seemed "to be a significant development in jihadi violence in Jordan", and that "[p]rior to these attacks, there were no records of sectarian incidents against them in Jordan. The Christians and their places of worship were not formerly major targets for the Salafi-Jihadis".<sup>51</sup>

An RRT research response dated 4 September 2009 looks at the law regarding apostasy in Jordan, the way converts to Christianity are treated by the authorities, family, community, and religious groups, and state protection for converts to Christianity.<sup>52</sup>

## **5. What access to healthcare and/or hospitals do stateless Palestinians have in Jordan?**

Jordanians can obtain certain medical treatment at public health facilities for free or at a low cost. Stateless Palestinians are reported to be excluded from those benefits.<sup>53</sup> It is reported that Palestinians who fled Gaza after 1967 and were not entitled to citizenship "had no access to government services and were almost completely dependent on UNRWA services."<sup>54</sup>

The United States Committee for Refugees and Immigrants reported in June 2009 that Palestinians from Gaza who hold temporary Jordanian passports must pay a fee for medical services. Although public hospitals and health centres treat patients regardless of status, non-Jordanians pay higher fees than citizens. The report also indicates that "[a]ll foreigners in Jordan, including refugees and asylum seekers regardless of their legal status, have access to Jordan's public health system at rates subsidized by the Government. The Government covers 80 percent of the cost for insured Jordanians, 70 percent for uninsured Jordanians, and 60 percent for foreigners."<sup>55</sup>

Another report indicates that in relation to health, ex-Gazans in Jordan do not have health insurance and are treated like Jordanians without insurance at government hospitals and health centres. The elderly are not admitted in elderly caring centres. Ex-Gazans are also reported to have been excluded in March 2008 "from exemption granted by the royal court for treatment of chronic illnesses. However, the government has recently resume granting ex-gazans exemptions for kidney failure and cancel" [sic]. Children under the age of six "are treated as their Jordanian counterpart".<sup>56</sup>

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<sup>51</sup> al-Shishani, M.B., 'Neo-Zarqawists Target the Arab Christians of Jordan', in The Jamestown Foundation 2009, *Terrorism Monitor*, Volume VII, Issue 34, 13 November  
<http://www.unhcr.org/refworld/country,...JOR,,4c7782edd,0.html> – Accessed 12 November 2010 – Attachment 20

<sup>52</sup> RRT Research & Information 2009, *Research Response JOR35379*, 4 September – Attachment 21

<sup>53</sup> Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February, p. 48 – Attachment 2

<sup>54</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 6 – Attachment 1

<sup>55</sup> United States Committee for Refugees and Immigrants (USCRI) 2009, *World Refugee Survey Jordan 2009*, June – Attachment 4

<sup>56</sup> Thweib, M. (undated), 'Legal Restrictions on ex-Gazans in Jordan' – Attachment 10

UNRWA is reported to provide Gazan refugees in Jordan with health, education and relief services, but is unable to meet all of their needs.<sup>57</sup> During 2009, UNRWA and the Jordanian government continued to provide basic services, including limited health services, to Palestinian refugees. At the end of 2009, there were approximately two million Palestinian refugees registered with UNRWA.<sup>58</sup> Although many Gazan non-citizens live in Amman and other Jordanian cities, a significant proportion live in two camps run by UNRWA. Gaza, also known as Jerash, camp has 30,000 residents, mostly from Gaza, while a few thousand residents of Hittin camp are 1948 refugees, subsequently displaced from Gaza.<sup>59</sup> Information about the Jerash refugee camp on the UNRWA website indicates that it has one health centre.<sup>60</sup> Overall, UNRWA runs 24 primary healthcare centres in Jordan.<sup>61</sup>

Palestinians holding temporary Jordanian passports are treated as foreign nationals in relation to accessing public health services.<sup>62</sup> Palestinians still residing in the West Bank after 1967 who were no longer eligible to claim full Jordanian citizenship reportedly paid non-citizen rates at hospitals.<sup>63</sup>

According to the February 2010 Human Rights Watch report, a doctor explained that Jordanian citizens are given a white health insurance card and pay a small fee at government institutions. Non-Jordanians do not have that and a Palestinian without a white insurance card would pay around 350 dinars at a government hospital for an appendectomy. A Jordanian with a white insurance card would pay only a few dinars at the government hospital. Stateless Palestinians have to pay for infant vaccinations as Jordan does not provide essential infant vaccinations to all children in Jordan.<sup>64</sup>

## Attachments

1. US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March.
2. Human Rights Watch 2010, *Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality*, February.
3. Khalil, A. 2009, 'Palestinian Refugees in Arab States: A Rights-Based Approach', CARIM (Euro-Mediterranean Consortium for Applied Research on International

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<sup>57</sup> El Abed, O. 2006, 'Immobile Palestinians: ongoing plight of Gazans in Jordan', *Forced Migration Review*, No. 26, August, pp. 17-18 – Attachment 22

<sup>58</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Jordan*, March, Section 2(d) – Attachment 1

<sup>59</sup> El Abed, O. 2006, 'Immobile Palestinians: ongoing plight of Gazans in Jordan', *Forced Migration Review*, No. 26, August, pp. 17-18 – Attachment 22

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