



مركز النهضة الاستراتيجي  
Renaissance Strategic Center



ARDD

النهضة العربية للديمقراطية والتنمية  
Arab Renaissance for Democracy & Development



## Follow-up to the paper “The General Pardon Law No.5 of 2024 and Its Impact on Refugees: Insights from ARDD”

August 2025

As part of its ongoing legal efforts in enhancing access to justice, the Arab Renaissance for Democracy and Development (ARDD) issued a legal paper in July 2024 entitled [\*The General Pardon Law No.5 of 2024 and Its Impact on Refugees: Insights from ARDD.\*](#) The paper provided a detailed explanation of the key provisions of General Pardon Law No. (5) of 2024, issued on April 2, 2024, and the significance and impact of the law for both Jordanians and refugees.

In this context, the paper stated that on May 7, 2024, ARDD submitted a legal petition to the committee formed under the chairmanship of the President of the Court of Cassation, in accordance with Articles (6) and (7) of the General Pardon Law No. (5) of 2024, requesting an official clarification on whether the General Pardon covers:

- Fines and violations stipulated in the Residency and Foreigners' Affairs Law and deportation decisions.
- Fines and deportation decisions contrary to the Labor Law.
- Fines resulting from violations of the Social Security Law.

However, as of the date of publishing the paper, the committee's decision had not yet been issued, and the organization continued to follow up to obtain the requested clarification as indicated above. Subsequently, the official response from the competent committee was recently issued, explicitly stating that these fines and violations are **not** covered by the General Pardon.

The decision considered that the fines imposed under Article 15 of the Instructions on the Conditions and Procedures for Employing and Recruiting Non-Jordanian Workers represent expenses borne by the State Treasury due to the efforts of the Ministry of Labor and other official bodies in detecting violations, detaining non-compliant workers until their deportation, and covering deportation expenses.

The decision also found that this amount constitutes a civil obligation paid to a specific authority when violating the instructions and is paid to a non-judicial entity, thus qualifying as a civil obligation that is not subject to the General Pardon. The same applies to the fine collected from the employer for failing to renew a work permit after 90 days from its expiry date. Likewise, residency fines, deportation, and removal decisions fall under the authority of the Minister of Interior upon the recommendation of the Minister of Labor, unlike the fine stipulated in Article 12 of the Labor Law, which is a criminal penalty imposed on the employer for committing a misdemeanor involving the employment of a non-Jordanian worker without a permit — this fine is covered by the General Pardon. The decision was issued on April 20, 2025.

## **Implications of the Decision Issued by the Committee Formed under Article (6) of the General Pardon Law No. (5) of 2024**

The official response from the competent judicial committee to ARDD's petition carries several important legal and institutional implications that can be built upon in future efforts:

- 1. Activating a Legal Pathway for Civil Society Organizations**

The committee's response to a petition submitted by a non-governmental organization, in accordance with Articles (6) and (7) of the General Pardon Law, is a unique precedent. It confirms the possibility for civil society organizations to resort to high-level constitutional legal mechanisms and to participate effectively in interpreting laws of public impact, not only in monitoring them or providing commentary on their effects.

- 2. Civil Society's Role as an Active Player in Legislative and Executive Dialogue**

This response sets an important precedent in the interaction of judicial institutions with civil society organizations, especially given that the petition was submitted by an association, not an official or syndicate body. It affirms that official bodies take into account legal questions raised by human rights organizations, thus enhancing civil society's role as a direct interlocutor with official entities, particularly on issues related to the rights of refugees and the most vulnerable groups.

- 3. Closing the Door to Institutional Interpretive Discrepancies**

The committee's official response helped end the legal ambiguity that emerged when the law was issued, as the previous period saw conflicting interpretations on whether certain fines were covered by the pardon, leading to inconsistent application between institutions. This response now constitutes a legal reference that can be relied upon to ensure uniform interpretation.

- 4. Official Legal Documentation**

The petition and the response to it can be considered part of the legal record and may serve as a reference in any future legislative reviews.

- 5. Importance of Law Interpretation Committees**

The response underscores the importance of legal inquiries and the role of interpretation committees in enhancing the understanding of the law, ensuring proper application and compliance, and reinforcing the rule of law. This approach can be applied to other similar legislations.

- 6. Paving the Way for Future Legal Dialogues**

This response serves as a starting point for broader legal dialogues with relevant authorities (e.g., Ministry of Labor, Ministry of Interior, Social Security Corporation) on the need to address the negative effects resulting from excluding certain fines, particularly when such exclusions affect individuals' ability to regularize their status, renew their permits, or avoid deportation.

## **7. Civil Society Efforts**

The continuous monitoring, follow-up, and legal advocacy efforts by ARDD on behalf of the most vulnerable groups, especially refugees, highlight the critical role of civil society organizations in advocacy and awareness-raising.

## **Recommendations**

Based on the legal and field monitoring conducted by ARDD, the organization proposes the following recommendations — in addition to those included in the main paper — to enhance the positive impact of future general pardon laws and ensure broader benefits for affected groups, especially refugees:

### **1. Explicit Inclusion of Relevant Fines in Future General Pardon Laws**

Future general pardon laws should explicitly include administrative fines and violations that affect the most vulnerable groups, especially refugees, and reassess the reasons for excluding certain violations from the pardon, particularly those that do not pose a threat to public security but are linked to economic or procedural barriers. Including them could support the state's efforts to regularize statuses and encourage voluntary compliance with the law.

### **2. Clear and Precise Legal Drafting**

Draft legal texts that are clear and precise to reduce the need for subsequent interpretations and prevent inconsistencies in application.

### **3. Turning the Pardon into an Opportunity for Regularization, Not Just Exemption**

Design mechanisms that allow for gradual measures, such as granting beneficiaries of the pardon a grace period to settle their status instead of merely exempting them from punishment. This could enhance legal and economic stability for both the individual and the state. A specific clause could be added for “fine reduction” rather than complete cancellation in some cases involving minor administrative violations, as a middle ground between deterrence and supporting vulnerable groups.

### **4. Establishing Specialized Judicial Committees for Law Interpretation**

Adopt a mechanism for forming specialized judicial committees to interpret various laws, similar to what was done under the General Pardon Law, and ensure access to them for all segments of society and stakeholders. This would help reduce broad or inconsistent interpretations of legal texts, minimize disputes, and enhance the stability of legal precedents, thereby reinforcing the rule of law.

