



Australian Government

Refugee Review Tribunal

Country Advice

Jordan

Jordan – JOR38235 – Syria – Jordanians –
Citizenship – Right of entry – Residence –
Dual citizenship

15 February 2011

1. Does a Jordanian citizen have the right to enter and remain in Syria?

The Syrian Government's Ministry of Tourism website indicates that citizens of the Arab States, such as Jordan, who intend to travel to Syria as tourists, are exempted from the requirement to obtain entry and transit visas, residence permits and exit visas for Syria. The only requirement for such persons is that they possess a valid passport:

Arab and foreign arrivals to Syria should have the following:

- 1- A Passport valid for a period not less than one month after the elapse of the period of the entry visa, provided that the passport is issued by a state recognized by Syria, does not carry an Israeli visa, and the name of the passport owner is not listed among those forbidden from entering Syria.
- 2- An entry visa or transit visa issued by the Syrian embassy or consulate in the original country of the tourist or his place of residence. Entry or transit visas are granted by Emigration And Passport Department at the border, for the subjects of foreign countries which have no diplomatic representation in Syria, and for the foreigners living permanently in Syria provided they show their residency cards...

Facilities And Exemptions Offered To Incoming Tourists:

- 1- Arab nationals are allowed to enter Syria and transit through it exempted from entry or transit visas, provided that they are properly registered in the arrival and departure records . Their passports , travel documents, or entry cards (of the Lebanese nationals allowed to enter by their IDs, or civil record extracts) are properly sealed upon entry and departure...
- 3- Citizens of all Arab states, Gulf Emirates and Sultanates, are exempted from entry and transit visas, residence permits and exit visas.¹

In 2005, the Syrian government facilitated the ability of Jordanians citizens to live in Syria by excluding them from "residency conditions", which according to available reports amounted to abolishing the requirement to pay residency fees.² While the above

¹ 'Entry Visas and Customs Facilities' (undated), Syrian Ministry of Tourism website <http://www.syriatourism.org/index.php?module=subjects&func=listpages&subid=155&newlang=eng> – Accessed 15 February 2011 – Attachment 1.

² 'Jordan FM In Hails Syrian Step' 2005, *Organisation of Asia-Pacific News Agencies*, 1 June – Attachment 2; 'Jordanians living in Syria receive residency exemptions ' 2005, *IPR Strategic Information Database*, 5 May 2005 – Attachment 3; 'Syria excludes Jordanians from residency conditions' 2005, *BBC Monitoring Middle East*, 5 May – Attachment 4.

information suggests that Jordanian citizens are able to enter and reside in Syria with few requirements beyond possession of a passport, it remains unknown whether this amounts to a right to enter and reside in the country. Definitive information on this question, and those below, is most likely to be obtainable by the Department of Foreign Affairs and Trade (DFAT) contacting the Immigration Department of the Ministry of the Interior in Syria.³

2. Does a Jordanian citizen born in Syria have the right to enter and remain in Syria?

Birth in Syria does confer a permission to reside in Syria in the case of Arab foreigners. The Syrian Government's Ministry of Tourism website states that "permission of residency is spontaneously granted for the Arabs and foreigners born in Syria, and wives of Syrian nationals".⁴ This suggests that a Jordanian citizen born in Syria, considered as an Arab foreigner of Syrian birth, is automatically granted a permit of residency. It is unknown whether this also amounts to a right to reside in Syria on account of an absence of known Syrian legislation on this specific matter and of information about the conditions under which residency may be revoked.

Dual citizenship considerations in Syria suggest that a Jordanian citizen born in Syria unofficially retains their original Syrian citizenship, and may therefore have the same rights to enter and remain in Syria as ordinary Syrians. The US *Citizenship Laws of the World* (2001) states the following on dual citizenship in Syria, indicating that voluntary renunciation is discouraged in Syria and that "former citizens of Syria probably maintain an unofficial dual citizenship status and would be subject to Syrian law as citizens should they return to Syria":

DUAL CITIZENSHIP: RECOGNIZED.

Exception: Though Syrian law recognizes dual citizenship, it also states that a Syrian citizen with dual citizenship is considered a Syrian first.

LOSS OF CITIZENSHIP:

VOLUNTARY:

Though voluntary renunciation of Syrian citizenship is permitted by law, the Syrian Information Office stated that it is so complicated that it is best not to attempt the process. In effect, according to that Office, the process is complicated in order to discourage renunciation of Syrian citizenship. Former citizens of Syria probably maintain an unofficial dual citizenship status and would be subject to Syrian law as citizens should they return to Syria.⁵

Notwithstanding the above mentioned information suggesting that Jordanian citizens born in Syria unofficially retain their citizenship, some evidence was found indicting that such persons may be unlikely to have a currently existing legal or official right to enter and remain in Syria. In 2001, the Immigration and Refugee Board of Canada obtained advice

³ The Syrian government's Interior Ministry website only contains information in Arabic and not English: <http://syriamoi.gov.sy/portal/>.

⁴ 'Entry Visas and Customs Facilities' (undated), Syrian Ministry of Tourism website <http://www.syriatourism.org/index.php?module=subjects&func=listpages&subid=155&newlang=eng> – Accessed 15 February 2011 – Attachment 1.

⁵ US Office of Personnel Management Investigations Service 2001, *Citizenship Laws of the World*, March, p. 192 – Attachment 5.

from a Syrian Embassy on whether a Syrian woman who married a Jordanian man would lose her Syrian citizenship in consequence of her marriage. The advice indicates that a Syrian woman who marries a Jordanian man would not lose her Syrian citizenship unless she asks to acquire her husband's nationality:

On 2 April 2001 an official at the Embassy of Syria in Ottawa stated that a Syrian woman who marries a Jordanian man would not lose her Syrian citizenship.

According to Article 12 of Syria's Nationality Act,

A Syrian Arab woman married to an alien shall keep her nationality unless she asks to acquire her husband's nationality assuming that the relevant nationality law allows it. The wife shall keep her nationality if the marriage contract is invalid under Syrian law but valid under the laws governing that contract. (24 Nov. 1969).⁶

If a person from Syria has acquired Jordanian nationality as a result of obtaining a Jordanian passport following their marriage, then this would suggest that by law they may no longer possess Syrian nationality. This may, in turn, affect their rights in relation to entry and residency in Syria.

3. How long are Jordanian citizens, whether born in Syria or not, allowed to remain in Syria and what is their status there?

The most current information found on the length of Syrian residency open to a foreign Jordanian citizen is 1998 advice from the Department of Foreign Affairs and Trade (DFAT). This stipulated that “Arabs in general do not require visas to enter Syria, and may remain in the country indefinitely without a residence permit”.⁷ This advice is consistent with related information on the Syrian Government’s Ministry of Tourism website, which indicates that “permission of residency is spontaneously granted for the Arabs and foreigners born in Syria”.⁸ Taken together the above information suggests that a citizen of Jordan who is Syrian born automatically possesses residency status in Syria for an indefinite period of time.

Attachments

1. ‘Entry Visas and Customs Facilities’ (undated), Syrian Ministry of Tourism website <http://www.syriatourism.org/index.php?module=subjects&func=listpages&subid=155&newlang=eng> – Accessed 15 February 2011.

⁶ Immigration and Refugee Board of Canada 2001, *Syria: Whether a Syrian woman who married a Jordanian man would lose her Syrian citizenship in consequence of her marriage*, SYR36874.E, 6 April, <http://www.unhcr.org/refworld/country...QUERYRESPONSE.SYR.4562d8cf2.3df4beae20.0.html> – Accessed 15 February – Attachment 6.

⁷ DIAC Country Information Service 2000, *Country Information Report No. 257/00 – Iraqis in Syria*, (sourced from DFAT advice of 17 May 1998), 24 February – Attachment 7.

⁸ ‘Entry Visas and Customs Facilities’ (undated), Syrian Ministry of Tourism website <http://www.syriatourism.org/index.php?module=subjects&func=listpages&subid=155&newlang=eng> – Accessed 15 February 2011 – Attachment 1.

2. 'Jordan FM in Hails Syrian Step' 2005, *Organisation of Asia-Pacific News Agencies*, 1 June. (FACTIVA)
3. 'Jordanians living in Syria receive residency exemptions' 2005, *IPR Strategic Information Database*, 5 May 2005. (FACTIVA)
4. 'Syria excludes Jordanians from residency conditions' 2005, *BBC Monitoring Middle East*, 5 May. (FACTIVA)
5. US Office of Personnel Management Investigations Service 2001, *Citizenship Laws of the World*, March.
6. Immigration and Refugee Board of Canada 2001, *SYR36874.E - Syria: Whether a Syrian woman who married a Jordanian man would lose her Syrian citizenship in consequence of her marriage*, UNHCR website, 6 April
<http://www.unhcr.org/refworld/country,,,QUERYRESPONSE,SYR,4562d8cf2,3df4beae20,0.html> – Accessed 15 February.
7. DIAC Country Information Service 2000, *Country Information Report No. 257/00 – Iraqis in Syria*, (sourced from DFAT advice of 17 May 1998), 24 February. (CISNET Iraq - CX41995)